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REMINISCENCES

OF

JAMES A. HAMILTON;

OR,

MEN AND EVENTS,

AT HOME AND ABROAD,

Historic Foreign Events & Scenes
DURING THREE QUARTERS OF A CENTURY.

W. F.

NEW YORK:
CHARLES SCRIBNER & CO., 654 BROADWAY.
1869.

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PREFACE.

THE author of this work, from a well-founded diffidence of his abilities, was induced to undertake this work by a desire to do justice to his Father against the aspersions of Mr. Jefferson, and more recently of Martin Van Buren, in his Inquiry into the origin of Political parties of the United States. He had the good fortune to enjoy the society of His Father's cotemporaries, officers of the war of the Revolution—members of the Government of the United States—Rufus King, Gouverneur Morris, Col. Pickering, George Cabot, Oliver Wolcott, H. G. Otis, and those members of the Bar of New York who were his associates, Kent, Harrison, the Ogdens, Hoffman, Riggs, and others—and to learn from them incidents connected with his conduct in the important situations in which he was called to act. The work has been extended far beyond the original purposes of the author by recollections which are assumed to have some public interest.



The body of the document contains several paragraphs of text that are extremely faint and illegible. The text is scattered across the page, with some lines appearing as ghostly impressions. The overall appearance is that of a document that has been severely faded or is a scan of a very low-quality original.

ERRATA.

- Page 184, 9th line from bottom—for “realized,” read “*relieved.*”
- “ 227, 20th line from top—for “Boraush,” read “*Branch.*”
- “ 552, date of letter to Wm. P. Fessenden—for “January 22, 1863,” read “*July*
22, 1864.”
- “ 561, last line of page—for “my,” read “*very.*”
- “ 571, 4th line from top—for “in,” read “*on.*”



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REMINISCENCES
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CHAPTER I.

EARLY LIFE OF ALEXANDER HAMILTON.

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IN my seventy-ninth year I have employed a winter's leisure in committing to paper these recollections of a varied and somewhat eventful life. Without having been a principal actor in any of those affairs of public interest to which I shall refer, I have had peculiar opportunities for understanding the purposes and appreciating the characters of many of the leaders in these transactions, and I indulge the hope that I may now and then be able to throw a valuable side-light upon events in our past history, which, though they may have sometimes been of merely local importance, were often of public interest and concern.

Born in the city of New York on the 14th April, 1788, the third son of a family of six sons and two daughters, the children of Alexander Hamilton and Elizabeth Schuyler Hamilton, daughter of Major-General Philip Schuyler, of the Revolution, my earliest recollection of my parents is a journey we made from Philadelphia to Albany by land, during the autumn of 1793. The yellow fever having broken out in Philadelphia, both my father and mother were attacked by the disease at the same time. As soon as they were sufficiently recovered they set out for Albany, where my maternal grandfather lived; but so great was the apprehension of contagion, that the family, when they arrived opposite to New York, were obliged to continue their journey on the west side of the river without going into the city, and on approaching Albany they were

required to halt until they obtained the permission of the public authorities to go to the house of General Schuyler, which was in the fields south of the city. During this illness of my parents they were attended by Dr. Edward Stevens, of St. Croix, the person to whom Hamilton addressed the following remarkable letter, written when he was 12 years old :

“ ST. CROIX, November 11, 1769.

“ To Edward Stevens, New York.

“ DEAR NED:—This serves to acknowledge the receipt of yours, per Captain Lowndes, which was delivered me yesterday. The truth of Captain Lightbower's and Lowndes' information is now verified by the presence of your father and sister, for whose safe arrival I pray, and that they may convey that satisfaction to your soul that must naturally flow from the sight of absent friends in health, and shall for news this way refer you to them. As to what you say respecting your soon having the happiness of seeing us all, I wish for an accomplishment of your hopes, provided they are concomitant with your welfare, otherwise not, though I doubt whether I shall be present or not, for to confess my weakness, Ned, my ambition is prevalent, so that I condemn the grovelling condition of a clerk,* or the like, to which my fortune condemns me, and would willingly risk my life, though not my character, to exalt my station. I am confident, Ned, that my youth excludes me from any hopes of immediate preferment, nor do I desire it, but I mean to prepare the way for futurity. I am no philosopher, you see, and may justly be said to build castles in the air. My folly makes me ashamed, and beg you will conceal it. Yet Neddy we have seen such schemes successful when the projector is constant. I shall conclude by saying I wish there was a war.

“ P. S. I this moment received yours, by William Smith, and am pleased to see you give such close application to study.”

After his recovery, Hamilton wrote the following letter to the physicians of Philadelphia :

“ It is natural to be afflicted, not only at the mortality which is said to obtain, but at the consequences of that undue panic which is fast depopulating the city and suspending business, both public and private. I have myself been attacked with the reigning putrid fever and with violence, but I trust that I now am completely out of danger. This I am to attribute, under God, to the skill and care of my friend Dr. Stevens, a gentleman from the Island of St. Croix, and to whose talents I can attest from an acquaintance begun in early youth.”

A. HAMILTON TO MR. JAMES HAMILTON, ST. THOMAS.

“ NEW YORK, June 23, 1785.

“ MY DEAR BROTHER:—I have received your letter of the 31st of May last, which and one other are the only letters I have received from you in many years. You did not receive one which I wrote to you about six months ago. The situation you describe yourself to be in gives me much pain, and nothing will make me happier than, as far as may be in my power, to contribute to your relief.”

* Hamilton was born on the 11th January, 1757. He was a clerk in the Counting House of Nicholas Cruger, and in November, 1771, as appears by his Counting House letters, was in charge of the business of that house in St. Croix.

"I will cheerfully pay your draft upon me for fifty pounds sterling, whenever it shall appear. I wish it was in my power to desire you to enlarge the sum, but though my future prospects are of the most flattering kind, my present engagements would render it inconvenient to me to advance you a larger sum. My affection for you, however, will not permit me to be inattentive to your welfare, and I hope time will prove to you, that I feel all the sentiments of a brother. Let me only request of you to exert your industry for a year or two more where you are, and at the end of that time I promise myself to be able to invite you to a more comfortable settlement in this country. But what has become of our dear father? It is an age since I have heard from him or of him, though I have written him several letters. Perhaps, alas, he is no more, and I shall not have the pleasing opportunity of contributing to render the close of his life more happy than the progress of it. My heart bleeds at the recollection of his misfortunes and embarrassments. Sometimes I flatter myself his brothers have extended their support to him; and that he now enjoys tranquillity and ease. At other times I fear he is suffering in indigence. Should he be alive, inform him of my inquiries; beg him to write to me, and tell him how ready I shall be to devote myself and all I have to his accommodation and happiness.

"Believe me always, your affectionate friend and brother."

Hamilton entered upon the duties of his office of Secretary of the Treasury on the 13th of September, 1789. On his resignation, 31st of January, 1795, he left Philadelphia and went to the house of General Schuyler, in Albany, where he remained until the summer, when he returned to New York and resumed his business as a lawyer. During the first year in New York he lived in a small house in Pine-street. From thence he removed to the house No. 24 Broadway, where he lived until 1802, when he removed to a country seat eight and a half miles from the city. This place he called the "Grange," and here he continued to live until his death in July, 1804. During his residence in the country he generally drove back and forth in a two-wheeled carriage with a single horse. His family at that time consisted of his wife, five sons and two daughters (his eldest son Philip having been killed in a duel on the 24th of November, 1802), and Fanny, the orphan child of Col. Autle (who was killed in the Revolutionary war). She was educated and treated in all respects as his own daughter, and married Mr. Tappan, an eminent philanthropist of New York.

Hamilton's gentle nature rendered his house a most joyous one to his children and friends. He accompanied his daughter Angelica when she played and sang at the piano. His intercourse with his children was always affectionate and confiding, which excited in them a corresponding confidence and devotion. I distinctly recollect the scene at breakfast in the front room of the house in Broadway. My dear mother, seated as was her wont at the head of the table with a napkin in her lap, cutting slices of bread and spreading them with butter for the younger boys, who, standing at her side, read in turn a chapter in the Bible or a portion of Goldsmith's Rome. When the lessons were finished the father and the elder children were called to breakfast, after which the boys were pack-

ed off to school. The following letters to his two children will perhaps be considered by many sufficiently interesting to warrant me in printing them.

TO PHILIP HAMILTON.

“PHILADELPHIA, December 5, 1791.

“I received with great pleasure, my dear Philip, the letter which you wrote me last week. Your mamma and myself were very happy to learn that you are pleased with your situation and content to stay as long as shall be thought best for you. We hope and believe that nothing will happen to alter this disposition.

“Your master also informs us that you recited a lesson the first day you began, very much to his satisfaction. I expect every letter from him will give me a fresh proof of your progress, for I know you can do a great deal if you please, and I am sure you have too much spirit not to exert yourself that you may make us every day more and more proud of you.

“You remember that I engaged to send for you next Saturday, and I will do it unless you request me to put it off; for a promise must never be broken, and I never will make you one which I will not fill as far as I am able; but it has occurred to me that the Christmas holidays are near at hand, and I suppose your school will then break up for a few days and give you an opportunity of coming to stay with us for a longer time than if you should come on Saturday. Will it not be best therefore to put off your journey till the holidays? but determine as you like best, and let me know what will be most pleasing to you. A good-night to my darling Son.”

The following is copied from a mutilated paper :

TO MISS ANGELICA HAMILTON.

“SEPT. 21, 1793.

“I was very glad to learn, my dear daughter, you were going to begin the study of the French language. We hope you will in every respect behave in such a manner as will secure to you the good-will and regard of all those with whom you are. If you happen to displease any of them, be always ready to make a frank apology. But the best way is to act with so much politeness, good manners and circumspection, as never to have an occasion to make any apology. Your mother joins in best love to you. Adieu, my very dear daughter.”

Hamilton's kindness of disposition and generosity were not confined to his own family. He was always ready to give help to those in trouble; even when he could ill afford it. I have a picture of my mother, painted by “T. Earle in 1787.” This precious relic is due to the benevolence of my father. Mr. Earle, who was an artist of reputation, having been imprisoned for debt in New York, Hamilton induced my mother, then about 28 years of age, to go to the debtors' jail to sit for her portrait; and she induced other ladies to do the same. By this means the artist made a sufficient sum to pay his debts.

Hamilton induced the Holland Land Company to give Mrs. Robert Morris, the widow of the eminent financier of the Revolution, an annuity which supported her comfortably. He also obtained for his friend, Col. Troup, the agency of that Company in the western part of New York, by which he became quite independent if not wealthy.

Col. Duer, a gallant soldier of the Revolution, who gambled in the public stocks, was ruined and sent to jail by his creditors, where he remained for five years. Hamilton addressed to certain of Duer's creditors the following letter.

"DEAR SIR :

"POOR Duer has now had a long and severe confinement, such as would be adequate punishment for no trifling crime. I am well aware of all the blame to which he is liable, and do not mean to be his apologist, though I believe he has been as much the dupe of his own imagination as others have been victims of his projects. But what then? He is a man—he is man with whom we have both been in habits of friendly intimacy. He is a man who, with a great deal of good zeal, in critical times rendered valuable services to the country. He is a husband, who has a most worthy and amiable wife perishing with chagrin at his situation—your relative and mine. He is a father, who has a number of fine children destitute of the means of education and support, every way in need of his future exertions. These are titles to sympathy which I shall be mistaken if you do not feel. You are his creditor, your example may influence others. He wants permission through a letter of license freely to breathe the air for five years. Your signature to the inclosed draft of one, will give me much pleasure.

Your obt. servt.

"A. HAMILTON."

Hamilton's means were not at any time large; although at the time of his death his income was rapidly improving. Further on I shall examine the charge brought against him, that, by keeping his friends informed of the financial measures he was about to take, he enabled many of them to amass enormous fortunes, and will prove that these charges, first invented and then kept in circulation by Mr. Jefferson, had no foundation in truth. But whatever he may have been accused of doing for his friends; no one, not even Mr. Jefferson, ever charged Hamilton with having made a fortune out of the office of Secretary of the Treasury. After he was admitted to the bar in New York, and until he was called to the Cabinet of Washington, he practised in New York, and was so successful as to be enabled to purchase certain houses and lots of land in Wall-street, at that time one of the fashionable dwelling quarters. These houses were, however, sold while he held the office of Secretary of the Treasury, and the balance, after paying a mortgage on them, went to the support of his family, for which his salary, three thousand dollars, was insufficient. When he returned to his practice after his resignation, he formed an arrangement with Messrs. Thomas L. Ogden and Ludlow Ogden, two brothers, by which they performed the duty of attorney and received all the emoluments thereof, while Hamilton received the counsel fees. The arrangement was thus represented to me in the year 1803 by Mr. Washington Morton, a lawyer in good standing, who had married my mother's sister. On a visit to the Grange, my uncle told me that the Messrs. Ogden were receiving a very large amount as the Attorneys of my father's business, of which he received no part, whereas if he were to receive only one half of the sum his profits would be vastly increased. He then intimated that he would be much pleased to make an arrangement with my

father, as his attorney, on such terms. I asked him why he did not propose it. He said he did not wish to interfere in the matter, but at the same time he expressed a wish that I should make the proposition for him to my father.

While we were living at the Grange I used to drive out with my father, and often accompanied him when he dined with his friend Gouverneur Morris. During one of these drives, soon after my conversation with my uncle, I told my father what I had learned, and made the suggestion which Mr. Morton had requested. He replied without hesitation, "No, my son; if I received a part of the profits of that business, I should be responsible for it; as I cannot attend to it, I cannot consent to receive what I do not earn." I think it was during the same drive that he related the following anecdotes which, though not strictly in place here, may be inserted as giving a similar illustration of his integrity: "When I first came to the bar I happened to be in court when a woman was arraigned as a thief, who pleaded 'not guilty.' She had no counsel, and the court assigned me to that duty. I asked her what defence she had. She replied that she had none. The prosecution went on to prove the charge by circumstantial evidence; when that was closed the case was to be argued. I opened to the jury, and after endeavoring to destroy the connection of the circumstances, I said: 'Gentlemen of the jury: Woman is weak, and requires the protection of man;' and upon this theme I attempted to awaken the sympathies of the jury, and with such success that I obtained a verdict of 'not guilty.' I then determined that I would never again take up a cause in which I was convinced I ought not to prevail." On another occasion a man from Long Island called upon him to retain him in a suit brought by the heirs of an estate of which he was the executor. He placed on the writing table near my father a large fee in gold, and then stated his case. Hamilton pushed the gold back to him, and said, "I will not be retained by you in such a cause. Take your money; go home and settle without delay with the heirs, as you are in justice bound to do."

The following letter, addressed by Hamilton to Mr. Gouverneur in 1792, is worthy of attention as manifesting a proper sensibility to the character of his profession:

"Mr. B. last evening delivered me your letter, enclosing a copy of your correspondence with Mr. Lewis." * * * "In one other respect I feel myself painfully situated, having received a favorable impression of your character. I am sorry to observe any thing to have come from you which I am obliged to consider as exceptionable. Your second letter to Mr. Lewis contains a general and of course an unjustifiable reflection on the profession to which I belong, and of a nature to put it out of my power to render you any service in the line of that profession. I readily believe you did not attend to the full force of the expression when you tell Mr. Lewis, 'Attorneys like to make the most of their bills of costs,' but it contains in it other insinuations which cannot be pleasing to any man in the profession, and what must oblige any one that has proper delicacy to decline the business of a person who professedly entertains such an idea of the conduct of this profession. I make allow-

ance for your feelings when you wrote that letter, and am therefore reluctantly drawn into these observations."

Acting, as Hamilton uniformly did, upon such principles, it will not be surprising that he was long in reaching a point where his earnings were in any proper proportion to his great abilities or to his unflagging industry.

James Madison, the Fourth President of the United States, and the associate of Hamilton in writing *The Federalist*, fifteen days after his former intimate friend had withdrawn from the Department of the Treasury, addressed a letter to Mr. Jefferson, dated February 15, 1795, in which he says: "*It is pompously announced in the newspapers that poverty drives Hamilton back to the bar for a livelihood.*" This unworthy insinuation is best answered by the following facts:

When Hamilton was a delegate from New York to Congress, he addressed the following letter to Governor Clinton:

"PHILADELPHIA, December 18, 1782.

"DEAR SIR: I shall very shortly be out of cash, and shall be much obliged to you to forward me the State allowance. It will answer as well in Mr. Morris's notes as in specie, provided the notes have not more than a fortnight or so to run. It will be better if they are due. A disappointment in this will greatly embarrass me, and from what your Excellency said, I take it for granted it cannot happen. Nothing new except a probable account of the evacuation of Charleston. I have the honor to be, with great esteem,

"Your most obedient servant."

On the 30th September, 1791, Hamilton, then Secretary of the Treasury, wrote thus to a friend:

"DEAR SIR: If you can conveniently let me have twenty dollars for a few days, be so good as to send it by the bearer. I have just put myself out of cash by payment of Major l'Enfants' bill."

"Memorandum by the lender:—'Gave a check dated September 30, 1791, for fifty dollars.'"

Talleyrand remarked to a friend: "I have beheld one of the wonders of the world. I have seen a man who has made the fortune of a nation laboring all night to support his family."

Talleyrand came to this country in 1794, with a letter of introduction to Hamilton from Mrs. Church, the sister of Mrs. Hamilton. He had occasion to pass Hamilton's office late at night and early in the morning, and each time saw Hamilton's lamp burning.* My father was so poor at his death that his pro-

* Mr. George Ticknor, in a letter dated January, 1819, writes: "Talking with Prince Talleyrand about his visit to America, he expressed the highest admiration of Hamilton, saying, among other things, that he had known nearly all the marked men of his time, but that he had never known one, on the whole, equal to him. I was much surprised and gratified by the remark, but still feeling that as an American I was in some sort a party concerned by patriotism in the compliment, I answered with a little reserve, that the great military commanders and statesmen of Europe had dealt with larger masses and wider interests than he had. 'Mais, Monsieur!' the Prince instantly replied, 'Hamilton avait diviné l'Europe!'"

perty was not sufficient to pay his debts. Several of his friends advanced money for that purpose.

TIMOTHY PICKERING TO GENERAL WASHINGTON.

“TRENTON, October 20, 1798.

“SIR: Recollecting your anxiety that General Pinckney might feel satisfied with the military arrangements of general officers proposed by you, I seize the first moment to relieve you from it. This morning Mr. McHenry has received from General Hamilton a letter dated yesterday, in which is the following passage. After mentioning the arrival of General Pinckney, General Hamilton says: ‘You will learn with pleasure that he sent me a message by young Rutledge, purporting his entire satisfaction with the military arrangements and readiness to serve under my command. Communicate this to our friends Pickering and Walcott, as I am not well enough to write them by this post.’ I think in a former letter I expressed myself confidently that General Pinckney’s good sense and patriotism, joined with his great respect for you, would ensure his satisfaction with your arrangement. The correspondence between Talleyrand and Gerry, concerning X. Y. & Z., you will recollect offended the delicacy of the latter gentleman, who avowed himself by the name of Hauteval, and addressed to Talleyrand a letter declaring ‘that his delicacy could not but be severely hurt to see himself, under the appellation of Z, performing a part in the company with certain intriguers, whose object doubtless was to derive advantage from the credulity of the American envoys, and to make them their dupes.’ The quality of this gentleman’s *delicacy* you will see in the following extract of a letter from Mr. King, which I received this morning. ‘Colonel Trumbull, who was at Paris soon after the arrival there of the commissioners, has more than once informed me that Hauteval told him that both the *douceur* and the loan were indispensable, and urged him to employ his influence with the American Commissioners to offer the bribe as well as the loan.’ The corruption of these scoundrels is unbounded. In the publication of the despatches from our envoys, although not enjoined secrecy in respect to Mr. Hauteval, yet as the envoys mentioned him with respectful language, I voluntarily substituted Z for his proper name.

“I am with great respect, sir, your most obedient servant, &c.”

At a dinner party in New York, shortly after the close of the Revolutionary war, at which were present Messrs. G. Morris, John Jay, R. Harrison, John DeLafield, Robert Lenox, Nicholas Law, I. O. Hoffmann and Alexander Hamilton, the question was discussed whether the purchase of wild lands or of lots in the suburbs of the city would be the more profitable investment. John Jay was in favor of New York, and made purchases there, and as his means enabled him to hold his lots, his speculation made him rich. Hoffmann also bought land in the vicinity of the city. Some of the others, including my father, took the opposite view, and invested in the lands in the northern counties of the State. The wild lands were purchased at a few cents the acre, but they were not settled very rapidly.* After the death of Hamilton, it was found, as I have already

* It is said that the State of New York sold about seven millions of acres at eight cents an acre.

said, that his means were not equal to the payment of his debts, and several friends therefore advanced money for that purpose, taking these lands in payment.

Having learned that Major William Popham, one of the gentlemen who had shown this kindness to my father, was at an advanced period of life in poor circumstances, I addressed him the following letter :

“NEW YORK, October 14, 1824.

“MY DEAR SIR: I was this day for the first time informed by a person who became acquainted with the circumstance at the time it occurred, that you advanced one hundred dollars to pay my father's debts. The gratitude that is due to you from every member of his family for this generous act can never be effaced. You must therefore believe that I do not send you the enclosed cheque for the same sum in the hope of cancelling what is due to you, but in obedience to the sacred injunction of my father, and because under present circumstances it may promote your convenience.

“I requested Mr. Pendleton, one of my father's executors, to inform me of the arrangements made to pay my father's debts, for at that time I was but young. He informed me with reluctance that my father's lands in Scriba's Patent had been taken by certain gentlemen in this city, whose names he would not mention, at prices which, he said, were perhaps a little more than they were worth at the time. These gentlemen hoped with the amount thus raised, and the sums due my father, to pay his debts and leave the Grange clear for his family.

“I mention this to show you that I have not been indifferent to this very delicate matter, and that if in my course through life I should have come in collision with any of those persons (with you, I am happy to say, I am sure I have not) to whom I am indebted for these or similar acts of generous devotion to my father's memory, it has been in ignorance, and must always be to me a subject of deep and mortifying regret.

“With great regard, your friend and obedient servant,

“JAMES A. HAMILTON.”

During a visit I made to Boston, I was the guest of the Hon. George Cabot. He then related to me the following anecdote as to the French Minister Genet. The conduct of this French Minister was most outrageous; so much so that Washington, after long forbearance, under the urgent advice of his friends, decided to give him notice that the Government would hold no further official intercourse with him. This, which was then considered a very hazardous measure, it was believed would require the support of all the friends of the administration. John Adams, the Vice-President, was considered a very uncertain man, and the task was committed to me to take care that he should not go wrong on this occasion. I accordingly called upon Mr. Adams in the morning at an early hour, and after a few incidental remarks, said :

“Mr. Adams, this French Minister's conduct seems to me to be most objectionable.”

MR. ADAMS.—“Objectionable? It is audacious, Sir!”

MR. CABOT.—“I think if you were President, you would not permit him to perform his office very long!”

MR. ADAMS.—“Not an hour, Sir! I would dismiss him immediately.”

MR. CABOT.—“I wish you would allow me to say to the President that such are your views!”

MR. ADAMS.—“Certainly, Sir! I will say so to the President myself, when I see him.”

The work was done. Before night, it was known that Genet was dismissed, and Mr. Adams was gratified to believe his opinion had influenced the course of the President. This is the inside view of one of the events of Washington's administration. When Fauchet, Genet's successor, arrived, it was ascertained that he came with orders to send the disgraced Minister home, and it was reported that measures were in progress to take him by force, put him on board a vessel, and send him to France. The Minister was informed by our government that this could not be done. It was next suggested that a party should be given on board a French war-vessel then in the Delaware river, to which Genet should be invited, and that when he was once under the French flag, he should be detained and carried off. This plan was submitted to our government. Hamilton earnestly advised the President that the French Minister should be informed “that no such stratagem could be permitted,” on the ground that if he were taken to France he would be executed, and the President's connivance would be sure to be imputed by his enemies to motives of resentment. This advice was adopted, and Genet remained in this country. He married a daughter of George Clinton, Governor of the State of New York, and left a family of children.

GOVERNOR CLINTON AND THE FEDERALISTS.

I also remember this little personal anecdote of Governor Clinton. The Convention called to discuss the question of the adoption of the Federal Constitution by the State of New York, met at Poughkeepsie in the summer of 1788. Two thirds of the members were opposed to adoption. Governor Clinton was elected to preside. The debates ran very high, and Clinton, unable to contain his impatience under the arguments of the Federalists, rose from his seat, and, leaving the room, walked for some time up and down the piazza.

GENERAL HENRY CLINTON.

General Clinton, Commander-in-Chief of the British forces in America, while New York was in possession of the English, lived at the corner of Broadway and what is now called Battery-Place. At that time the water of the Hudson washed the west end of the yard or garden attached to that house, where there was a summer-house in which Clinton was in the habit of taking a nap in the afternoon. The famous Light-horse Lee, hearing of this habit, formed a plan to cross the Hudson to the foot of the garden at low tide, land, and seize the General while asleep and carry him off prisoner. When all was

arranged, Lee informed General Washington of his purpose. Washington consulted Hamilton, who promptly advised the General to forbid it; "for," said he, "should Clinton be made a prisoner it would be our misfortune, since the British Government could not find another commander so incompetent to send in his place."

The following incidents, relating to my father's professional life in New York, may be stated here. "On one occasion, when Hamilton went to the poll in the Seventh Ward, he was attacked by a well-known rough, named Tunis Wortman, who called him a Tory, swore that he ran away from the British Army, and endeavored to prevent him from addressing the people as he had intended. Hamilton told Wortman to call out one of the leaders of his party to discuss with him the subject then before the people. Two or three months afterwards Tunis was prosecuted for a serious offence, and he came to Hamilton to engage him to defend his cause. This Hamilton consented to do, but refused the fee that was offered; and as Wortman was taking his leave, my father said to him, 'Tunis, why don't you employ B. or M.?' 'Oh, Colonel,' said he, 'I served in your company during the war, and I know you will do me justice in spite of my rudeness.' 'Yes, Tunis,' replied Hamilton, 'I have not forgotten you. I remember you as the only man I ever ordered to be punished for disobedience.'"

In the case of the People against Crowell, the editor of a newspaper, who was indicted for a libel upon President Jefferson, Ambrose Spencer, Attorney-General, was the prosecutor, and Hamilton appeared for the defendant. The defence rested upon a question of law. Judge Lord Mansfield had decided that the truth could not be given in evidence, for according to that great authority, the greater the truth, the greater the libel. Hamilton, when the trial came on, proposed to give the truth in evidence. This was resisted, and the judge, in obedience to the well-received law of that day, rejected the evidence. The case was carried up to the Supreme Court upon this decision and argued at the bar. Hamilton's definition of a libel was in these words: "A libel is a censorious or a ridiculous writing, picture or sign, made with a mischievous or malicious intent towards governments, magistrates or individuals." This was ultimately adopted by the Court, enacted by a statute and introduced into the Constitution of this State in 1822. In the same argument Hamilton defined the liberty of the Press to consist "in publishing the truth from good motives and for justifiable ends, though it reflect on magistrates, governments or individuals, and if so published, the truth may be given in evidence." The Court, consisting ordinarily of five judges, though at that time there were four present, were divided in opinion on the question. Judges Lewis and Livingston were of opinion that the truth was no justification. Judges Thompson and Kent were of opinion that it was when published with good motives and for justifiable ends, and they of course sustained Hamilton's views.

John Johnston, a merchant of high standing in New York, kept a common place book from which I copy the following item:

"I was present when Hamilton made his justly celebrated speech in the Supreme Court of the State of New York in defence of Croswell, who was tried for publishing a libel on Mr. Jefferson, then President of the United States. It was indeed a most extraordinary effort of human genius. Never, alas, shall I again be charmed by the accents of that tongue, now cold in the grave. There was not, I do believe, a dry eye in court, and yet the subject had nothing of the pathetic in it, nor was there the least appearance of an attempt to excite the tender feelings of the audience. The beautiful and tender manner in which he spoke of the character of General Washington, and the affecting appeal he made to every one present, whether, under our present government, the most worthless part of the community did not usurp the situation of the most deserving and meritorious, produced an effect that literally threw the audience into tears."

In the great case of *Le Gueu, Gouverneur, and Kemble*, which was ultimately decided in the Court of Errors, so deep was the interest from the array of counsel—Hamilton, Burr and others for *Le Gueu, Gouverneur* Morris and others for *Gouverneur and Kemble*—that the Court permitted the counsel to speak again and again, out of the ordinary course. Morris's commanding figure, melodious voice and authoritative manner, made a great impression. After speaking in praise of what Hamilton had said, he used these words: "Before I have done I am confident I shall make my learned friend cry out, 'Help me, Cassius (pointing to Burr), or I sink.'" When Hamilton's turn came to reply, he treated Morris with great courtesy, reviewed his arguments without mercy—exposing all their weakness, and then alluded to the boast of his friend in a strain of irony that turned the laughter of the Court and audience against him. This so deeply offended Morris that years afterward, at his own house, referring to that discussion, he said to me, "I never forgave your father for his speech on that occasion."

On the same day after the court had closed, there was a dinner given to the counsel, judges and others, by Stephen Van Rensselaer, of Albany, the Patroon. Hamilton went to his father-in-law's, General Schuyler's, to dress for dinner, Morris and the rest to the Patroon's. When Hamilton arrived, Van Rensselaer met him at the door, and to put him on his guard informed him that Morris was in a very bad humor. Hamilton went into the room, approached Morris most amiably, and said: "My friend, you will rejoice, I hope, that by Cassius's help I meet you here with our friends at dinner!" Morris was no proof against the bonhomie of this attack; he swallowed his resentment for awhile and the party passed off pleasantly. Morris was full of resources and remarkable for his colloquial powers, and made a much better impression at the dinner-table than as an advocate in court.

This reminds me of what George Cabot told me when I was staying at his house in Boston.

"I never give dinners; but Morris came to Boston, and having known him well in the good old times, I felt it due to him to make up a party for him. I invited Fisher Ames to meet him, with Harrison Gray Otis, and others of that stamp. After

the cloth was removed I introduced as a subject of conversation, 'How long can Great Britain sustain her load of debt?' I briefly expressed my own views: all waited to hear Morris, who, with great force and knowledge of the subject, presented his. When he had finished there was a pause; we drank, and all eyes were turned to Ames, who was admitted to be our best talker. As you know, he was then in feeble health, and he began in his low, melodious tone with evident weakness, to express his views, which differed widely from those of Morris. He was thoroughly acquainted with the subject, which, by the way, was very frequently discussed at that time; and talked in his best vein with singular clearness and eloquence. Morris was all attention. I watched him closely. The first clear indication on his countenance of what was passing in his mind was—'He talks well.' The next—'He talks as well as I do.' And at last, as Ames warmed with his subject, 'He talks better than I do.'

Cabot I remember well. He was one of the best talkers of the day, and one of the most intelligent, upright, amiable and excellent of men. He was in public life during the first two administrations.

The following is a letter by Hamilton to a young friend, who communicated it anonymously to the editor of the *Evening Post*.

"April 13, 1804.

"DEAR SIR: The *Post* of to-day brought me a letter from you, and another from Mr. ——. I have no doubt but the latter would serve you if he could; but he cannot, at this time.

"On the whole, I would advise you to return to New York, and accept any respectable employment in your way, till an opportunity of something better shall occur. 'Tis by patience and perseverance that we can expect to vanquish difficulties, and better an unpleasant condition.

"Arraign not the dispensations of Providence; they must be founded in wisdom and goodness; and when they do not suit us it must be because there is some fault in ourselves which deserves chastisement, or because there is a kind intent to correct in us some vice or failing of which, perhaps, we may not be conscious; or because the general plan requires that we should suffer partial ill.

"In this situation, it is our duty to cultivate resignation and even humility, bearing in mind, in the language of the poet, that it was '*Pride which lost the blest abodes.*'

"With esteem and regard, &c."

ALEXANDER HAMILTON AND JOHN WELLS.

The last was a very distinguished lawyer at the New York bar. Among his private papers was recently found a lock of Hamilton's hair. On the paper containing it was the following endorsement in the handwriting of John Wells.

"A lock of the hair of that head which, filled with the brightest intellect, enlightened every subject on which it cast its beams. I cherish it with the warmest devotion as a relic which calls to mind all that is great and good and amiable in the human character."

I have italicised such parts of the following letters, written by my father to my aunt Mrs. Church, in London, as refer to his pecuniary condition, to prove that the implied imputation of Madison, above stated, was as groundless as it was malicious.

ALEXANDER HAMILTON TO HIS SISTER, MRS. CHURCH, IN LONDON.

“PHILADELPHIA, December 8, 1794.

“You say I am a politician, and good for nothing. What will you say when you learn that after January next, I shall cease to be a politician at all? So is the fact. I have formally and definitely announced my intention to resign at that period, and have ordered a house to be taken for me at New York.

“My dear Eliza has been lately very ill. Thank God, she is now quite recovered, except that she continues somewhat weak. My absence on a certain expedition was the cause (with army to suppress the whisky insurrection in Pennsylvania). You will see, notwithstanding your disparagement of me, I am still of consequence to her.

“Liancourt has arrived, and has delivered your letter. I pay him the attentions due to his misfortunes and his merits. I wish I was a Cræsus; I might then afford solid consolations to these children of adversity, and how delightful it would be to do so. *But now, sympathy, kind words, and occasionally a dinner, are all I can contribute.*

“Don't let Mr. Church be alarmed at my retreat—all is well with the public. Our insurrection is most happily terminated. Government has gained by it reputation and strength, and our finances are in a most flourishing condition. *Having contributed to place those of the Nation on a good footing, I go to take a little care of my own; which need my care not a little.*

“Love to Mr. Church. Betsy will add a line or two. Adieu.”

SAME TO SAME.

“ALBANY, March 6, 1795.

“To indulge in my domestic happiness the more freely, was with me a principal motive for relinquishing an office in which 'tis said I have gained some glory, and the difficulties of which had just been subdued. Eliza and our children are with me here at your father's house, who is himself at New York attending the Legislature. We remain here till June, when we become stationary at New York, where I resume the practice of the law. For, my dear sister, I tell you without regret what I hope you anticipate, that *I am poorer than when I went into office.* I allot myself full four or six years of more work than will be pleasant, though much less than I have had for the last five years.”

Hamilton, in a private letter dated June 26, 1792, wrote thus:

“The Legislature might reasonably restrain its officers from future *buying* and *selling* of stock, but could not reasonably prevent them making a disposition of property which they had previously acquired according to the laws of their country. All my property in the funds is about 800 dollars 3 per cents. These at a certain period I should have sold had I not been unwilling to give occasion to cavil.”*

* This stock was sold by Mr. Wolcot to pay Hamilton's small debts when he left Philadelphia.

The following letter, dated April 21st, 1797, was addressed by Philip Hamilton to his father Alexander Hamilton at Albany.

“DEAR PAPA: I just now received the enclosed letter from grandpapa (Schuyler), in answer to a letter I wrote to him, in which he has enclosed to me three receipts for shares in the Tontine Tavern, amounting to £100. I have given the receipts to mamma.

“I delivered my speech to Dr. Johnson to examine. He has no objection to my speaking; but he has blotted out that sentence which appears to be the best and most animated in it; which is, you may recollect it—

“*Americans, you have fought the battles of mankind; you have enkindled that sacred fire of freedom which is now,*” &c. Dear papa, will you be so good as to give my thanks to grandpapa for the present he made me, but above all for the good advice his letter contains—which I am very sensible of its being extremely necessary to me to pay particular attention to in order to be a good man. I remain your most affectionate son.

“P. S. You will oblige me very much by sending back the letter I have enclosed to you.”

A letter written by A. Hamilton to a relative in Scotland, in 1799, who had requested to know some particulars of his life, reads thus:

“I came to this country about the age of sixteen, and having always had a strong propensity to literary pursuits, by a course of study and laborious exertions I was able at the age of nineteen to qualify myself for the degree of Bachelor of Arts in the College of New York, and to lay a foundation by preparatory study of the future profession of the law. The American Revolution supervened. My principles led me to take part in it. At nineteen I entered into the American army as captain of artillery, and shortly after I became, by his invitation, aid-de-camp to General Washington; in which station I served till the commencement of that campaign which ended with the siege of Yorktown, Virginia, and the capture of Lord Cornwallis's army. This campaign I made at the head of a corps of light-infantry, with which I was present at the siege of York, and engaged in some interesting operations. At the period of the peace with Great Britain, I found myself a member of Congress by appointment of the Legislature of this State. After the peace I settled in the City of New York, in the practice of the law, and was in a very lucrative course of practice when the derangement of our public affairs by the feebleness of the general confederation drew me again, reluctantly, into public life. I became a member of the Convention which framed the present Constitution of the United States, and having taken part in this measure I conceived myself to be under an obligation to lend my aid towards putting the machine in motion. Hence I did not hesitate to accept the offer of President Washington to undertake the office of Secretary of the Treasury. In that office I met with many intrinsic difficulties and many artificial ones, proceeding from passions not very worthy but common to human nature; and which act with peculiar force in republics. The object however was effectual of establishing public credit and introducing order into the finances.

“Public office in this country has few attractions. The pecuniary emolument is so inconsiderable as to amount to a sacrifice to any man who can employ his time with advantage in any liberal profession. The opportunity of doing good, from the jeal-

ousy of power, and the spirit of faction, is too small in any station to warrant a long continuance of private sacrifices. The enterprises of party had so far succeeded as materially to weaken the necessary influence and energy of the executive authority, and so far diminished the power of doing good in that department, as greatly to take away the motives which a virtuous man might have for making such sacrifices. The prospect was even bad for gratifying in future the love of fame, if that passion was to be the spring of action. The union of these motives with the reflection of prudence in relation to a growing family, determined me as soon as my plan had obtained a certain maturity, to withdraw from office. This I did in the year 1795, by resignation, when I resumed the profession of the law (as counsellor) in New York, under every advantage I could desire.

"It is a pleasing reflection to me that since the commencement of my connexion with General Washington, to the present time, I have possessed a flattering share of his confidence and friendship. In the year 1780, I married the second daughter of General Schuyler, a gentleman of one of the best families in this country, of large fortune, and of no less personal and public consequence. It is impossible to be happier than I am in a wife, and I have eight children, the eldest a son somewhat past seventeen, who all promise well as far as their years permit, and promise me much satisfaction. Though I have been too much in public life to be wealthy, my situation is extremely comfortable, and leaves me nothing to wish but a continuance of health. With this blessing, the profits of my profession and other prospects authorize an expectation of such addition to my resources as will render the eve of life easy and agreeable, so far as may depend on this consideration."

The references to houses and lots to be hired or purchased for Mrs. Church, in these letters, calls to my recollection the condition of the lower part of Broadway in these days. The west side below Trinity Church was, with one exception, built up and occupied by gentlemen of fortune; the exception was the south corner of Morris-street, where there was a small gun-shop. On the east side the same private dwellings, with two exceptions, one a shoemaker's, two doors north of my father's residence, the other a small wooden house next south of Governor Jay's house. This was owned and occupied by Slidell, a German candle-maker (the grandfather of the notorious John Slidell). This little man was often seen in the afternoon sitting on his wooden stoop, in his apron and cap, smoking his pipe, the dipped candles hanging at the window.

MR. JEFFERSON, HIS "ANA" AND HIS LETTERS.

Jefferson in his writings, Vol. 4, pp. 446, 447, referring to the funding system, says: "This game was over, and another was on the carpet at the moment of my arrival." (This is not correct.) His arrival at the seat of Government was in March, 1790, as he states. The funding Act was not passed until August following. It cannot be believed that, during the four months he was in the Cabinet, he was ignorant of the proposed financial measures; they were, at that time, the most interesting questions presented for consideration. "This fiscal manœuvre is well known by the name of the assumption." * *

“*And the more debt Hamilton could rake up, the more plunder for his mercenaries.*” Concerning the duty of assuming the debts of the States, incurred in the prosecution of the war for the common defence, Hamilton said in his report :

“The general principle of it seems equitable, for it appears difficult to conceive a good reason why the expenses for the particular defence of a part in a common war should not be a common charge as well as those incurred professedly for the general defence. The defence of each part is that of the whole, and unless all the expenditures are brought into a common mass, the tendency must be to add to the calamities suffered by being the most exposed to the ravages of war and increase of burthens.”

The debt incurred by the States was, as Hamilton said, “A part of the price paid for Independence.” The report proves conclusively that to assume these debts by the United States would expose the people of the States to lighter burthens than they would be under by the expense of two systems of taxation, one by the United States and the other by the States. Perhaps the most conclusive answer to all the condemnation of “the assumption” to which its author was exposed is to be found in the fact that the continued policy of the United States from that time to this (1866), has been to assume and pay the debts of the States incurred in the common defence and for the general welfare.

The charge against Hamilton is, substantially, that he enabled his myrmidons to amass fortunes by informing them of the measures to be pursued by him. Mr. Jefferson has said : “Proof is the duty of the affirmative side. A negative cannot be possibly proved.” In relation to the charges he has deliberately made against Hamilton of the most damning character, he has not in a single case offered, or attempted to offer, any proof whatever.

The following negative proof will, by the candid, be considered as conclusive against Mr. Jefferson’s naked assertion.

Henry Lee, a gallant soldier of the Revolution, afterwards Governor of Virginia, addressed to his friend Hamilton the following letter :

“RICHMOND, Nov. 16, 1789.

“MY DEAR SIR:—Your undertaking is truly arduous, but I trust as you progress in the work difficulties will vanish. From your situation you must be able to form with some certainty an opinion concerning the domestic debt; will it speedily rise? will the interest accruing command specie, or anything nearly as valuable—what will become of the indents already issued?

“These queries are asked for my private information. Perhaps they may be improper. I do not think them so, or I would not propound them. Of this you will decide, and act accordingly—nothing can induce me to be instrumental in submitting my friend to an impropriety.

“I wrote to General Knox sometime ago, enclosing a letter to St. Clair; will you, before you answer me, know whether my letter was received.

“The anti-federal gentlemen in our own assembly do not relish the amendments proposed by Congress to the constitution. Yours always and affectionately,

“HENRY LEE.

“To Col. Alexander Hamilton.”

To this letter Hamilton replied :

“NEW YORK, DEC. 1, 1789.

“MY DEAR FRIEND:—I received your letter of the 16th of November. I am sure you are sincere when you say that you would not subject me to an impropriety, nor do I know there would be any in answering your queries; but you remember the saying with regard to Cæsar’s wife. I think the spirit of it applicable to every man concerned in the administration of the finances of the country. With respect to the conduct of such men, *suspicion* is ever eagle-eyed, and the most innocent things may be misinterpreted. Be assured of the affection and friendship of yours.”

A similar application made by Herman Le Roy, a member of the distinguished mercantile firm in New York of Le Roy, Bayard & Co., “in order that his Dutch friends might speculate,” was answered in the same way.

Hamilton requested his father-in-law, General Schuyler, not to permit his son to speculate in the public securities lest it should be inferred that their speculations were made upon information furnished by Hamilton; or were made in part on Hamilton’s account. Schuyler inhibited any speculations; as Van Rensselaer Schuyler, my uncle, told me, complaining at the same time that, but for this inhibition, he would have made a large sum of money.

Col. Platt, a worthy gentleman, an officer in the Revolutionary army, told me that he had applied to his friend Hamilton for information in relation to his proposed fiscal system without success.

Mr. Jefferson proceeds, Vol. 4, p. 449 :

“The assumption was passed, and twenty millions of stock divided among favored States and thrown in as a *pabulum* to the stock-jobbing herd. This added to the number of votaries to the Treasury, and made its chief the master of every vote in the Legislature” * * * “Still, the machine was not complete. The effect of the funding system and of the assumption would be temporary” * * * “and some engine of influence more permanent must be contrived while these myrmidons were still in place to carry it through without opposition. This engine was the Bank of the United States.”

He goes on (p. 450, Vol. 4,) to insist that, through that institution, the members of Congress were corrupted and thus devoted to their Chief.”

Mr. Madison, a member of Congress, opposed the Bank as unconstitutional. Mr. Jefferson a member of Washington’s Cabinet endeavored to induce the President to veto the bill, on that ground: afterwards, when Jefferson was President, he approved an Act of Congress authorizing a branch of that Bank to be established at New Orleans. Mr. Madison, in 1815, in a message to Congress, recommended a Bank of the United States, which was chartered in 1816.

Jefferson in 1816 (Vol. 4, p. 285) said :

“A third measure should insure resources of money by the suppression of all paper circulation during peace, and licensing that of the nation (a paper circulation) alone during the war * * * of proper denominations for circulation.”

Mr. Jefferson, in 1813, was earnestly in favor of a funding system identical

with that recommended by Hamilton. In a letter to John W. Epes, a member of the House of Representatives, dated June the 24th, 1812 (Vol. 4, p. 196), he writes:—

“It is a wise rule, and should be fundamental in a government disposed to cherish its credit, and, at the same time, to restrain the use of it within the limit of its faculties, never to borrow a dollar without laying a tax on the same instant for paying the interest annually and the principal within a given term, and to consider that tax as pledged to the creditor on the public faith.”

As we have already seen, Hamilton, in his first report 9th of January, 1790, and in his report of January 20th, 1795, expresses the same idea in a better manner.

The Parliament of Great Britain, after the first report by Hamilton, “formally adopted as a standing rule the principle of incorporating with the creation of debt the means of extinguishment.”

In 1813 this principle was violated by Vansittart, Chancellor of the Exchequer, and the consequence was, as Palmerston declared in 1865—referring to Gladstone’s administration of the finances ;

“We have succeeded in making, for the first time, some noteworthy impression on the public debt.”

THE CHARACTERS OF THE TWO GENTLEMEN.

Jefferson says (Writings, Vol. 4, p. 451),

“Hamilton was indeed a singular character, of acute understanding, disinterested, honest and honorable in all private transactions, amiable in society, and duly valuing virtue in private life—yet so bewitched and perverted by the British example as to be under thorough conviction that corruption was essential to the government of a nation.”

This is the testimony of Jefferson—“*disinterested, honest and honorable—duly valuing virtue in private life,*” and yet Jefferson distinctly represents this man as having misrepresented the amount of the debt of the United States in order to have more enlarged means of corrupting Congress; and, further, that he afforded his myrmidons such information as would enable them to filch the property of others less informed than they.

Now as to the authority due to Jefferson’s statements:—During the discussion on Foot’s Resolution in the Senate of the United States in 1830, Mr. Benton being entitled to the floor—Mr. Clayton said, “that he desired the permission of the Senator from Missouri (Mr. Benton) who was entitled to the floor, to call the attention of two of the honorable members of this body, Mr. Smith of Maryland and Mr. Livingston of Louisiana, to a passage in a book which had been cited in this debate by the Senator from South Carolina (Mr. Hayne) as authority on another subject. He did not rise for the purpose of discussing the resolution itself. His attention had been called by a number of

members of this House to a passage in the same book: another part of which had been referred to by the Senator from South Carolina. That passage charged an illustrious statesman, who formerly occupied the seat of a Senator here, and whose memory and fame were dear to himself and to the people he represented, with atrocious corruption, of which he was convinced that great and good man could never have been guilty; and as the witnesses referred to in the book itself were present and ready to give testimony to set the charge at rest, he hoped he should be pardoned for referring to the objectionable passage in their presence."

He then read, from the 4th Vol. of Jefferson's Memoirs, page 515, (the same volume which had been brought into the Senate by General Hayne,) the following passage :

"February the 12, 1801. Edward Livingston tells me that Bayard applied to-day or last night to General Samuel Smith, and represented to him the expediency of his coming over to the States who vote for Burr; that there was nothing in the way of appointment which he might not command; and particularly mentioned the secretaryship of the navy. Smith asked him if he was authorized to make the offer. He said he was authorized. Smith told this to Livingston, and to W. C. Nicholas, who confirms it to me," &c.

He then called upon the Senators from Maryland and Louisiana, referred to in this passage, to disprove the statement here made.

Mr. Smith of Maryland, rose and said: "That he had read the paragraph before he came here to-day, and was therefore aware of its import. He had not the most distant recollection that Mr. Bayard had ever made such a proposition to him. Mr. Bayard, said he, and myself, though politically opposed, were intimate personal friends, and he was an honorable man. Of all men, Mr. Bayard would have been the last to make such a proposition to any man; and I am confident that he had too much respect for me, to have made it under any circumstances. He never received from any man any such proposition."

Mr. Livingston of Louisiana, said: "That as to the precise question which had been put to him by the Senator from Delaware, he must say, that having taxed his recollection as far as it could go, on so remote a transaction, he had no remembrance of it."

Mr. Clayton, said: "His purpose had been achieved. He thought it his duty to vindicate the honor and fame of his predecessors against unjustifiable imputations, no matter to what party they may have belonged. The character of the illustrious Bayard would, he trusted, stand forever untarnished by the charge of corruption."

As to Jefferson's character for veracity. The conclusive evidence of his disregard of truth, afforded by what occurred in the Senate, as above stated, induced Col. Thomas Benton to declare in his place in the Senate :

"He, (Jefferson,) was repudiated as a witness by the testimony of two distinguished members of that body. Happily for the honor of the country, and the reputation of those men whose superiority in wisdom and virtue caused him to hate and vilify them, he has ceased to be considered as entitled to belief. His assertions

even in regard to matters of which he pretends to be cognizant, require other subsidiary proof to entitle him to consideration. This is, now, the judgment of mankind."

The writer was present, having been informed by Mr. Benton of his purpose, and immediately made a note of what he said. No person in the Senate manifested a disposition to question what was said.

John Johnston, a merchant in New York, of respectability, kept a commonplace book which has been put into my hands.

Under date of January 21, 1801, I find the following :

"General Washington in conversation with General Hamilton to-day said : 'Mr. Jefferson was a most profound hypocrite, and less under the influence of philosophical reveries than is commonly imagined.' He gave the following statement to confirm his opinion : 'When Mr. Jefferson resigned the office of Secretary of State, he and his friends gave out that he was tired of public affairs, and meant to live in retirement. He even went so far as to forbid newspapers being brought to his house.' (Jefferson's letter confirms this.) 'Soon after this, General Hamilton met General Washington, and the conversation turned on Mr. Jefferson's retiring from public business, when General Washington expressed his hopes that he would meet in retirement with the happiness he expected, and his wish that *he* also could retire. Oh! Sir, said Hamilton, I fear Mr. Jefferson only retires at present, to come forward at a future time with more certainty and effect. I believe him to be a most profound hypocrite, and should be not surprised to see him again a candidate for the office of President of the United States. General Washington expressed a belief that General Hamilton was mistaken in Mr. Jefferson's character, (for whom he had a personal kindness.) Mr. Jefferson remained in retirement a few years, and then came forward as a candidate for the Presidency. General Hamilton in conversation with General Washington after this, asked him what he now thought of Mr. Jefferson's sincerity, and of his pretended love of retirement? General Washington replied, 'I see, Sir, you knew his character better than I did, and I *now* believe, with you, that he is a most profound hypocrite.'"

Jefferson addressed a letter to Washington, May 23, 1792, (see appendix to 10th Vol., of Writings of Washington, p. 504), in which he made a great number of objections to the financial system of Hamilton, misrepresenting it, of course, as he afterwards did, in his "Ana," and letters.

On the 29th July, following, at Mount Vernon, Washington wrote a letter to Hamilton, in which he repeated the objections of Jefferson, and called upon Hamilton to reply to them.

First.—"That the public debt is greater than we can possibly pay before other causes of adding new debt to it will occur, and that this has been artificially created by adding together the whole amount of the debtor and creditor sides of the account, instead of taking only their balances, which could have been paid off in a short time."

This is the precise language of Jefferson's letter to Washington, written at Philadelphia, dated May 23, 1792. And so Washington goes through that

letter, using its very language, and extending it to twenty-one objections; the last being in these words:

“That the anti-federal champions are now strengthened in argument by the fulfillment of their predictions, which has been brought about by the monarchical federalists themselves, who having been for the new government, merely as a stepping-stone to monarchy, have themselves adopted the very constitution of which, when advocating its acceptance before the tribunal of the people, they declared it insusceptible; whilst the republican federalists who espoused the same government for its intrinsic merits are disarmed of their weapons; that which they deemed as prophecy being now become true history. Who, therefore, can be sure that these things may not proselyte the small number which was wanting to place the majority on the other side. And this, they add, is the event at which they tremble.”

Hamilton to Washington, on the 18th August, 1792, says:

“I am happy to be able at length to send you answers to the objections communicated in your letter of the 29th July. They have unavoidably been drawn in haste—too much so to do perfect justice to the subject, and have been copied just as they flowed from my heart and pen, without revision or correction.

“You will observe that here and there some severity appears. I have not fortitude enough always to bear with calumnies which necessarily include me as principal agent in the measures censured, of the falsehood of which I have the most unqualified conscientiousness. I trust I shall always be able to bear, as I ought, imputations of errors of judgment; but I acknowledge that I cannot be entirely patient under charges which impeach the integrity of my public motives and conduct. I feel that I merit them *in no degree*, and expressions of indignation sometimes escape me in spite of every effort to suppress them. I rely on your goodness for the proper allowances. With, &c.”

The objections made by Jefferson in his letter to Washington thus presented to Hamilton and answered, are substantially the same as those presented in Jefferson's “Ana,” and particularly that atrocious one of February 4th, 1818 (Jefferson's Works Vol. 4 pp. 446 to 453). The paper sent to Washington with the above letter, entitled, “Objections and Answers respecting the administration of the Government,” will be found in the works of Hamilton, 4th Vol. pages 248 to 279.

This answer of Hamilton to the attacks of his enemies ought to be carefully read by all men who are anxious to understand the course of measures adopted in regard to the fiscal policy of the Government at its outset. That system not only established our credit—the character of the government, but, by it paid off two great debts—that of the Revolution and that of the war of 1812, and it ultimately received the sanction of the very men who opposed and traduced it. See Gallatin's first report as Secretary of the Treasury. Jefferson's approval of that report, and his letter to Epes in 1813, and the following statement made by Mr. Gallatin to me in March, 1829.

The following is copied from a note of what occurred, made at the time:

"During the period I was Secretary of State, March, 1829, the Hon. Albert Gallatin called upon me at the Department in relation to a correspondence which had then recently passed between me as Secretary and the Hon. Charles Vaughan, British Minister, as to the Eastern boundary-line or rather the "*Neutral Territory*." After the letter written by the Secretary had been read, Mr. Gallatin declared that it was exactly what it should have been, and the conversation on the subject was closed.

"Mr. Gallatin then said to me, 'with your permission, I will relate a circumstance that occurred when I was Secretary of the Treasury under Mr. Jefferson, which will interest you. You know I succeeded your father as Secretary of the Treasury.' 'Pardon me, sir, Mr. Wolcott succeeded him.'

"'True, Wolcott was appointed when your father resigned, to carry out his plans under Hamilton's directions. Mr. Jefferson after my appointment said to me: Gallatin your most important duty will be to examine the accounts and all the records of your Department in order to discover the blunders and frauds of Hamilton, and to ascertain what changes may be required in the system. This is a most important duty, and will require all your industry and acuteness. To do it thoroughly, you may employ whatever extra force you may require.'"

Mr. Gallatin continued :

"You understand what was the State of parties at that time, and I must now say I went to the work with a very good appetite. The task was performed thoroughly—occupying much time. All the accounts and correspondence were looked into, and thus I became master of the whole system and all its details. When I had finished, I went to Mr. Jefferson and said to him; 'Mr. President, I have, as you directed me to do, made a most thorough examination of the books, accounts and correspondence of my Department from its commencement.' The President with some eagerness interrupted me, saying: 'Well! Gallatin, What have you found?' I answered: 'I have found the most perfect system ever formed—any change that should be made in it would injure it—Hamilton made no blunders—committed no frauds. He did nothing wrong.' I think Mr. Jefferson was disappointed. It affords me much pleasure to make this communication to the son of that illustrious man."

I rose,—took Mr. Gallatin's hand, and thanked him most heartily.

This was my first acquaintance with Mr. Gallatin. I afterwards called upon him to obtain his opinion, in common with other gentlemen in New York, supposed to have financial knowledge, in relation to the proposed removal of the deposits by President Jackson. (This was done at the request of Mr. McLane, Secretary of the Treasury). Mr. Gallatin was opposed to the removal, and expressed the most decided opinion in favor of a Bank of the United States as a fiscal agent of the Government.

Mr. Gallatin in his first report as Secretary of the Treasury said :

"The actual revenues of the Union are sufficient to defray all the expenses civil and military of the Government to the extent authorized by existing laws; to meet all the engagements of the United States, and to discharge in fifteen years-and-a-half the whole of our public debt."

This report was made in 1801, and Mr. Jefferson (3d Vol. p. 488) addressed a letter to Mr. Gallatin in relation to that report, saying :

"I have read and considered your report on the operations of the sinking fund, and entirely approve it as the best plan on which we can set out."

I have italicised the above.

WASHINGTON'S FAREWELL ADDRESS.

In alluding to this address I do not intend to go at large into the discussion of the question of authorship, but to state some facts not heretofore disclosed, and to relate my efforts to obtain possession of my father's papers on the subject.

In the year 1824, Nathaniel Pendleton, Esquire, one of my father's executors, stated to me on board the steamboat that the evidence of my father's having written the Farewell Address was most conclusive. That he had placed the draft in my father's handwriting, with the correspondence between him and General Washington, in the hands of Mr. King for safe-keeping where they would be found. He added—you ought to get those papers and you may ask for them in my name.* Some time afterwards, in conversation with Mr. King on this subject (who then thought that at some future day the fact of this having been the production of my father might be made known), I told him what Mr. Pendleton had stated to me, and he replied, "that my information was correct, and that the papers were in his possession."

On Friday, May 20th, 1825, at the earnest solicitation of my mother, I went to Mr. King's house at Jamaica to obtain those papers from him, and when alone, I repeated to him what Mr. Pendleton had told me, and his admission that he had the papers; and requested him to place them for safe-keeping with me, at the same time telling him that I did not ask for them to make them public, and that I was willing to receive them as he held them. He told me that he would not part with them, but that they should remain with him during his life, and at his death, should go to his executors, (his sons, John and Charles.)

I then said, Will you give your executors any directions in regard to them? He replied No! they will go to my executors as (or with) my own papers." I remonstrated against this course, intimated that we had a right to them, and that it was most reasonable that he should give me the charge of them if he had confidence in me; to which he replied that he did not withhold them from me from a want of confidence. I then asked him if he would permit me to see them, to which he said they should remain for the present as they were. I told him my mother was extremely solicitous about the papers; that I did not wish to withdraw them from a want of confidence in him; and I assented to his declaration that it was fortunate they had been separated from the other papers at the time that it was done by Mr. Pendleton, but requested

* I did not see him again. He died, I believe, shortly after the conversation.

him not to decide without further reflection upon the application I had made. He said he would reflect upon the subject, but that he did not think he should change a determination deliberately formed, adding, "they must remain where they are at least for the present." I remained at his house during the night—and returned home the next morning without seeing him again. On the 23d of the same month, I sent the following letter to him :

"NEW YORK, May 23, 1825.

"DEAR SIR: Enclosed is the paper you requested me to return to you. I have searched in vain throughout my papers for those received from Mr. Cabot. I recollect having given them to my brother John, who is seeking for them.

"Since my last interview with you, its particular object has engrossed much of my attention, and I am confirmed in the opinion that it is not only reasonable but quite proper, that the draft of the farewell address, with the correspondence on that subject between my father and General Washington, deposited with you by my father's executors, should be returned to the surviving executor before your departure for Europe, or, left with me; and I indulge the expectation that upon the further reflection you promised to give to this subject, you will agree with me in this opinion. If you should not (which I shall never cease to regret), I must request, as a personal and very particular favor, that you will permit me to peruse those papers at your house.

"I again assure you that the anxiety about the possession of these papers or my desire to see them, is not induced by a wish to make them public. The expediency of doing so involves a question of too deep and serious import for me to decide, and which it is not necessary to dispose of for some time to come. Should you choose to place them with me, I am willing to receive them on the same terms on which they were deposited with you.

"As to your correspondence with my father, do me the favor to put it under cover directed to me, and give it to Charles, or James, that I may receive it.

"With very great regard,

"Your friend and servant."

Having, on my return from Jamaica, communicated the result of my interview with Mr. King to my brother John, he called upon Colonel Fish, the surviving executor of my father's will, who expressed his surprise at the course pursued by Mr. King, and said he would call upon him for the papers.

On the 25th May, 1825, I addressed the following letter to Mr. King :

"DEAR SIR: My brother John found the papers sent by Mr. Cabot among his. As my mother is suffering under a painful anxiety as to your determination on the subject of my last letter, permit me to ask you for your answer to my request.

"With great regard,

"Your friend and obedient servant."

Mr. King, in reply, addressed the following letter to me :

"JAMAICA, Thursday Morning, 26th May, 1825.

"DEAR SIR: Yesterday I received your second letter, having before received one on the same subject. * * * As the fidelity of my attachment to the memory of

your father has suffered no abatement, nor my respect for other considerations changed, it gives me some concern that you should at the present time press me on a subject which has been in concert with other impartial persons well considered by me, and which now I have no opportunity to revise or alter.

"I ought to be the last to appear liable to just suspicion of a desire to impair the admiration of our countrymen for the merits or services of your father. Things will remain as they now are, at least for the present, and I cannot take measures to change.

"With much esteem and regard,

"I am, faithfully, your obedient servant."

To which I replied, as follows :

"NEW YORK, May 28, 1825.

"DEAR SIR: The determination announced by your letter of the 26th inst., and the manner of it, with your subsequent declarations in regard to me, have given me great, very great, pain.

"I assure you my application to you was not dictated by feelings at all inconsistent with the friendly relations which have for a long time existed between us; or from the slightest diminution of my confidence in your fidelity to your trust, or your regard to my father's fame. But, repeating this declaration, it is due to myself frankly to say that, when you told me those papers at your death would go to your executors without any particular directions in regard to them, my anxiety to change the custody of them was (without meaning any disrespect towards the persons you named for that office), very much increased.

"Permit me to remind you that you do not notice that part of my letter which refers to your correspondence with my father.

"With great respect,

"Your obedient servant."

On the day following, my brother John and I called upon Mr. Fish, showed him my letter to Mr. King, and his reply. He expressed a decided opinion that Mr. King ought to deliver the papers to him, and his willingness to call upon him for them; which he did that day in company with my brother John without success. Mr. King declaring, as I understand from my brother, that he would not part with the papers, but that they should go to his executors.

On advising with discreet friends (Mr. Boyd, Mr. Schuyler, my uncle and Mr. Samuel Jones), it was decided that the most effectual measures should be taken to obtain the papers, so unaccountably withheld; and to that end a suit in chancery was commenced for the recovery of the papers.

Mr. King appeared by his solicitor—sailed for London as Minister Plenipotentiary—remained there about eighteen months, and returned very much enfeebled in mind and body.

On the 17th October, 1826, I received the following letter from Mr. John Duer, with a bundle of papers, endorsed in the handwriting of the Hon. Rufus King, as follows: "Papers received by Rufus King from Judge Pendleton in 1810, to be returned."

"DEAR SIR: A letter from Mr. Jay, to Judge Peters, of Philadelphia, containing a full explanation of the circumstances attending the composition of General Washington's farewell address has lately appeared in the public papers.

"The statement it contains, the truth of which it is impossible to doubt, as (it is but justice to you to add), has been admitted to me by yourself, renders it proper to terminate at once the controversy in relation to certain papers and documents entrusted to Mr. King by a deceased executor of your father's estate, and which your mother as residuary legatee has demanded in the suit in chancery now pending. Mr. King, in his own opinion, and in that of his counsel, is now exonerated from the trust under which those papers were originally placed in his hands. The reasons which led to the creation of this trust, and that have hitherto induced Mr. King to withhold the papers, have ceased to exist.

"I am therefore instructed to inform you that the papers are now in my possession ready to be delivered to yourself on the authority of your mother, or, to the surviving executor, as she may determine.

"I am most respectfully,

"Yours."

To this letter I replied as follows :

"NEW YORK, October 17, 1826.

"DEAR SIR: The suit in Chancery instituted by my mother, to recover the papers I this day received from you by Mr. King's directions, is ordered to be discontinued.

"In reply to the only part of your letter of this date, which concerns any other person than Mr. King, I have to say it is 'impossible to doubt' that Mr. Jay has made a full and accurate statement of all the facts connected with the subject within his knowledge; but whether the conclusion intended by that letter to be established is correct or not will be a subject for more enlightened consideration when these papers are examined.

"Respectfully, I remain your obedient servant."

The seals on the envelope of the bundle of papers received from Mr. Duer were broken by me in the presence of my partner, Mr. John A. Dunlap, who examined the endorsements of the different papers, and made a list of them (seventy-five in number), which list is now before me, with his certificate, as follows :

"I certify, that on this 17th day of October, 1826, I saw James A. Hamilton break the seals of the said envelope, and examined the endorsements of the different papers therein enclosed, and I numbered the said papers from one to seventy-five, and marked them with my initials thus, No. 1, J. A. D., and that the following is a list of all the papers contained in the said envelope.

"JOHN A. DUNLAP.

"NEW YORK, October 17, 1826."

Thus ended a proceeding of some importance, which gave me much pain; because my personal relations with Mr. King were confidential and affectionate. Nevertheless, believing, as I did, that he was wrong in withholding from their rightful owner papers which did not belong to him, I was satisfied that in doing

so he was governed by considerations connected with public interest, which were highly commendable.

I recollect, with great interest and pleasure, my intercourse with this illustrious man. He employed me in a business of a very delicate and important character, which was conducted so satisfactorily as to receive his earnest commendation. And as a mark of his confidence in me I state, that he advised with me as to a paper he considered due to himself to prepare, connected with his conduct in the business referred to; which paper he committed to me to be communicated to a few discreet friends in the city of New York, in order that they might do him justice. He also, from time to time, conversed with me upon political matters, and read to me some of the memoranda he had made in relation to them.

He informed me that John Q. Adams, the evening of the day he was elected President, called at his (Mr. King's) lodgings, and said to him :

“ I consider your influence as having been very powerful in producing the result of the election of to-day, and that it is your duty to give me your assistance in my administration, and to that end I have come here to request you to accept the place of Minister to Europe.”

To which Mr. King replied that he was disposed to do all in his power to aid him, but that he could not decide at once to assume the duties of that office, that he would think of it, and give him an answer. The answer was that he would accept the mission if he could choose his Secretary. To this the President assented, and his son, Mr. John A. King (after Governor of this State), was appointed. The latter gentleman remained in England after his father returned in feeble health, and performed the duties of *chargé d'affaires* for some time.

Such of these papers as referred to the Farewell Address were held by me with my mother's permission, and ultimately delivered to General Cass, as Secretary of State, as a part of the “ Hamilton Papers ” sold by my mother to the United States.

On the 8th of June, 1827, Jared Sparks, the author of Washington's Life, and the editor of his papers, sent a message to me to visit him at the Park Place House. I did so. He expressed a wish to see the papers I had relating to the Farewell Address. He said among the Washington papers he found a short address in Washington's handwriting, which appeared to have been written before, with considerable additions made, probably about the time a note was written by Hamilton, in which the latter states that Washington had intimated a wish that Hamilton should examine and retouch a paper Washington intended to publish; stating that he was then at leisure and would do so. In a letter to Hamilton Washington had expressed a wish to incorporate in his draft a part of an address written prior to his second term, and he refers to Madison as knowing that he intended at that time to make such an address.

Hamilton returned the draft in Washington's handwriting *with a draft in his own hand, in which he points out the places in which different parts of Washington's draft should be introduced.*" This was accompanied by a letter, in which Hamilton says "he does not like the amalgamation," and suggests that he would rather make a new paper. Sparks added, that he found among Washington's papers a draft of the address as published, in Hamilton's handwriting, that it was a very different thing from the draft made by Washington and first sent to Hamilton, and that he was determined to publish the whole truth in regard to this paper.

I proposed to him, stating at the same time that I had not authority from my mother to do so, that we should bring all our papers together, and I requested him to obtain authority from Judge Washington to meet me with the papers in his keeping, and that I would obtain power from my mother to bring those that belonged to her. He said that he would show me all the papers except those referring to the address, and leave it to me to take copies, without requiring authority to do so from Judge Washington; and that, as to the expected papers, he would next winter obtain authority from Judge Washington to enter into the arrangement. This statement is copied from a memorandum of our conversation, made by me immediately after we parted, which is endorsed "June 8, 1827; memorandum of a conversation between Mr. Sparks and J. A. Hamilton, on the subject of General Washington and General Hamilton." Mr. Sparks having obtained the permission from Judge Washington and I my mother's consent to show one another the respective papers we had, I went to Boston with the papers I had received from Mr. King. We met at Mr. Sparks' house, and read over the whole according to the date. I left mine with him, that he might make a list of them all, which he did, and returned my papers to me.

That list is as follows—the letter "S—1," and "H—3," on the margin, indicating the papers in the possession of the respective parties.

MEMORANDUM OF PAPERS RELATING TO FAREWELL ADDRESS.

- S—1. Copy of a letter from Washington to Madison, May 20, 1792.
- S—2. Hamilton to Washington, May 10, 1796.
- H—3. Washington to Hamilton, May 15, 1796.
- S—4. A draft in Washington's handwriting.
- H—5. Abstract of points, to form an address, in Hamilton's handwriting.
- H—6. Endorsed "Original Draft," considerably amended, in Hamilton's handwriting.
- H—7. Washington to Hamilton, dated May 15, 1796.
- H—8. Washington to Hamilton, June 26, 1796.
- S—9. Hamilton to Washington, July 5, 1796.
- S—10. Hamilton to Washington, July 30, 1796.
- H—11. Washington to Hamilton, August 10, 1796.
- S—12. Hamilton to Washington, August 10, 1796.

- S—13. Second draft enclosed in above letter.
 H—14. Washington to Hamilton, August 25, 1796.
 H—15. Washington to Hamilton, Sept. 1, 1796.
 S—16. Hamilton to Washington, Sept. 4, 1796.
 S—17. Hamilton to Washington, Sept. 5, 1796.
 H—18. Washington to Hamilton, Sept. 6, 1796.
 S—19. Hamilton to Washington, Sept. 8, 1796.

Two copies were made of the above list.

After the above list had been made, Mr. Sparks wrote to me the following letter :

“ WASHINGTON, March 23, 1830.

“ MY DEAR SIR :—I intended to see you when I passed through New York, but was in too much haste. I shall return in a few days, when I shall wish to take home with me the file of letters which I lent to you from General Washington's papers. Have you any objections to giving me a copy of those papers in your possession relating to the Farewell Address? It is my intention when I come to that part of the subject to present a brief, but accurate statement of the whole affair. This I cannot do without having all the papers relating to it before me. I do not at present discover any reason why they may not be copied for my use. Please to think of it, and let me know when I see you.—Meantime, I am, with much esteem, your most obedient servant.”

Before I replied to this note, I consulted the Hon. George Cabot, of Boston, as discreet, intelligent, and upright a gentleman as any other in the country, on the subject. His reply was :

“ When that address was published, it was understood among your father's friends that it was written by him. It was, however, considered important that it should have the influence of Washington's name and character, and I must advise that until it has ceased to do its work, the question of the authorship should not be discussed.”

Under this advice I declined to give the copies, and continued to observe the same reserve in regard to these papers that I had, from the day I received them, until Mr. Sparks, by the publication (12th Vol. pp. 382 to 394) of the appendix to Washington's Works, had proved : first, that Washington had called upon Madison in 1782, to prepare an address for him ; and afterward upon Hamilton, to do the same, when I felt at liberty to give publicity to the papers I held, and to that end I addressed the following letter to Mr. Sparks :

“ NEW YORK, February 29, 1844.

“ DEAR SIR :—You once intimated a disposition to publish *all* the papers connected with the Farewell Address. It appears to me that such a publication might be made at this time without impropriety ; particularly with the understanding, between us, that no note or comment should be made without the approval of both parties.
 What say you? ”



To this letter I received the following reply :

“CAMBRIDGE, March 6, 1844.

“DEAR SIR:—I remember our conversation respecting the publication of the papers relating to the Farewell Address. I have seen no reason to change my opinion that it is desirable to have all published together, as a matter of historical record, and perhaps without any comment excepting such remarks as might serve for explanation; and these to be mutually approved by the parties concerned.

“But the papers are no longer in my possession.

“As a mere literary performance, though excellent, it is neither extraordinary, nor in any degree superior to many others written by each of the parties. It would add little to the general reputation of Washington or Hamilton, if one or the other should be found to be its sole author. It derives its value and is destined to immortality chiefly from the circumstance of its containing wise, pure, and noble sentiments sanctioned by the name of Washington.” * * * * * ‘Take away this name and this circumstance, and its powerful charm would be broken. It would be called able, and good and honorable testimony of the ability and patriotism of the writer.’”

We have thus Mr. Sparks' estimate of this admirable paper; which by the enlightened mind of America is estimated much more highly. In Great Britain it was estimated at its intrinsic value when Alison in his History [Vol. 3, p. 99, years 1796-7], wrote thus :

“He, (Washington,) bequeathed to his countrymen an address on leaving the Government, to which there is no composition of uninspired wisdom can bear a comparison.”

And when the Annual Register [1796, page 203] said :

“There is nothing in profane History to which his (Washington's) parting address can be compared. In our sacred Scriptures alone we find a parallel in that recapitulation of divine instruction and command, which the legislator of the Jews made in the hearing of Israel, when they were about to pass the Jordan.”

On the 8th of June, 1827, Mr. Sparks said, as above stated, that among the Washington papers, he found a short address in Washington's handwriting. * * * * * Hamilton returned *this* draft with a draft in his own handwriting, in which he points out the place in which different parts of Washington's draft should be introduced. He added that he also found among Washington's papers, a draft of the address as published, in Hamilton's handwriting—that it was a very different thing from the draft made by Washington first sent to Hamilton. This was no doubt the paper which Hamilton described as the “copy of the original draft considerably amended,” which copy he sent to Washington in a letter, dated July 30th, 1796, in which letter he says :

“I have the pleasure to send you a certain draft which I have made as perfect as my time and engagement would permit. It has been my object to render this act importantly and lastingly useful, and avoiding all cause of present exception to embrace such reflection and sentiments as will wear well, progress in approbation with time, and redound to future reputation. How far I have succeeded you will judge. If

you should intend to take the draft now sent, and after perusing, and noting anything you wish changed, send it to me. I will with pleasure, shape it as you desire. This may also put it in my power to improve the expression, and perhaps, in some instances condemn."

On the 10th of August, Washington wrote thus to Hamilton :

"The principal design of the letter, is to inform you that your favor of the 30th ult. with its enclosure, came safely to hand by the last post, and that the latter shall have the most attentive consideration I am able to give it.

"A cursory reading it has had, and the sentiments therein contained are exceedingly just and such as ought to be inculcated."

On the 26th of August, 1796, Washington wrote to Hamilton thus :

"I have given the paper herein enclosed, several serious and attentive readings, and prefer it greatly to the other drafts, (his own included), being more copious on material points, more dignified on the whole, and with less egotism ; of course less exposed to criticism and better calculated to meet the eye of discerning readers, and foreigners particularly, whose curiosity I have no doubt will lead them to inspect it attentively, and to pronounce their opinions on the performance."

Could he, or any other person have thus spoken of his own work or a work which was not essentially his own ? "Several serious and attentive readings." He thus proceeds to comment on his own draft :

"The draft now sent comprehends the most if not all these matters, is better expressed, and I am persuaded goes as far as it ought with respect to any personal mention of myself.

"I should have seen no occasion myself for its undergoing a revision, but as your letter of the 30th ult., which accompanied it, intimates a wish to do this, and knowing that it can be more correctly done after a writing has been out of sight for some time than while it is in the hands of its author, I send it in conformity thereto. * * * * "If change or alteration takes place in the draft let them be so clearly interlined, erased, or referred to in the margin, that no mistake may be made in copying it for the press.

"To what editor in *this* city do you think it had best be sent for publication ? Will it be proper to accompany it with a note to him expressing * * * * * or if you think the first not eligible let me ask you to sketch such a note as you may judge applicable to the occasion."

This letter appeared to afford conclusive evidence that its author was *not* the author of "the first of uninspired writings."

On the 1st September, Washington wrote to Hamilton :

"About the middle of last week I wrote to you, and that it might escape the eye of the inquisitive, (for some of my letters have lately been pried into), I took the liberty of putting it under cover to Mr. Jay.

"Since then revolving over the paper that was enclosed therein on the various matters it contained, and on the just expression of the advice or recommendation

which was given in it, I have regretted that another subject (which in my estimation is of interesting concern to the well being of the country) was not touched upon also. I mean *education* generally as one of the surest means of enlightening and giving just ways of thinking to our citizens; but particularly the establishment of a University."

Hamilton in reply on 4th September, suggested that

"The idea of the University is one of those which I think will be most properly reserved for your speech at the opening of the session."

Washington on the 6th September wrote:

"If you think the idea of a University had better be reserved for a speech at the opening of the session, I am content to defer the communication of it until that period, but even in *that case I could pray you as soon as convenient* to make a draft for the occasion."

For a most conclusive examination of the question of the authorship of these papers, see "An inquiry into the formation of Washington's Farewell Address," by the Hon. Horace Binney.

Mr. Sparks says that the papers relating to the Farewell Address had been thrown into an old trunk and were not discovered after Washington's decease until he found them. This is a mistake. The letter of Hamilton to Washington, dated July 5, on this subject is quoted by Judge Marshall.

Hon. Timothy Pickering, in a letter to James A. Hamilton, dated Salem, January 16, 1829, referring to the Farewell Address, says:

"The impression that he (Washington) was the author was first made by his laying the address a short time prior to its publication before the heads of the Department. These were Wolcott, McHenry, myself and Charles Lee, the Attorney General. The draft was in his own handwriting. He desired us to examine it and to note on paper any alterations and amendments we should think advisable. We did so, but our notes were few [perhaps only two or three] grammatical inaccuracies which would not have escaped the notice of your father and Mr. Jay. * * * * * Whether the amendments suggested by the Cabinet were adopted or not, I have not the slightest remembrance. That a copy was found in your father's handwriting after his death was a demonstration to me of the material agency he had in the framing of the Farewell Address. William Lewis, that eminent lawyer of Philadelphia, and your father's friend, first told of it. * * * "I think I can vouch for the fact. I believe it was the first time I conversed with Mr. King after your father's death, that he spoke of some of his papers which indicated his important agency in the Farewell Address, which the family seemed inclined or might incline to divulge, but which appeared to him and Pendleton to be inexpedient, and therefore these papers were removed and deposited with Mr. King."

WILLIAM COLMAN TO JAMES A. HAMILTON.

"NEW YORK, October 21, 1824.

"Col. Troup told me that on entering your father's office one morning he found him earnestly engaged in preparing a composition which he told him was the Fare

well Address; that it was nearly finished; that he actually *read the MSS. or heard* it read, and that it was the original of what afterward appeared in print under the name of "Washington's Farewell Address."

GENERAL W. NORTH, of the Army of the Revolution, to JAMES A. HAMILTON.

"NEW LONDON, June 3, 1824.

"SIR: The statement made by your anonymous correspondent is true. I presume the writer of the note resides in the vicinity of Hyde Park. As well as I can recollect I had no conversation with any other person on board of the steamboat. Agreeably to your request I repeat what I probably there said: 'In a conversation with General Hamilton,—it is twenty-five years since,—that gentleman told me that he wrote the Farewell Address of General Washington.' I remember nothing more of what was communicated on that occasion; what is now stated I could not well forget.

"As it may add to the consolation of your respected mother, I think it well to say, that it has been and is my full belief, formed as I think on strong reasons, that if your father's life had been spared, no great portion of time would have elapsed before the Christian religion would have found in him a public professor and a most able advocate and defender.

"I am Sir, your obd't servant."

John Jay, in his letter to Judge Peters, referring to the authorship of the Farewell Address, says: "Washington would have dishonored himself by getting Hamilton to write that address." This might in Judge Jay's opinion have been a reason why Washington should not have applied to Madison to write a Farewell Address for him, which he certainly did; but it is a little singular that this circumspect gentleman, as he most certainly was, should have forgotten that Washington in a letter to Hamilton, dated 8th May, 1796, asks Jay to draft a letter, to be addressed by him "*as a private person,*" to the Emperor of Austria, for the liberation of Marquis de la Fayette. Mr. Jay prepared such a letter, which was signed by George Washington, and sent to the Emperor. Was he dishonored in doing this?

When the Government was organized under the Constitution two Virginians, Mr. Jefferson and Mr. Edward Randolph, were members of Washington's Cabinet, and Mr. Madison, of Virginia, was the leader in the House of Representatives. The latter enjoyed at that time so much of Washington's confidence, that when his first term was about to end he asked Madison to prepare for him a farewell address, which was done.

All these men lost Washington's confidence. When Jefferson resigned the State Department, Randolph, Attorney-General, was appointed Secretary of State. He was dismissed by Washington, under a charge of having asked the French Minister to give him money. (A letter of that import was taken by an English cruiser from the vessel which carried that Minister's despatches.)

See Washington's letter, Randolph's defence, and Jefferson's remarks upon Randolph's character and conduct.

In 1802, Gallatin, Secretary of the Treasury, made a report to Congress, March 1, in which he says: "The accounts of Randolph have been adjusted, and a suit instituted, ever since 1797, for a balance of \$51,000, which, notwithstanding the strenuous efforts of the Comptroller to bring it to an issue, has not yet been decided." This fact gives strength to the opinion that Randolph's indebtedness to the United States, induced the attempt to obtain money from the French Minister. He was a defaulter.

Jefferson, as appears by the already quoted declaration of Washington, was believed by the latter, to "have been a most profound hypocrite."

Washington, in a letter to Hamilton, on the subject of his Farewell Address (Works of Hamilton, Vol. 6, p. 120, May 16, 1796), says:

"It will be perceived from hence, that I am attached to the quotation." (That was from the address prepared years before by Madison.) "My reasons for it are, that it is not only a fact, that such an address was written, and on the point of being published, but *known also to one or two* of those characters who are now strongest and foremost in the opposition to the Government, and, consequently, to the person administering of it contrary to their views."

This, evidently, refers to Madison, as one—he wrote that address.

Mr. Monroe, another prominent Virginian, although a man of slender abilities, so far lost the confidence of Washington, that he was recalled in disgrace. See his defence.

Having evidence, derived from the highest source, of the groundless nature of the charges made against Hamilton, by Mr. Jefferson, in his letters and "Ana," and particularly in one of the latter, dated February 4, 1818, I perform a filial duty of the highest obligation, in making the following statement:

Jefferson, says, in Vol. 4, page 446:

"I returned from that mission (to France) in December, 1789, and proceeded to New York, in March, 1790, to enter on the office of Secretary of State, &c., &c. Hamilton's Financial System had then passed.*"

Jefferson says this system had two objects:

"First, As a puzzle to exclude popular understanding and inquiry. Second, As a machine for the corruption of the Legislature. * * * * * And with grief and shame it must be acknowledged that this machine was not without effect; that even in this, the birth of our Government, some members were found sordid enough to bend their duty to their interest, and to look after personal, rather than public good." He then refers to the funding system, as the means by which "im-

* Mr. Jefferson's statement that "Hamilton's Financial System was then passed," (that is, before 1790), is not true. The *Assumption Act*, at which Mr. Jefferson assisted (see Jefferson's writings, Vol. 4, pp. 448, 449), was passed on the 4th August, 1790. The act making provision for the debt of the United States, (commonly called the "Funding Act," was passed on the 12th August, 1790. The Act for "the Encouragement and Protection of Manufactures," was passed August 10, 1790, and the Act establishing the Bank of the United States, was passed 25th February, 1791. These were the measures proposed, as necessary to carry out "Hamilton's Financial System."

mense sums were filched from the poor and ignorant, and fortunes accumulated by those who had been poor enough before." He adds, "men thus enriched by the dexterity of a leader, would follow, of course, the chief who was leading them to fortune, and became the zealous instruments of his enterprises."

Hamilton's Financial System consisted of four principal subjects: First, The Funding System. Second, The Assumption of the debt incurred by the States, in aid of the Revolution. Third, The Bank of the United States, and Fourth, The protection of American Manufactures.

Hamilton in his first report, dated January 9th, 1790, in obedience to a resolution of the House of Representatives of the 20th September, 1789, which declared "that an adequate provision for the support of the public credit is a matter of high importance to the honor and prosperity of the United States, says :

"If the maintenance of public credit then be so truly important * * * * by what means is it to be effected? The ready answer is, by good faith, by a punctual performance of contracts; while the observance of that good faith which is the basis of public credit is recommended by the strongest inducements of political expediency. It is enforced by considerations of still greater authority. There are arguments for it which rest on the immutable principles of moral obligation. And in proportion as the mind is disposed to contemplate in the order of Providence an intimate connection between public virtue and public happiness will be its repugnance to a violation of these principles. This reflection derives additional strength from the nature of the debt of the United States. It was the price of Liberty. The faith of America has been repeatedly pledged for it, and with solemnities that give peculiar force to the obligation. A general * * * * belief prevails that the credit of the United States will quickly be established on the firm foundation of an effectual provision for the existing debt. The influence this has had at home is witnessed by the rapid increase that has taken place in the market value of the public securities; and the intelligence from abroad announces effects proportionably favorable to our public credit and consequence. * * * * Among ourselves the most enlightened friends of good government are those whose expectations are highest. To justify and preserve their confidence, to promote the respectability of the American name, to answer the calls of justice, to restore landlord property to its true value, to furnish new resources both to agriculture and commerce, to cement more closely the Union of the States, to add to their security against foreign attack, to establish public order on the basis of an upright and liberal policy; these are the great and invaluable ends to be secured by a proper and adequate provision at the present period for the support of public credit."

He then proceeds to show that "to this provision we are invited not only by these general considerations but by others of a more particular nature." He then details these particular advantages to the public creditor by the increased value of his property. It is a well-known fact that in countries in which the national debt is properly funded and an object of established confidence, it answers most of the purposes of money.

First, "trade is extended by it because there is a larger capital to carry it on. Second, agriculture and manufactures are also promoted by it, for the like reason that more capital can be commanded to be employed in both. Third, the interest of money will be lessened by it, for this is always in a ratio to the quantity of money and to the quickness of circulation. * * * But these good effects of a public debt can only be looked for when by being well founded it has acquired an adequate and stable value, until then it has rather a contrary tendency."

After some profound remarks upon the subject, he says: "The next inquiry which presents itself is what ought to be the nature of such a provision?" After a full and fair discussion as to whether discrimination ought to be made between original holders of the public securities and present possessors by purchase, he expresses the opinion which was founded as well upon the soundest views of justice as upon the provision in the Constitution of the United States "that all debts contracted, and engagements entered into, before the adoption of that Constitution shall be as valid against the United States under it as under the confederation. No discrimination should be made." He then discusses the justice and expediency of assuming the payment of *the debts of the States*, incurred in the prosecution of the War of the Revolution by the United States. He adds:

"The result of this discussion is this, that there ought to be no discrimination between the original holders of the debt and the present possessors by purchase; that it is expedient there should be an assumption of the States' debts by the Union, and that the arrears of interest should be provided for on an equal footing with the principal."

The report then proceeds to give in detail the particulars of the principal and interest of the foreign and domestic liquidated debt as well as of the unliquidated, which last is estimated at \$2,000,000; showing that the whole amount of the debt of the Revolution exclusive of the debts due by the States was \$54,124,464 $\frac{5}{10}$. This report then gives by schedule the amount of the State debts, ascertained by returns pursuant to the order of the House of Representatives. The total was assumed to be \$25,000,000, principal and interest. He says:

"Persuaded, as the Secretary is, that the proper funding of the present debt will render it a National blessing, yet he is so far from acceding to the position, in the latitude in which it is sometimes laid down, that public debts are public blessings, a position inviting to prodigality and liable to dangerous abuse,—that he ardently wishes to see it incorporated as a fundamental maxim in the system of public credit of the United States that the creation of debt should be always accompanied with the means of extinguishment. This he regards as the true secret for rendering public credit immortal; and he presumes that it is difficult to conceive a situation in which there may not be an adherence to this maxim."

This funding system so much abused and misrepresented by Mr. Jefferson during the time he was a member of General Washington's Cabinet and by his

party afterwards, was sustained by several Acts of Congress passed during the first forty years of our government under all the various administrations; but it was expressly approved by Mr. Gallatin in his first report as Secretary of the Treasury under Mr. Jefferson, and approved by Mr. Jefferson himself in a letter addressed to Mr. Gallatin. And we here assert without the fear of contradiction that it was the only funding system ever established in this or any other country which has been completely successful; and that its success was due to the fact that by Hamilton's System (adopted by Congress) the destination of the revenues to be applied to the purchase or payment of the debt was unalterably fixed, not only by appropriating such revenues permanently, but by conveying the funds to Commissioners of the Funding System, and vesting them as property in trust for the faithful performance of their duty; and by making such application of the revenues a part of the contract with the creditors. And here I must add that the Act of 25th February, 1862, by which the gold fund pledged and set apart for the purchase or payment of the public debt has from that date to this been a dead letter, and that Mr. McCulloch, 'the present (1866) Secretary of the Treasury,' has with marvellous disregard of what was due to himself or to the character of the country, in his report dated December 4th, 1865, page 212, suggested to Congress to repeal so much of the Act of February, 1862, as pledged one per cent. of the entire debt of the United States in gold derived from impost duties to the payment or purchase of the public debt.

GENERAL ALEXANDER HAMILTON TO WILLIAM HETH.

"NEW YORK, December 18th, 1798.

"DEAR SIR: Your letter of the 30th July was duly received. It gave me much pleasure as a proof of your friendly remembrance, and as an indication that you were not disposed to be idle in a crisis of national danger. You are indeed one of those men who cannot be permitted to be idle, and you will no doubt be called to take the field in some eligible station, if the impending storm shall not subside.

"You can image the multiplicity and extent of my avocations, and I hope you will make a kind allowance for my silence. Attribute it to anything but want of regard for you; on this score depend that I have no retribution to make, being very cordially and truly yours, &c.

"P. S. What do the factions in your State really aim at?"

This faction was led by Messrs. Jefferson and Madison, of Virginia, and Nicholson, of Kentucky. Their course was referred to by Hamilton thus: "The late attempt of Virginia and Kentucky to unite the State Legislatures in a direct resistance to certain laws of the Union can be considered in no other light than as an attempt to change the government."

The Resolutions of 1798, passed by Virginia and Kentucky, were sent to the legislatures of each State and rejected by all. It conclusively appears by a letter addressed by Mr. Jefferson to Wilson C. Nicholson, dated September 5th, 1799 (Works of Jefferson, 3d Vol. p. 428), that he contemplated *secession* as a remedy to be applied by a State in certain cases.

Calhoun appealed to these resolutions as giving a sanction to nullification in 1832, and Mr. Madison, at that time in various letters written by him, insisted that these resolutions and the party which sustained them, meant nothing more than a coercion of opinion and moral influence, whereas the truth is as declared by Hamilton, "that the opposition party in Virginia, the headquarters of the faction, have followed up their hostile declarations, which are to be found in the resolutions of the General Assembly, by an actual preparation of the means of supporting them by force; that they have taken measures to put their militia on a more efficient footing, are preparing considerable magazines, and (which is an unequivocal proof of how much they are in earnest), have gone so far as to lay new taxes on their citizens." See 6th Vol. Hamilton's Works, p. 348. The *National Intelligencer* published the following :

"RESOLUTION OF 1798-9—STATE ARMORY.

"The fact may have escaped the recollection of many persons now living that during the political struggles of 1798-9, the State of Virginia erected an armory at Richmond for the manufacture of arms. The operations were carried on for many years, and the building is now occupied as a mere arsenal, with a State guard of about eighty men attached. In a debate in the House of Representatives in 1817, when the late Governor Pleasants was a member, Mr. John Randolph distinctly made known the objects of the erection of this armory. He said :

"There was no longer any cause for concealing the fact that the Grand Armory at Richmond was built to enable the State of Virginia to resist, *by force*, the encroachments of the then Administration upon her indisputable rights—upon the plainest and clearest provisions of the Constitution—in case they should persevere in their outrageous proceedings."

"Mr. Randolph said in another part of his speech :

"We did not then rely upon the Richmond Armory, not yet in operation, but on the United States Armory at Harper's Ferry. At that day when the Constitution itself was put at hazard, rather than relinquish the long enjoyed sweets of power; when the sun rose upon this houseballoting—balloting through the night and through successive days for a chief magistrate (he well remembered the scene)—had we not the promise of Dark's brigade, and of the arms at Harper's Ferry, which he engaged to secure in case of an attempt to set up a pageant under color of law to supersede the public will, after defeating the election by the pertinacious abuse under the pretence of the exercise of constitutional right to support *one* of the persons returned by artifice whom they professed to abhor. General Hamilton had frowned indignantly upon this unworthy procedure, for which he had paid the forfeit of his life."

CHAPTER II.

GRADUATION AND ENTRANCE ON POLITICAL LIFE.

Graduation at Columbia College—Admission to the Bar—Speech at a Federal Meeting—A threatened duel—Marriage—Struggle with poverty—The bar of Columbia county—Bitter hostility of political parties—Unpublished party history—A political dinner party—Removal to New York—A Master in Chancery—The Morris Estate—Louis Philippe in exile—A loan from Gouverneur Morris—Difficulty regarding its repayment.

IN 1804 a student in Columbia College being required to deliver a speech at one of the exhibitions, I asked my father to prepare one for me. With his usual kindness he complied, and a few days before the fatal duel handed me a manuscript with a note in which was written: "My Dear James—I have prepared for you a Thesis on Discretion. *You may need it.* God bless you. Your affectionate father.—A. II."

The first impression as to the words underscored was, that I might need the Thesis as an exercise. Immediate subsequent events of the most painful character induced the belief that it was intended as an admonition that I wanted that "*homely virtue,*" discretion, of which the thesis treated. How far I have profited by the admonition this relation of the errors of my life may prove. The reader may perhaps say that in attempting to write these reminiscences I have shown that the admonition was thrown away.

On graduating I entered the office of Judge Pendleton, where I studied law, and was admitted to the bar during the May term of the Supreme Court in 1809.

In the month of June, in that year, I went to Waterford, in the county of Saratoga, to practice law and to take care of some real estate belonging to my mother in that county.

My professional business was very limited, and a year was spent in Waterford without any other event worthy of note than the following act of folly, and perhaps wickedness, into which I was drawn by the folly of another—a much older man than myself. I was induced to make a speech at a *Federal* meeting

at a place called *The Borough*, in Saratoga County, four or five miles north of Waterford. This meeting was followed by a Democratic meeting, when Mr. John Cramer, a prominent lawyer, made an address, in which he spoke most disparagingly of my speech and of my father. Captain Ten Broeck, who had been an officer in the army of '98, as soon as Mr. Cramer concluded, rose and denounced him for having made this attack, and called upon him to retract it. This was refused, and the gallant captain forthwith challenged him in my name; announcing at the same time that if I did not adopt the challenge he would—to which Mr. Cramer sneeringly replied—"he won't do it."

The next morning the Captain called upon me at Waterford, related what had passed, and received, as my second, a written challenge, which Mr. Cramer did not accept. His refusal resulted, as was usual at that time, in his being posted in the newspapers as a coward. I had the gratification, some years afterwards, to render Mr. Cramer a personal service of great importance. Early in the spring of 1810 I removed to the City of Hudson, Columbia County, to practice law—thus realizing the proverb of the rolling stone. On the 17th of October, of the same year, I was married. Both I and my wife were without means—our parents not being in a situation to do much for us. This I have always considered the most fortunate event of my life. I realized the embarrassments of my situation, and met them with the determination to overcome them. Nor did my resolution fail of its reward. Our self-denials were great, indeed, but our faith in the future was greater. Experience teaches us sad but useful lessons. Our poverty was so extreme that during our first year we boarded at four dollars per week for each. I now look back upon this event as not only the happiest but the most fortunate occurrence of my long and eventful life. My poverty, with its burthens and responsibilities, nerved me to exertion, and necessity taught me the value of economy and self-denial.

At the bar of Columbia County, Elisha Williams, Thomas P. Grosvenor and Jacob R. Van Rensselaer, were the leaders of the Federalists; Martin Van Buren, Joseph Monell and William Miller, were the leading Democratic lawyers. Elisha Williams was a man handsome in person, of courteous manners, and kind and liberal disposition. Beyond his professional knowledge, which was such as he gathered in the courts, and in his preparation for the arguments of his particular cases (of course superficial), he was wholly unlettered. Williams frequently addressed political meetings. His ready wit, vivid imagination, easy, pleasant manners, rendered him effective, but when he indulged in references to the history of his own and other governments his blunders were quite amusing. Thomas P. Grosvenor was a man of talent and education. He spoke well, was kind-hearted and well disposed. Indolence kept him needy.

Jacob R. Van Rensselaer, a gentleman of moderate abilities and fortune, had by his family connections much political influence. Martin Van Buren, younger than Williams, and without the same professional advantages, was the leader of the Democratic party, and generally their advocate in contested causes.

He was a native of the county; of obscure parentage, he wanted the advantage of an early education. When very young he went into the office of an attorney to serve seven years, giving his time to the drudgery of a clerk, and was admitted to the bar. His professional knowledge was acquired by his practice, his attendance in courts, and his examination of the authorities bearing on his particular cases. His knowledge of books outside of his profession was more limited than that of any other public man I ever knew. This remark refers to him, at the time I saw most of him, when he was Secretary of State.

William W. Van Ness, a judge of the Supreme Court, was ambitious, skillful in management. He was the leading spirit of the political clique which guided the Federal party in the middle and western districts of New York. By combination with De Witt Clinton it controlled the whole State. At that time I was too young and of too little importance to be admitted into the councils of these men; and yet through my familiar association with Mr. Rudolph Bunner, who was admitted to them, I became acquainted with their political and other purposes. These men denounced the war of 1812, supported De Witt Clinton as the Peace party candidate for President; sympathized with the Hartford Convention; and endeavored to carry the State of New York into that disloyal movement. Van Ness gave as a toast at that period—"The Hartford Convention."

The political parties in this county were in such bitter hostility to each other, that there was no social intercourse between their leaders. Party spirit was carried so far that, as was well understood when Wm. W. Van Ness, the Federal judge, held the Circuit, the Republicans to avoid the effect of his partizanship, would not bring their causes before him if it were possible to avoid it; and on the other hand, when Ambrose Spencer held the Circuit, the Federals feared to meet his influence. On one occasion Mr. Van Buren's industry gave him so much the advantage over Williams on the argument at the bar, by superior preparation, that when Judge Van Ness met Williams he referred to the argument of that case, and reproachfully said to his friend: "How could you from want of a little industry, allow that little Democrat to get so much the advantage of you?" To which Williams promptly replied—"Oh, Judge, I relied upon you to supply my deficiencies."

Another incident will prove the partizan character of a judge of our Supreme Court. There was an ejection cause between Mr. Penfield and the Hallenbecks, which involved the title to a valuable farm South of the city of Hudson. The defendants were ignorant men and staunch Democrats. The cause had been once tried and the tenants were successful. Van Buren was their advocate and Williams opposed. It was again tried and Penfield obtained a verdict. A day or two after the court had adjourned, the Hallenbecks came to my office and said, "Mr. Hamilton, we lost our case the other day as you know, and now we want to employ you as our attorney." I said, "Together with Mr. Van Buren?" They answered emphatically, "No! We will have

nothing further to do with him—we believe he was bought.” I sharply replied, “You do Mr. Van Buren great injustice! He managed your case with great skill; and no man could have done better than he did. You lost your cause by no fault of his. I certainly will not be employed by you.”

Feeling indignant that such men should assail the character of an upright man, I mentioned the conversation to my friend Mr. Bunner, who repeated it to Judge Van Ness. The Judge promptly said to Mr. B.: “Tell Hamilton to send for the Hallenbecks, and take up their cause—he can carry it, and that little democrat will be destroyed.” Bunner said, “Judge, you had better give that advice to Hamilton yourself, and you will get your answer—I certainly cannot do so.”

The bill to recharter the first Bank of the United States, was defeated in January, 1811, by the casting vote of George Clinton, Vice President, although it was sustained by Gallatin, Secretary of the Treasury, by Crawford then in the Senate and afterwards Secretary of the Treasury, and by all the influence of the administration, Mr. Madison being President. One of the many evil consequences of the winding up of that bank was to induce a vast increase in numbers of State banks, particularly in the city of New York; and above all, the attempt by shameless intrigue, to establish the Bank of America in the city of New York, with a capital of six millions. This measure was earnestly supported by the Federal faction in the middle district as a party engine. The corrupt means they employed to obtain a charter, were so flagrant as to induce Governor Tompkins in March, 1812, to prorogue the Legislature for sixty days; but without effect—the corrupt faction prosecuted their means with audacity and success.

As a part of the unpublished history of the party movements of this time, the following statement, derived from the most authentic source, may be made public. The Federal party had been denounced as the *peace party* during a flagrant war with Great Britain; this is correct, only as to the leading men of the party, in the middle district of the State, and particularly so as to the faction to which I have referred; but not true as to its most distinguished leaders in the State of New York. John Jay and Rufus King stand forth in this connection with the same history which characterized the earlier periods of their lives. In order to induce those gentlemen with Gouverneur Morris, to support De Witt Clinton, a negotiation was opened by Mr. Clinton, through his friend the distinguished clergyman John Mason.

The latter communicated to Morris Clinton's wish, to have an interview with Morris, Jay, and King, to explain to them his (Clinton's) political principles, and the policy upon which he would administer the government, if elected.

He hoped that by the force of his Democratic partizans and the fragments of the Federal party, to secure a majority of the electoral votes, and thus defeat Mr. Madison, who was candidate of the Republican party. Mr. Mason, knowing the predilections of Mr. G. Morris opened the subject to him, and through him

Mr. Jay and Mr. King were invited to meet Mr. Clinton on a certain day at the house of Mr. Morris. They accepted the invitation, but after the meeting was arranged an incident occurred so characteristic of Mr. Jay's Huguenot prejudice, that it will bear repetition. Mr. Mason suggested to Mr. Morris, that as there were to be *three* Federalists, it would be well that Mr. Clinton should be attended by one friend. This suggestion was communicated to the other gentlemen and it was proposed that Mr. Mason should be that friend, to which Mr. Jay promptly replied, "*No Priest, no Priest.*"

The day for the dinner arrived. Mr. Jay and Mr. King were there, and, with Morris, agreed as to the subjects of conference. It was decided that Mr. Morris should be the interlocutor, and that the questions on their part should be categorically answered. Mr. Clinton arrived at a late hour: His Honor the Mayor of New York having been detained by the trial of a cause in his court, a meal was ordered for, and eaten by him, and the conference was held. Mr. Clinton among other things declared that the policy of the Federal party, which was that adopted by Washington and Adams, was the only course of measures which could promote the interest and preserve the honor of the country; and added emphatically, "I well know the views and purpose of the Democratic, the Jacobin party, and have no confidence in them. As president I would administer the government upon the system of Washington and Hamilton." Mr. Jay who was always upright and direct (well knowing that Mr. Clinton must depend essentially upon the Democratic party for his success), unable to keep silence longer, said: "Mr. Clinton, do your Democratic friends know that these are your opinions and purposes?" The result of this conference was, that Messrs. Jay and King determined not to support Mr. Clinton.

He was not elected, but came very near it. This statement is the substance of a memorandum of the meeting made at the time by Rufus King, which he read to me in the year 1822 or 1823.

Mr. King, as a Senator from New York vigorously supported the war, and indeed it was said that in order to sustain the finances of the Government, he made large advances to the United States from his private means, and induced others to do the same.

When his term expired, Mr. Monroe as President, strongly urged his Democratic friends in the New York legislature to re-elect him.

The faction, however, with money of the Clintonians at the first trial defeated him; he was, however, afterwards elected, and hastened to Washington to oppose the admission of Missouri as a slave State, and took a very earnest and honorable part in that most memorable discussion.

In the spring of 1814 I removed from Hudson to New York. At that time an attack on New York city, by the British, was considered imminent; and Governor Tompkins was not only ordering the militia of the State to come to the defense, but such was the desperate condition of the exchequer of the nation that Tompkins, Rufus King, and many others, and particularly, old

Federalists, advanced their private means to defray the expense of that armament.

On the 22d of July, 1814, I addressed to the Governor the following letter:

"SIR: I have several times called upon you, at your office, to pay my respects to you, but have found you so much engaged, as to induce me to retire. Allow me, Sir, in contemplation of the recent call for militia, to say, that I hold myself in readiness to perform the duties of any military station you shall please to assign to me. I removed to New York to attend exclusively to my professional duties, but these views must be abandoned should the war continue; as it will be then my duty, as well as the duty of every good citizen, to take part in the burthen of a vigorous defence.

"With these sentiments, I remain, &c.,

"JAMES A. HAMILTON."

To this letter the Governor gave a very flattering answer, and requested me to call upon him in the evening, which I did; and the next day I was appointed a deputy Quartermaster of Col. Varian's Infantry Regiment, then on its way to Brooklyn. I served about a month in that situation, and was appointed Brigade Major and Inspector of Gen. Height's Brigade. I continued in active service until the peace. The Governor then promised to appoint me a Lieut. Col. of one of the regiments to be raised by the State of New York, under a bill introduced in the Senate.

At the close of the war I returned to my profession. In 1813, I had been appointed a Master in Chancery; an office, as I supposed, of so little value, that I did not take up the commission. After the war, Patrick Hildreth, who as a Master in Chancery, had most of the business in New York, having been removed, proposed to me to take up my commission, and that we should form a partnership. On the 4th of June, 1815, I addressed the following letter to Governor Tompkins:

"SIR: In March 1813, I was appointed a Master in Chancery, which office I did not accept, it being of little value in Hudson, and because of some circumstances connected with the conduct of my political friends; you will oblige me by informing me if you have received or accepted my resignation of it; and if you have not, if it would be incompatible with strict right, now to exercise its functions in this city, to which I have removed.

"With sentiments, &c.,

"J. A. HAMILTON."

The Governor replied on the 14th of July:

"SIR: The Governor alone cannot accept resignations of *civil* officers. The Council accepts resignations of that kind, and enters them on its minutes. Upon the receipt of your letter of the 4th inst., I caused a search to be made in the abstract or list of civil appointments, taken from the Council Minutes, and found that your name was on that list as a Master of Chancery, and of course there can be no

impropriety in your qualifying, and exercising the functions of the office. To make you perfectly secure I transmit an official certificate of your continuance in office.

“ With high consideration,

“ DANIEL TOMPKINS. ”

The office was of great value to me. The principal lawyers of the city, Harrison, Riggs, Boyd, Josiah O. Hoffman, and Samuel Jones, who were the friends or contemporaries of my father, gave me their business. The acknowledgment of deeds yielded \$2,000 a year, and the litigated references gave me as much more. With full employment, living with great economy, I was enabled to purchase a small house in Varick-street.

In the year 1817, I was employed by Mrs. Ann C. Morris, as agent, to settle the estate of Gouverneur Morris, who executed his last will on 26th day of October, and died the 6th day of November, 1816.

His wife, Ann C. Morris, was appointed executrix, and Moss Kent, the brother of Chancellor Kent, the executor. The will declared that he was to be paid for his services \$10,000.

Mr. Kent was a most worthy gentleman, a bachelor, who had enjoyed the entire confidence of Mr. Morris, and was well acquainted with his property; a better selection could not have been made.

Upon examining the estate, I found it involved to over \$120,000, (one hundred and twenty thousand dollars.) The property was a farm at Morrisania, of about 1600 acres; large tracts of land in the northern part of the State of New York and Pennsylvania; together with an unsettled account with Mr. Le Roy de Chaumont, of many years standing, and involving large claims for money. Beside these, there was a hotel in Paris.

Mr. Kent would not qualify as executor, because (as Mrs. Morris said), he believed the estate was hopelessly bankrupt.

Under these circumstances, Mrs. Morris, who, although very intelligent, was incapable of performing the trust, was compelled to call for the services of a man of business.

She consulted her friend, Dr. David Hosach, one of the distinguished physicians of the City of New York, who advised her to employ me as agent to settle the estate. She consented to do so, and authorized Hosach to engage me as agent of the estate; which he did. Compensation was to result from commissions to be computed upon the payment of certain debts, and other successful services.

Upon examination, the estate was found to be indebted by notes, discounted at bank, to about \$20,000, and by a bond on which the principal sum unpaid was about \$83,000.

Upon examination, I ascertained that the means of the estate were, a valuable real estate of sixteen hundred acres at Morrisania, within nine miles of the City of New York, on which there was a large and valuable dwelling house; a hotel in Paris, which belonged in part to the testator, and also ex-

tensive tracts of land in the northern part of New York, for which Mr. Morris held the title, but in which Le Roy de Chaumont and others had an interest; the extent of which would depend upon a settlement, involving an extended investigation of a long-standing account. The hotel in Paris was incumbered, and an advance made by Mr. Morris to the Duke of Orleans, the late king of France, as follows :

When Louis Philippe was in exile, he came to New York. I recollect seeing him at my father's house, in this city. This visit was recollected, and adverted to by the king, at a private interview which he gave me in 1837.

Gouverneur Morris, in order to aid him, loaned to him in 1796 the sum of \$6,000, of course without any security, the payment of which could alone depend upon the restoration of the Orleans family to their estates in France. After the Bourbons were restored Mr. Morris made out his account, computing *compound* interest at six per cent. per annum. When this statement was presented Louis Philippe, then Duke of Orleans, and in possession of his vast estates, paid the sum of 32,000 francs, about \$6,400, but did not pay compound interest, and thus the matter stood when the agent's work began. Measures were immediately taken, and with success, to present to Louis Philippe the claim for the balance, computed at compound interest; which was paid in 1818, amounting to 38,000 francs, altogether about \$14,000.

The first and great object of the agent was to release the estate from the bond for \$83,000, on which the testator was security. This he accomplished by a little good management.

To pay the debt to the bank, and some other small amounts, an arrangement was made to borrow from an insurance company in New York, secured by a mortgage on Morrisania, an amount sufficient to pay all the debts; and thus the estate was rescued from all its entanglements.

The accounts between Mr. Morris and Mr. Le Roy de Chaumont, were of long-standing, and to understand them so well as to make an equitable division of the wild land, was a work of great labor. A settlement satisfactory to all parties was made, and in justice to Mr. Le Roy de Chaumont, I must say, having the game in his own hands, he behaved in a most upright manner.



CHAPTER III.

EARLY POLITICAL LIFE.

The American newspaper and the Bank of America—An inquiry into the conduct of Mr. Van Ness—Effect of the exposures—The duel between—The forged challenge to Aaron Burr—Retirement from office—The De Longremare and Mead claims, &c.—Conversations between the Secretary of State and James A. Hamilton, relative to the Spanish treaty—The Presidential contest of 1824—A visit to New Orleans—General Jackson—Incident of the battle of New Orleans—Return home—Encounter with Indians—Correspondence with M. Van Buren—Appointed an Aide—Banks and Banking.

THE *American* newspaper, established in the city of New York by Charles King, Johnston Ver Planck and James A. Hamilton as proprietors and editors, was published weekly. Their leading motive was to expose the corrupt practices of a faction in the State of New York, known as Federalists, whose political control though very limited in the eastern was very considerable in the western, and absolute in a portion of the middle district of the State. The great power of this faction was shown in manipulating the members of the legislature. Their aim as partizans was to elect De Witt Clinton as the candidate of "the peace party," President of the United States, in 1812. Mr. Madison was the candidate of the Republican party and elected for his second term. On the 26th January, 1820, an editorial article was published in this paper, alleging that the Hon. William W. Van Ness, a judge of the Supreme Court of the State of New York, and as such, a member of the Council of Revision* together with Jacob R. Van Rensselaer, a member of the legislature and Elisha Williams, had been strenuous advocates for chartering the Bank of America; and that notwithstanding the prorogation of the legislature on the 21st March, 1812, on the express ground of corrupt practices used to carry through that charter. It was, in 1812, obtained with a capital of six millions—the Bank to pay a bonus to the State of \$600,000. It was further stated in the article in

* By the Constitution of the State of New York, at that time, all acts passed by the Legislature must, before they became laws, be affirmed by a majority of the Council of Revision. This Council consisted of the Chancellor, the Judges of the Supreme Courts and the Governor of the State.

question that in 1813, an application had been made to reduce this capital to four millions, and that the legislature should relinquish five of the \$600,000. This act was passed by the legislature and concurred in by the Council of Revision.* For the services of Van Ness, Van Rensselaer and Williams it was stipulated by the agents for the charter that the bank of Columbia, in Hudson, should have a credit not to exceed \$150,000 for fifteen years with the Bank of America, on which the Bank of Columbia was to pay 6%, of which amount the Bank of America was to refund to the above-named persons 3% per annum; and, it was alleged, that when this agreement was submitted to the board of directors of the Bank of America, it was opposed as equally unjust and dishonorable, and after some delay a commutation was offered and accepted on which Williams received \$20,000.

It was further declared that Mr. Williams showed so little disposition to divide the money that his coadjutors became alarmed for their shares and talked of exposing him; and it was not until Williams compelled them to acquiesce in the admission of a fourth person to an equal division of the spoils, upon the express ground of that fourth person's having rendered equal service in obtaining the charter, that he would consent to its distribution. Van Ness received \$5,000, Van Rensselaer \$5,000 and Williams retained (as creditor of that fourth person) \$5,000 and an equal sum as his own share.

On the 26th January General Root, in the Assembly, introduced a resolution, which was passed, that a committee be appointed to inquire into the official conduct of Mr. William W. Van Ness, whether he "hath so acted in his official capacity as to require the interposition of the constitutional power of the House." Judge Van Ness appeared and asked to be permitted to be present in person and by his counsel, which was granted. His counsel were John V. Henry, of Albany, Thomas Addis Emmet, and Samuel Jones. The chairman of the committee, McKown, was the law partner of John V. Henry, having been educated in his office. Abraham Van Vechten of Albany, and John Duer, appeared on behalf of the House of Assembly.

In the course of the examination of witnesses it appeared from Oliver Wolcott's testimony that a paper in the handwriting of Van Rensselaer was submitted to the board of directors of the Bank of America which was produced by Mr. Williams and marked Exhibit E.† In that paper it was stated that the Bank of America was to give a credit to the Bank of Columbia of \$150,000 at an interest of 6% per annum for fifteen years to be paid yearly, and the Bank of America did consent and agree to pay to Elisha Williams, Jacob R. Van Rensselaer for their own use and benefit the one half part of all such interest

* It is worthy of notice that the nomination of De Witt Clinton for President, by the Legislature of New York, was postponed, as the friends of the Bank would not go into caucus until the charter had finally passed. As soon as the charter of the bank had passed, on the 28th May, 1812, a Committee of the Republicans of the Legislature assembled and nominated De Witt Clinton for President.

† That paper is now in the possession of the writer.

as became due and payable, and was actually paid by the Bank of Columbia, which said half of the interest was to be paid annually as received by the Bank of America. This paper was endorsed in the handwriting of Wolcott, "Proposed instrument relative to interest receivable from the Bank of Columbia."

"This was compromised by a payment in money."

Governor Wolcott when examined as a witness proved that in May 1813, he being president of the Bank of America, at a meeting of the directors this paper was exhibited and read, and the proposition excited in his mind emotions of aversion and disgust which he freely expressed in the presence of the directors. He believed such an agreement would be burthensome to the Bank of America in its operation, and disgraceful to them to ratify. He said, he was assured of its tendency to injure the reputation of the parties more immediately concerned in the transaction. Although it was understood that the proposed contents were to be concealed yet he considered it absurd to expect such a secret would be kept inviolate for fifteen years—"for myself," he said, "I resolved never to be the agent of giving it effect." Several of the directors entertained similar opinions with myself,—of these I distinctly recollect Archibald Gracie, William Bayard and Stephen Whitney. I believe Preserved Fish was of the number. It was referred to me to confer with Mr. Williams. At the conference with him as one of the parties, after hearing the objections and my opinion as to the nature and tendency of the proposed agreements both in respect to the two banks and to the reputation and character of the parties interested in the proposed agreement, Mr. Williams was willing to accept a sum which according to my belief was \$20,000, in lieu of the proposed contract. In answer to my observations upon the effect of that contract on the character of the parties, I recollect Mr. Williams saying that he considered himself as transacting business with honorable men who would keep the affair secret. Most unquestionably it was stated by Mr. Williams that there had been a bargain made between him and the agents of the applicants for the incorporation of the Bank of America by which the Bank of America was to pay back to him one half of the interest which the Bank of Columbia paid to the Bank of America. I understood Mr. Williams as recognizing what is stated in Exhibit E, as being the terms of the original agreement he made with the agents for obtaining the incorporation of the Bank of America. The object of the conference was not to get security but to get rid of a bargain as stated, and \$20,000 was agreed to be paid by the board to get rid of a bad bargain. This was quite inconsistent with the idea of a bond. There was no such condition. Elisha Williams, a witness, said he was in Albany during the greater part of the winter of 1812, and until the prorogation, and also there during a part of the Spring session, and in the Senate until the question was taken which decided the fate of the bill. Williams further testified that he promoted the passing of the bill, and having made an agreement with people calling themselves agents for the applicants of the Bank of America relating to a credit to be given to the

bank of Columbia by the bank of America when that bank should be incorporated.

It was proved by Mr. Bunner, a distinguished lawyer, and afterwards a member of Congress, that Van Ness, a Judge of the Supreme Court, and member of the Council of Revision, met frequently in Room No. 10, Gregory's Hotel, Albany, during the sittings of the legislature, with the agents of the applicants for the incorporation of the bank of America, and did undoubtedly show zeal in promoting its success, as much as Mr. Williams, Mr. Newbold or Mr. Post—the two last the open and avowed agents. The witness heard a conversation as to how such a member of the legislature would vote: "I am certain," he said, "I heard Judge Van Ness" ask "if such a person had been talked to, or whether such a person had been seen." I understood and have ever since, from conversations mentioned in my former examinations, understood that Judge Van Ness considered himself as having a right to one-third of the \$20,000. Mr. Bunner stated also that in 1813 (after the session of the legislature which took off the bonus of the bank of America), he had a conversation with Judge Van Ness on that subject, in which he was informed that Williams had received the sum of \$20,000 from the Bank of America, and that after he knew Williams had received the money, he had an interview with him. Judge Van Ness expressed some surprise that Williams had not paid him. He asked Mr. Williams whether he had received the money. He said, he had. Van Ness then asked him about the disposition of it. Williams, pointing to a bureau, said, "the disposal of it will be found there in my will." Mr. Bunner said he understood from Judge Van Ness at that time that a portion of that money belonged to him, and he appeared to doubt whether Williams intended to give him his portion.

In the course of a conversation in the same year, Van Ness expressed his dissatisfaction that Mr. Grosvenor should be allowed a portion of the money, (Mr. Grosvenor was a member of the legislature when the law passed). I understand, said Mr. Bunner, that Mr. Williams claimed that Mr. Grosvenor had a right to a share for the services he had rendered in the incorporation of the bank. Van Ness insisted that Grosvenor had no right to any part of the money. He did not dispute the ground of Grosvenor's claim as assigned by Mr. Williams, but simply said that Mr. Grosvenor had no right to the money. I understood Judge Van Ness that he expected the money to be divided between himself, Van Rensselaer and Williams. Mr. Bunner in answer to a question said, "Undoubtedly I understood him (Van Ness) to say, that the money was paid by the bank for himself, Williams, and Van Rensselaer." Van Ness stated that he believed that Williams introduced the name of Grosvenor, in order to appropriate a larger portion to himself. (Grosvenor was indebted to him.)

Mr. Gardiner swore that Van Ness, before the application was made, mentioned to him that an application was to be made next winter to the legislature, for the incorporation of a bank. He proposed to me or inquired of me

how I would like to be an agent to assist in obtaining that incorporation. I declined having anything to do with it. I mentioned to Van Ness that I apprehended this application, from his making it to me, was for a Federal Bank—that it was a Democratic legislature, and that I apprehended such an incorporation could not be obtained without corrupting some of the Democratic members of the legislature. In proposing the agency, Judge Van Ness said, “I could make a good deal by it if I would undertake it.”

Archibald Gracie sworn.—“If Mr. Newbold had explained in my hearing the measures he had pursued or the contracts he had made in procuring the incorporation of the Bank of America—I mean to say, if Mr. Newbold had stated to us the various contracts he had made for money and credits in procuring the charter of the bank, we (Mr. Wolcott and I) should certainly have withdrawn from the association.” The substance of Exhibit E was stated to the board by Mr. Wolcott. The ratification of that contract was objected to by me, and, as far as my memory serves, by Mr. Wolcott. I stated at the board that I considered the contract as stated in Exhibit E, and made to the board, as disgraceful and dishonorable and every way exceptionable. I would never agree to it.

The course of proceeding by the committee and the counsel of Judge Van Ness (four of the most acute lawyers) was to raise technical objections to all the evidence which would lead to the proof of the guilt of the party.

The counsel objected to the examination of Governor Wolcott—they objected to the production of the books of the bank, and the committee would not order the books to be produced, although urged to do so by the counsel for the House.

The defence of the Judge was that Williams paid him \$5,000 for becoming security for Williams to the Bank of America. Williams stated that the terms of the contract with the agents of the applicants for the incorporation of the Bank of America were, that the Bank of Columbia should have a credit with the Bank of America, for \$150,000 at 3% for fifteen years; that this contract was made in 1812.

The testimony of Williams, Van Rensselaer and Newbold was in conflict in essential points with that of Governor Wolcott, Archibald Gracie, Jonathan Burrill, Rudolph Bunner, John Duer, and particularly with the recitals in the paper marked Exhibit E, which, according to Van Rensselaer's testimony, was the work of Williams and himself.

By the Resolution of the House, this committee was appointed to inquire into the official conduct of Judge Van Ness, and to report their opinion whether he had so acted in his official capacity as to require the interposition of the Constitutional power of the House. This inquiry was surely intended to be conducted as the proceedings are before Grand Juries; whereas it was made a regular trial as it would have been if there had been an impeachment. The decision of the committee was contained in a report dated April 5th, 1820. Af-

ter stating that they had examined a great number of witnesses, they say : " From this mass of evidence thus deliberately taken and maturely considered your committee are of opinion that there is nothing in the official conduct of the Hon. William W. Van Ness that requires the interposition of the Constitutional power of the House."

I was removed from the office of Master in Chancery by the Governor, De Witt Clinton, without any alleged cause ; but evidently because I had made a charge against Judge Van Ness, which although clearly proved by the Judge's own statements, was not sustained by the Committee. Van Ness commenced a suit against the Editors of the *American* to recover damages for a libel, founded upon the publication in the *American*. The defendants pleaded specially affirming the truth of what they had charged. The plaintiff instead of joining issue demurred to the pleas on the ground of irregularity. The question upon the demurrer was argued before the Supreme Court ; Emmet, Wells, and Jones for the plaintiff. James A. Hamilton, as counsel for the defendants, averred that he had drawn the pleas in order to present, as the issue to be tried by the jury, the fact that the plaintiff had been guilty of corruption in his official capacity, to wit : in receiving money from the Bank of America for services rendered as a member of the Court of Revision, and otherwise in obtaining an act of incorporation and a subsequent modification of that act advantageous to the Bank. He insisted emphatically, that the character of the plaintiff had been impeached in a manner which not only brought him into disgrace, but tended to disgrace the Court of which he is a member, and the State of New York. He declared that he did not intend to argue the technical questions raised by the demurrer. He and his associates were not insensible to the grave character of the charges, or the responsibility they had assumed in making them. In assuming that responsibility they were not influenced by any feelings of personal unkindness toward the plaintiff ; but they verily believed he was guilty of the charge in its broadest sense, and that he and they had performed a high duty to the State in bringing him to justice. As to the pleas and the demurrer the court will decide according to law : All the defendants asked the court to do, was to make such a decision as would enable them to present in any further pleading an issue distinctly raising the question of the guilt or innocence of the plaintiff, who he insisted, instead of endeavouring to shrink from that issue by technical objections, should, if innocent, court a trial upon that issue ; and thus, by a verdict of his peers, the dishonor with which he was now covered would be wiped out. The defendants were willing to meet such an issue and to go before a jury upon the testimony taken before the Committee of the House of Assembly. They were not indifferent to the responsibility of their position, they had deliberately charged a member of this Court with corrupt practices in his official duties, and they were ready to meet the pecuniary damages and all other consequences. And we now call upon the learned gentlemen who appear for the plaintiff to unite with us in framing such pleas as will

present a clear issue as to the guilt or innocence of their client ; and to take such a course as will lead to a *prompt trial*. With great respect to those most eminent advocates we insist that if they shall be unwilling to accept this offer, it will manifest a want of confidence in the innocence of their client.

It is believed no decision was made by the Court ; certainly very soon afterward the cause was discontinued by the plaintiff.

The effect of the exposure of this corrupt faction upon the public mind was most emphatic as it respected the accused. A convention was demanded by the popular voice. The Constitution was amended so as to remove the judges of the Supreme Court ; and upon its organization Judge Van Ness was left to pass the residue of a misspent life in solitude, a victim to remorse. Williams and Van Rensselaer with their adherents were never heard of again.

As a Master in Chancery, I had a most extensive and profitable, though arduous business. In the case of references involving the investigation of litigated accounts, such as the settlement of the accounts of executors, trustees, and others, I made an effort to introduce a course of practice which would present distinctly the points at issue between the parties, by requiring the complainant to file a charge, and defendant a discharge, and thus present the items of the accounts fully and distinctly to the master, and through his report to the Court.

On the — day of —, 182—, I made a sale for which I received on that day a check for \$5,200. I went to the Bank of America, received the amount, and from thence to the Bank of New York, where I then and now keep my account, to deposit the money. On handing my bank book with the notes to the receiving teller it was found I was \$1,000 short. I returned directly to the Bank of America, stated the circumstances, and asked the cashier to ascertain whether I had been paid the full amount of the check by an examination of the teller's cash. This was done, and it appeared I had received the full amount. I advertised the loss in the *Evening Post* the day it occurred, and offered a reward to the person who had found and would return the lost \$1,000 note. Several years after, a director of the Bank of America called and informed me that a suit by the bank against a man who had picked up a note of \$1,000 on the floor near the counter would be tried the next week and requested me not to be in the court, or in the city, on the ground that if it should be proved that I had lost a \$1,000 note at that time, the bank might not recover—there had been one trial without a verdict—the suit had been pending several years. He urged that if it should appear that it was my note that had been taken from the floor near the desk, I could not recover, because the statute of limitation would be a bar to a suit by me. At the same time he engaged that if the testimony showed that the note was mine, the bank would pay the amount received to me, deducting charges. I assented to the arrangement, taking care to send my partner, Mr. Dunlap, an acute lawyer, to note down all the testimony.

It appeared the defendant had told his partner, that he had picked up a \$1,000 note on a particular day, on the floor of the Bank of America, near the teller's desk. They agreed that the note should be put away and not used for some time; which being done, an entry was made to that effect on that day. The partners afterward quarrelled about their affairs, and he who did not find the note informed the bank of the circumstance. The day the note was found agreed with the day of my advertisement and of my short deposit. I having made my account of the sales good by adding \$1,000 of my own funds, was thus a loser to that amount.

The Bank got a verdict for \$1,000 interest and costs, which after some months' delay was paid. The examination of the evidence by Mr. Dunlap and reference to the advertisement and bank book satisfied us both that the note picked up from the floor was dropped by me, and therefore belonged to me. I said nothing to the bank on the subject. Some months afterwards, the same director called upon me on this subject. I pointed out to him the concurrent circumstances, and insisted that as the teller's account on the day of my loss showed such a note had been paid out, and that I had lost a note paid to me on that day, the conclusion was very strong that I had dropped the note which the defendant in the suit had found on the floor. The gentleman left me without assenting to or denying the force of what I had urged, but a few days after offered to pay me \$500, which I accepted, having no remedy whatever against the bank. The offer necessarily implied that the note belonged to me, and if I was entitled to anything I was certainly entitled to the whole amount of principal and interest, deducting charges paid by the bank. This conduct on the part of the bank confirmed the expression that "Corporations have no souls."

Another strange event occurred while I was Master in Chancery and about the time the charges was made in the *American* newspaper against Van Ness and others.

Sitting at my table, having just finished a report and signed it "James A. Hamilton, Master in Chancery," Colonel Troup, the early friend of my father, came into my office and taking out of his pocket book a paper in the form of a note, handed it to me without saying a word. I read it twice, and returned it to him together with the paper I had just written and signed. He compared the writing of the two papers and said, "I am satisfied it is a forgery." According to Parton's life of Aaron Burr (page 616) the paper was in these words:

"AARON BURR—Sir: Please to meet me with the weapon you choose, on the 15th May, where you murdered my father, at 10 o'clock, with your second.

(Signed)

"JAMES A. HAMILTON."

"May 8th, 1819.

I was very much excited and angered that Burr should dare to make any communication to me; and that Troup should, as his friend, have been the

medium, and under the excitement I very foolishly replied, "Sir I am not satisfied—the note is, as you say, a forgery, but if you come here as the friend of Aaron Burr to accept the challenge if sent by me, I adopt it." Troup replied, "Such was not my purpose. I did not come here believing you wrote the note. I will now return it to Mr. Burr." He then took his leave with evident embarrassment. From the character of the writing, I believed it was the work of a weak and wicked man who well knew my hand-writing and was devoted to the corrupt faction, then the subject of attack in the newspaper, the *American*, of which I was an editor and in part a proprietor, and that it was done in the hope that I might be disgraced or destroyed. I related the circumstance to three discreet friends who agreed with me and thought it best at present not to say anything more about it, under the expectation that its author would report "that Hamilton had challenged Aaron Burr," and that as this report might be traced, the author of the base fraud would be discovered.

Parton's statement that Burr wrote a reply in these words:—"Boy I never injured you, nor wished to injure your father—A. Burr," is a pure invention. How did Parton learn that such a reply was written? He says on reflection however, "he thought it best not to notice the communication, and tore up his reply." If the reply was torn up at the time, as is implied by what he says, how did Parton obtain a copy of it? That Burr did not think it best to notice the communication is proved not to be true, by the fact that he sent Troup with the note to me, as I have before stated. He alleges that Burr addressed me as a *boy*. I was then over thirty years of age.

As to the duel with my father. Burr was defeated at the election in the House of Representatives by Hamilton through his influence with the Federalists, many of whom wished to elect Burr in order to defeat Jefferson. Among other letters written on the occasion by Hamilton, we quote from one to Gouverneur Morris, dated 26th December, 1800 :

1st. "That the Convention with France ought to be ratified as the least of two evils.

2d. "That on the same ground, Jefferson ought to be preferred to Burr—I trust that the Federalists will not be so mad as to vote for the latter. I speak with an intimate and thorough knowledge of character. His elevation can only promote the purposes of the desperate and profligate. If there is a man in the world I ought to hate, it is Jefferson. With Burr, I have always been personally well, but the public good, must be paramount to every private consideration."

The public good was always not only his rule of action, but his governing principle.

Again, Burr was a candidate for Governor of New York—Morgan Lewis was also a candidate. Hamilton's influence with the Federal party, decided the election in favor of the latter. Thus were Burr's hopes of political success again frustrated by Hamilton's influence. He could have no prospect of success with the anti-Federal party of which he was a member, and he could not carry

a sufficient number of the disorganized because defeated, Federal party, so long as Hamilton lived.

Burr consequently, under color of the duel, sought to and did assassinate Hamilton. The latter in his last moments, referring to the manner of his death, said :

“Duelling was always against my principles. I used every expedient to avoid the interview, but I have found for some time past that my life must be exposed to that man. I went to the field determined not to take his life.”

Deprived of office, I earnestly devoted my time to my profession, and with some success. John Rodman, District Attorney of New York, being obliged by feeble health to pass the winter in the South, employed me to perform the duties of his office during his absence. The compensation for these services, both arduous and painful, was \$50. The great advantage to me was that it habituated me to the trial of causes—made me acquainted with criminal law, and led to other business which was much more profitable. During this time I was employed by an extensive mercantile house in New York to recover a claim arising out of a *contract with the Spanish Government*, and to that end, on the 20th of March, 1817, I addressed a letter to the Hon. John Q. Adams, Secretary of State, who was negotiating a treaty with that government, giving him a brief statement of the claim, and asking that my clients, who were American citizens, should be protected by their government. To this the Secretary replied, that should a treaty be made this claim and others like it would be provided for. Thus this matter rested until the Florida Treaty was ratified. My clients then requested me to prosecute the claim before the Commissioners, and agreed to pay my traveling expenses between Washington and New York and in Washington, and to give me, if necessary, a small commission upon the amount awarded. The act of Congress passed to carry out the Treaty, appropriated five millions of dollars to pay the claims. Judge White, of Tennessee, Littleton W. Tazewell, of Virginia, and William King, former Governor of Maine, were appointed commissioners. Each claimant was requested by the board to present a memorial, giving a brief statement of the grounds of his claim, within a given period.

When this was done, the commissioners examined the several memorials, and decided whether a case was presented for further proceedings. The De Longuemare claim, of which I had charge, being founded upon a *contract*, was, after much deliberation, rejected, on the ground that contract claims did not come within the term and intent of the treaty. This decision was gratifying to the great majority of the claimants, because it excluded a large amount of claims, and thus the dividends of those which were admitted would be increased. The celebrated Mr. Pinkney, of Maryland, said to me: “I could demonstrate that *contract* claims were embraced by the treaty; but you know in these cases we are all Ishmaelites—every man’s hand is against his neighbor.”

The *Meade* claim, being for a very large amount, was, with many others of the same character, likewise rejected. I returned to my clients in New York; explained to them the grounds of the decision, and expressed my determination to carry out a plan I had formed, which I believed would induce a reversal of that decision. I explained my purpose to Mr. De Longuemare in confidence; but without inspiring him with the hope I indulged. He was not disposed to incur the additional expense of my going to Washington. I was informed that a *claim* had been allowed in the loss of a ship and her cargo, in which the firm of D. & J. had an interest, but to what amount I did not know. I informed Mr. De Longuemare of this claim, and proposed to him to prosecute both claims. He knew nothing about the last claim; had no confidence in it, and was distressed that he should lose what was equivalent to a fortune to him. He, however, said to me: "I will make a new bargain with you: I will incur no further expense; but if you choose to go on with the work, I will agree to give you the amount you may receive under the last claim, provided you recover the former one; if not, I am to have the amount of the last." This I agreed to, and I received a power of attorney, authorizing me to present a memorial for the last claim in my own name as the attorney for those whom it might concern. I returned to Washington, prepared a memorial in relation to the last claim—the memorial and proof in regard to the ship and cargo affording me the materials, and presented it, to await its turn to be considered. I then visited Mr. Adams; talked over with him the matter in relation to the rejected claim, referred to his answer to my letter, calling his attention to the claim before the treaty was formed, in which he said he would protect the claim if a treaty was made. He insisted that contract claims, as well as those arising from torts, were embraced by the terms of the treaty, and were distinctly understood by the negotiators to be covered by the treaty. He referred to his protocols and various circumstances to prove that this was so; and that the decision of the commissioners was erroneous. I proposed to address a letter to him, calling his attention to the case, and to the decision of the commissioners, and asking him to give me his opinion upon the subject in writing, to which he assented. I then went to see Mr. Hyde De Neuville, the French Minister, who had been an intermediary between the negotiators, Mr. Adams and Don Onis, the Spanish Minister. De Neuville gave me a certificate that the contracting parties intended to include the claims of our citizens of all kinds whatever arising from contracts for torts, and he obtained for me a letter from Don Onis to the same effect.

I prepared my letter to Mr. Adams with great care, and put it into his hands. He told me he would give me an answer as soon as possible. I returned to New York; and after waiting several days for the answer, returned to Washington. At this period the journey to Washington was made by stage. During my repeated journeys on this business I passed over the road at least twenty times, and on one occasion was ten hours in going between Baltimore

and Washington in a stage-coach. On the 4th of March, 1822, I went early to the department, found Mr. Adams there. As soon as I entered, he took a letter from his table, delivered it to me, saying, "I was about to mail it to you. I regret to say, the letter will disappoint you." I read it. The President had directed him not to give any opinion as to claims—either to claimants or their agents, and only to the commissioners when they requested him to do so. I asked permission to call upon him again whenever he had time to receive me. He said, "To-morrow at 9 o'clock at my house."

I went there, and said frankly to Mr. Adams that under the decision of Mr. Monroe, the President, my clients by a mere matter of etiquette and official form were to be deprived of a large amount of money, and I of all compensation for my long and arduous services; (I had been at Washington about two years on this business.) Mr. Adams said: "Yes, I regret that it is so." I then said: "You have again and again, in conversation with me, asserted that these claims are covered by the treaty; you have referred to your papers to corroborate that opinion, and I have your engagement that this claim should be provided for whenever a treaty should be made, and the assurance in writing of Don Onis and Mr. De Neuville to the same effect. *I have always and do still consider these conversations with you as confidential.* I have therefore felt bound not to make use of what you have told me without your consent. These conversations were held with me *before the President's interdiction.* Now I ask your permission to make use of those conversations; and to communicate in writing to the commissioners what you have stated to me on this subject *before the interdiction* of the President, together with the declaration of Don Onis and the French Minister. I can thus attain without a violation on your part of the directions of the President, the object I have in view. Mr. Adams rose from his chair, put his arm on the mantle, stood so for a few moments in deep meditation, and then replied with emphasis: "You have properly considered my conversations with you as confidential. You are now at liberty to use, as you please, all I have said to you heretofore on the subject; but you must first submit to me what you write, that I may be assured that my opinions and statements are correctly set forth."

I thanked him cordially, and took my leave, and immediately wrote down Mr. Adams' conversations with me precisely as I recollected them, and after making a fair copy enclosed that in a note addressed to him, and delivered it to him at the Department. The following is a copy of that paper:

CONVERSATIONS BETWEEN THE SECRETARY OF STATE AND JAMES A. HAMILTON
IN RELATION TO THE 5TH SECTION OF THE 9TH ARTICLE OF THE TREATY
WITH SPAIN.

Mr. Hamilton requested to be informed by Mr. Adams whether the parties to the Treaty, and particularly the Government of the United States, did or

not intend to embrace claims arising out of contracts within the 5th renunciation of the 9th article of the Treaty with Spain. Mr. Adams replied substantially as follows :

“During the negotiation, no distinction was ever made by Mr. Onis or myself, between claims arising out of *contracts* or from *torts*, or any others which might partake of the character of both. It unquestionably was the intention of both the parties to the treaty to provide for all claims of citizens of the United States upon the Spanish Government, of which statements had been made to this Government; whether arising out of contracts or torts; and the 5th renunciation, at the request of the Spanish Minister was acceded to by our Government, in order to include all claims as to which the aid of the Government had been called for. The course of the negotiation on the subject was this:

“The 5th section of the 9th article, nearly in its present form, was a part of the project sent to me by Mr. Onis. It was considered by our Government inadmissible, because it would include claims by contract as well as others, and it therefore did not form a counter project sent by me to Mr. Onis.

“Mr. Onis afterwards requested that section to be restored, to which the President and his Cabinet, or such of the gentlemen composing it as were present at the consultation, acceded, and it was restored March 5, 1822.

(Signed)

“JAMES A. HAMILTON.”

This statement I handed to Mr. Adams, and when he had looked it over, he desired me to call at his house in the afternoon for the paper. I did so, and found he had changed some parts of my paper making it more definite, and presenting the arguments in favor of his opinion in stronger language, with the addition of some important facts. I took this paper, copied it, and went with both to Judge White. He read the original with Mr. Adams' corrections, and I read my copy. I then told him it was my intention to send the copy I had made, together with the papers I had received from Don Onis and De Neuville, to the Board; and I asked him to say that he had seen the original with Mr. Adams' corrections, thus proving that they were his opinions in his own language. This was done, and the commissioners reversed their previous decision. Tazewell was vexed, for he had induced the former decision by his refinements. He abused Mr. Adams, and insisted that I had “bamboozled him.” My memorial was received; the proofs were certain, and a very large sum was awarded to my clients, which I afterwards received at the Treasury, and paid over to M. De Longuemare and to Mistress Jewell their respective shares. In the meantime the other claim was allowed, and about \$20,000 was awarded to me, which I also received as my own, less \$2,000, which I paid to the person who called my attention to it, and aided me in obtaining the facts and the proofs.

I was employed to prosecute the claim presented by Mr. Bunner, the administrator of the estate of John B. Church, who married my mother's eldest sister. In this case the question of citizenship was raised under the following statement of facts. This gentleman came from England during the Revolutionary war. He was a clever, enterprising, industrious man, and probably

from his previous employment in the business of his uncle, who was a banker in London, was an expert accountant. He was then known as *John Carter*, and by that name employed by Congress to settle the accounts of the Northern Army, then commanded by Major-General Philip Schuyler, and thus was introduced to the General's family. He married his daughter Angelica without her father's consent. Mr. Carter or Church, I know not when he assumed the last, his true name, was afterwards, with Wadsworth, Commissary of the French Army, and in that employment amassed an immense fortune without any reproach. After the war, Church went to Paris, settled his accounts with the French Government, returned to England, his native country, purchased a borough, was returned to the House of Commons, and formed intimate relations with Charles Fox, who borrowed from him twenty thousand pounds sterling. Church remained in England until about 1796, when he came to New York with his family, purchased real estate in that city, enjoyed all the rights and performed all the duties of an American citizen. He voted, and from time to time served as a juryman, having, as he said, "the misfortune frequently to serve on the jury with eleven devilish obstinate men."

In the enjoyment of extensive means, he lived expensively, was hospitable, and having a disposition to indulge in games of chance, he became, with several gentlemen of New York, an *out-door* insurer. During that period, when our commerce was almost annihilated by the policy of England and France, his fortune was essentially impaired, and thus the claims for losses under the Florida Treaty arose. He remained in this country until about 1811, when he went to England not intending to return, and died there. Under this state of facts, the question whether he was an American citizen arose, and after a free and full discussion the commission decided that Church *was a citizen* on the ground that "once a citizen, always a citizen." The claim was allowed and paid. I had two other claims in which I was successful.

During my attendance upon the commission, I frequently visited Rufus King and Mr. Van Buren, then Senators from New York. Mr. King took a deep interest in my success. At one visit I well recollect he expressed regret that I had not come in a little sooner, because, he said, "*Giles*, late Governor of Virginia, has been with me and talking of your father and the events of the day; he made a clean breast of it. (You know it was he who in 1793 introduced in the House of Representatives resolutions concerning your father's management of the Treasury.) Governor Giles said, 'I did not believe Hamilton had done anything wrong; those resolutions were drawn up by Mr. Madison, who urged me to present them; that Madison was the most vindictive little fellow he had ever known.'" At another visit, Mr. King told me that Van Buren wished to be appointed a Judge of the Supreme Court of the United States, and that he, Mr. King, had urged his appointment, He then asked me if I thought he would make a good Judge. I replied: "He is entirely trustworthy," and at the bar prepared his causes with great industry,

and argued them well. Judge Thompson received the appointment, and Van Buren was very much dissatisfied.

Calhoun called upon me, and invited me to an evening party. When I was presented to him, he expressed much pleasure at seeing me, and said, "I wish you would remain near me until my guests have all come in; I wish to talk with you." I did so—and shortly afterwards he took me by the arm, walked to a corner of the room, asked me if he could render me any service in Washington: and after expressing his admiration for my father, said, "Sir, I have a clear conviction after much reflection, and an entire knowledge and familiarity with the history of our country and the working of our government, that his policy as developed by the measures of Washington's administration, is the only true policy for the country." I expressed my thanks: he introduced me to some of his friends and asked me to call upon him whenever I had leisure to do so.

Calhoun was then hoping to be President, and doubtless supposed I would communicate to my Federal friends *these views*.

During the period of my attendance on the commissioners under the Florida Treaty, I became acquainted with William Crawford, whom Irving much esteemed. He was intelligent, well informed and scrupulously upright. His views in regard to the administration of the government seemed to me to be very judicious.

During this time, there was an active canvass going on in Washington as to who should be the candidate of the Republican party at the election in 1824. I became interested in Mr. Crawford, and worked hard for his election.

MARTIN VAN BUREN TO JAMES A. HAMILTON.

WASHINGTON, January 26, 1825.

"MY DEAR HAMILTON: I wrote you a long letter the other day, but burnt it in consequence of its having been delayed but one day, and that short period having worked an almost entire revolution in the state of things here. At present our affairs are situated thus;—Clay and his friends have settled down for Adams. This makes for Adams, certain, the following States; five in New England, Illinois, Ohio, and Kentucky. The States on which they calculate, and the only ones to which they can lay the least claim, are Rhode Island, New York, Maryland, Missouri and Louisiana—making the thirteen. They must get every one of them to succeed, and they have no pretensions to any other. The unexpected and apparently unnatural course taken by Mr. Clay's friends, has produced the strongest possible feelings of resentment. Jackson's friends are of course in arms. The combination is avowedly hostile to Mr. Calhoun, and his friends are highly excited. The push on the part of Mr. Adams' supporters will be to succeed on the first ballot. If they do not there is no such thing as forming a rational conjecture as to after results. *I do not believe they will so succeed*, but their chance is far from desperate. It will depend on slight circumstances how the matter goes after the first ballot. Mr. Crawford's chance in the house will then be better than it has been at any period. His friends

adhere to their determination to abide by him. Even if they wished to support Jackson, that would, under the circumstances, be the most advisable course. I will not say absolutely that it is not possible for Crawford's friends to elect Jackson, but I doubt it extremely. It is certain that there would be greater probability of success if Jackson's friends were to support Crawford. To that we look. If the question was now between Crawford and Adams, and South Carolina was to decide it, Mr. Crawford would succeed. I thank you kindly for your offer to come down. I do not see that it can be of any avail, but if you have curiosity to be here why not gratify it. I have had hard work to keep on the ground I suggested to you, but have succeeded in doing so, and find cause for gratification in having done so. As long as Eddy holds out, there is a moral certainty that Adams cannot be elected; but you know how he will stand if Adams gets the twelve States. Yours truly, &c."

MARTIN VAN BUREN TO JAMES A. HAMILTON.

WASHINGTON, December 20, 1826.

"MY DEAR SIR: I return you Bunner's letter. His feelings are evidently against us, and nothing but the fear of being regarded as a deserter will keep him on the right side. The only way of effecting that, in my judgment, is to speak of his going over as a probable event attributable to the insincerity of his conversion. Unless restricted by you I will in a few days hold that sort of talk to Verplank, to whom by right he must look for his safety. My conversation will of course be such as to exclude suspicion of what ought not to be known. B. is right in one thing. There is not the least doubt that everything Noah says against Adams does him great good with our country Republicans who look upon Noah literally with abhorrence. Is there not spirit enough in the Democratic party of the great city of New York to establish a press in which honest men can confide? Betts is nominated for judge. The Federalists struggled hard to prevent it, but have been quieted by the assurance that it was necessary to give a few appointments to the Bucktails, as they call us, to divide them and thus enable the same sort of coalition which succeeded in 1826 to triumph in 1828. Taylor has been chief manager in the business, that is certain. Mr. Sandford, to my knowledge, was not advised with or of the matter. Judge Betts had, you know, an avenue of direct approach to the President through * * * * But the leading motive is to enable Young and Porter to make a party out of the Democratic interest in the State. If you had any other paper than Noah's you could make much of this huckstering, shuffling course; but the least said about it the better. I have not at present the least doubt of my election. My accounts warrant that belief. The administration here will be cautious how they meddle. It seems they are determined not to give me up. For the last two days the report of the day has been that the office of Secretary of State was to be offered to me, and Mr. Clay to run for the Vice Presidency, &c., &c. There is no doubt that the folks here would do any thing now that was desired of them, but it is out of the question. They have nothing in their gift that I would hesitate a moment in refusing; but this language you know it would not do to hold publicly. My time has come. Write me often and frankly. Truly yours, &c."

MARTIN VAN BUREN TO JAMES A. HAMILTON.

"WASHINGTON, December 30, 1826.

"MY DEAR HAMILTON: I cannot advise as to the use of the letter until I see it. If you are not willing to send me a copy, with directions to burn it after read, the matter must rest until I can see you. You have certainly a right to use all lawful weapons to get at the means necessary to do justice to your father's memory. I beg you to get and send me forthwith such extracts from the correspondence between General Washington and your father as relates to the power of the General Government over the subject of internal improvements. If it can be useful I will send it back to your brother John, and get it authenticated, as he has the other extract. *Don't forget this, as I may want to use it soon.* You have seen the blow up about the Vice-President. He has turned the war completely into the enemy's camp. Taylor has outraged all propriety in the appointment of the committee. The Vice-President's friends, as you will see by the telegraph, believe that this is done not so much to harass him as to defend themselves by preventing inquiries as to who moved the wires. Satterlee Clark, who is the ostensible man, is from your city, and talks big here about New York politics. He makes speeches about the certainty of my defeat, &c. &c. Very sincerely your friend, &c.

"P. S. *Inter nos.*—I dined with the President on Friday, when the following dialogue took place: President—'I am much troubled, sir, about the appointment of Surveyor in New York.' Answer—'I presume so. It was a source of much trouble to Mr. Monroe.' President—'Yes, but his was voluntary.' Reply—'I presume you are hard pressed to re-appoint the present incumbent?' President—'Yes, and I have great repugnance to the act.' A long pause—but nothing more said on either side. Ought I to have said more unless expressly asked? The design in introducing the conversation was obvious, but it is too late in the day. I was so certain from John King's manner and conversation when he left me, that he carried instructions to open the war upon me, that I wrote to Campbell my impression by the same mail, and requested General Van Rensselaer to lay by the ammunition for me."

MRS. ELIZABETH HAMILTON TO HER SON, JAMES A. HAMILTON.

"MAY 11, 1827.

"MY DEAR SON: Your unremitting kindness and attentions, and in this last instance of providing for my comfort, demands my most ardent and affectionate thanks. As I think my wants will not require your enclosed check until the autumn, let me say to you that when I shall require your goodness to aid me I will call upon you. As all good acts are recorded in the habitation where your father now is, I have no doubt this one will be proclaimed to him, and have thus given him another motive to implore continued blessings upon you. Amen, my dear son! Your affectionate mother."

This letter, so full of kindness and fervent piety, affords a suitable occasion to record another, and her last, evidence of her affection for the same son. In 1854 my mother resided in Washington (her daughter, Mrs. Eliza Holly, living with her). On the 8th day of November, 1854, I was informed by my sister that our mother was quite sick. I went immediately to Washington, and arrived there on the morning of 9th November. I found my mother so sick as to

induce a belief that she would not recover, and such, I learned from her attending physician, was his opinion. She had no acute disease or pain. I passed the day in her room, and in the evening my dear good sister, who was so unremitting in her attentions, said to me, "James, I sat up with mother last night, I wish you to do so to-night; I will sleep on the sofa in the next room; there is no medicine to be given to her; should there be any change, call me." This was about nine at night. I took my seat at the bedside with my face to my mother's, holding the pulse of her right wrist with my right hand, and so continued about two hours, the pulse growing more feeble all the time. At length, about eleven o'clock, mother in a clear voice asked me to change the bedclothes at her feet, which I did, and then, intending to resume my place, I bowed my head down to see if there was any change in her countenance. She put her arm around my neck, pressed me to her, kissed me most affectionately; and said, "God bless you, you have been a good son;" the arm was relaxed, there was a slight hiccough, a slight discharge of dark-colored liquid from the sides of her mouth, and she was dead—her pulse and breath were gone. I wiped off her mouth, kissed her, and called my sister. Her intellect seemed to be as clear at the last moment of her life as it ever was. It was my good fortune to have almost the entire care and management of her affairs. The elder son, Alexander, was away from home attending to his commercial affairs. I remained at the Grange with her as long as she remained there, attending to the cultivation and household, and after her father's death I became useful in collecting her rents and selling such parts of her property as her needs required. She was a most earnest, energetic, and intelligent woman. Her engagements as a principal of the Widow's Society and Orphan Asylum were incessant. In support of these institutions she was constantly employed, and as I once playfully told her, "Mamma, you are a sturdy beggar." She replied, "My dear son, I cannot spare myself or others; my Maker has pointed out this duty to me, and has given me the ability and inclination to perform it." Her mind and body never rested, because both were always employed. She was a skilful house-wife; expert at making sweetmeats and pastry; she made the undergarments for her children, was a great economist and most excellent manager. During the few last years of her life, living at Washington, she took great interest in public affairs. Without intending to say any thing offensive, she habitually spoke of the slave-holding States as the "African States." She was a devout Christian, the best of wives, mothers, and women. At the time she was the principal of the Orphan Asylum, she found a little fellow in the arms of a fireman whose parents had been destroyed by the burning of their house. Being an orphan, she directed the fireman to take the little "McKavit" to the Orphan Asylum, on the Bloomingdale Road, giving him the means to hire a carriage to do so, and gave him her card, with directions to say she had sent him with the boy, who was to be taken care of. This was done. He was a bright boy—received as good an education as the asylum afforded. When he arrived at the proper

age (16 years), she obtained a place for him at the Military Academy. He went through the course; was put back the first year for deficiency, but ultimately took his degree. She then obtained a commission for him as a Second Lieutenant of Infantry. He remained in the army, was promoted to a captain, was in the Mexican War, and was killed at Monterey gallantly leading his company into the hottest of the fight. He contributed to the asylum every year after he left it an annual sum, and the day before his death he made a will and bequeathed all he had to the asylum. The writer of this note collected back pay and investments; the sum, according to his best recollection, was about eighteen hundred dollars, which was paid over to Mrs. Bethune, the principal directress.

My success as the agent of claims under the Florida Treaty enabled me to pay off a mortgage of \$3,000 on a two-story brick house in Varick near Broome street, in which I lived several years, and to enter upon a new course of life.

From 1825, when I purchased eighty lots of ground, as before stated, I devoted my attention to making money by dealing in real estate in New York and Brooklyn, and building houses, with very marked success. I purchased a block of ground bounded by four streets, near the Navy Yard, Brooklyn, with a dwelling house, at public auction, which I divided into lots and sold at over one hundred per cent. advance. I purchased lots in Jackson street, built four two-story brick houses, and sold them at a considerable advance. In association with Mr. C. H. Hall, I built a Bull's Head tavern corner of Twenty-fourth street and Third Avenue, and laid out proper yards between that and Twenty-third street; I also built two brick dwellings north of Twenty-fourth street and Third Avenue. I sold the Bull's Head property and the two houses for forty thousand dollars. I built a three-story brick house in Laight street, and one in Varick street, where I lived for several years. I purchased a large square on Broadway, where the New York Hotel now stands, for fifty-two thousand dollars. After holding it for three or four years, I sold it in parcels at a very great advance.

CHAPTER IV.

FROM DECEMBER, 1827, TO DECEMBER, 1828.

A visit to New Orleans—Gen. Jackson at home—A banquet in Nashville—Incidents of the Battle of New Orleans—Anecdotes about Gen. Jackson—Threat to shoot a river pilot—Mrs. Jackson's Arrival at New Orleans—Entertainments—A negro ball—Mobile—Adventure with the Indians—Impressions of Gen. Jackson—Political manœuvres—Offer of a position as aide-de-camp on Gov. Van Buren's staff—The offer declined, but the appointment made—Paper on banks and banking.

IN December, 1827, I was appointed by the Corporation of the City of New York, together with Messrs. Saul Alley and Thaddeus Phelps, to present to his Excellency the Governor of the State of Louisiana, a copy of Mr. Colden's memoir "on the New York Canals, with a medal struck to commemorate the completion of the Erie Canal; and to represent the Republican Citizens of the City of New York, and, in their behalf, to tender to Major-General Andrew Jackson their congratulations on the return of the glorious anniversary of the Battle of New Orleans."

This appointment was made without my knowledge, or any intimation by whom, or from what consideration, the honor was conferred upon me. I accepted it with pleasure, because it afforded me an opportunity to see much of our country, and particularly one of those men who, by a brilliant military achievement, had rendered it a very important service.

As my associates had gone to New Orleans on business, I decided to make my way to the residence of Gen. Jackson, Nashville, Tennessee, and to accompany him to New Orleans.

I left Washington by stage for Wheeling, in Virginia, on the 13th day of December, 1827; passed through Pittsburgh to Cincinnati, from thence to Louisville, which place I left on the 19th, for the mouth of the Cumberland River; left Smithland on the 21st, and arrived at Nashville on Sunday, the 23d of December, at 7 o'clock P. M.

The next day Col. Ward, a neighbor and much valued friend of General

Jackson, called upon me, and proposed to accompany me to the Hermitage, twelve miles distant from Nashville. We travelled on horseback. On our arrival, at mid-day, the General received us most cordially.

There came to dinner William B. Lewis, Robert Armstrong, and others. A peculiarity of Western entertainment was, that as soon as dinner was announced, all the gentlemen went to the side-board in the drawing-room to take a drink, and then all went into the dining-room. I observed during all my visit that the table was loaded with food, and in all the spare rooms there were two beds. The General's house was the stopping-place for travellers going to Nashville. Here they ate and slept, not occasionally, but from day to day; so much so, that the General said to me, "Colonel, we must take our horses; we have no opportunity to be alone here." The evening of the day I arrived, there drove up a farmer with wife, children, and servants, to stay the night; and such was the usual course of things. "He kept a tavern, without the privilege of making a bill."

During the second morning Mrs. A. J. Donelson (whom I afterwards so well knew and so much esteemed and admired) came up to the door on horseback, with her infant in her arms, and the colored nurse on another horse. I was astonished to see a young and delicate lady and mother making a visit in this manner, and was told it was the most convenient; because the streams, generally speaking, in the country, were not bridged; and from house to house, off the general highways, they travelled in by-paths.

On the 24th Dec., 1827, I was invited by a portion of the citizens of Nashville to a public dinner at the Nashville Inn.

The dinner was numerously attended. It was given in the house where Jesse and Thomas Benton made a deadly assault upon Gen. Jackson. The place of the assault was shown, and all the circumstances related to me. Jackson's life was only saved by his coolness and courage.

The General's conversation was frank and interesting. He seemed anxious to learn the characters of different public men in New York, and particularly as to Clinton and Van Buren; their probable course and their influence upon the approaching election. Afterwards I became convinced that, confident of success, he was looking to the future.

His opinion of Clinton was elevated; and, as I believe, far above his deserts. He had heard much of Van Buren that was unfavorable. I replied that I had known him well before the war of 1812; that he was then an earnest and useful supporter of the Government. His reputed cunning was referred to. I replied that I had not seen any thing of that kind; that he was unquestionably sagacious, proverbially cautious; and that his success in his profession was due to his industry in preparing, and his skill in trying, his causes. His political success was due rather more to the folly and want of patriotism of the opposing faction, and the popular impulses connected with the war.

The General spoke highly of the course of Rufus King during the war, as opposed to that of Eastern Federalists. I was satisfied he thought very highly of Clinton.

The General related the following incidents connected with the Battle of New Orleans. When his boats with his army made the shore above the city, he was informed that the enemy were landing below. He immediately ordered his men to prepare to advance, and, attended by a few cavalry, he, with Edward Livingston, went into the city. On his way to the front he was met and stopped by a crowd of men and women in great distress.

"I told Livingston, who understood their language, to address them, and to say, 'I am going down to meet the enemy. I will drive them off, or die in your defence.' He did so. *I went on my way to duty, they went off to dance.*" His first entrenchments were lower down the river; finding they were not advantageously situated, he placed them where they were when the great battle was fought. I remarked, "You retreated, then?" "Yes, by the —, and it was the only time I ever retreated in my life."

One of the large guns was commanded by a captured pirate, who was an excellent gunner. The General said, "Never was a gun fired with more rapidity, skill, and effect. At every discharge it swept through the line of the enemy, making a wide gap, which was again and again filled up immediately, with a degree of courage I never before witnessed. At length, however, they faltered, and I then said, 'Fire away; by God, I have them!'"

At the period of my visit, the currency in that part of the country was scarce. The banks were bankrupt, as I learned; and before measures were taken by the Government to restore specie payments, the currency was so extended, that land which had before sold for \$8, or \$10, per acre, was then held at about \$70, and so of all other values.

The Treasury used the Bank of the United States, Madison's Bank, to redeem the currency. Very many who lost money by the change attributed their losses to the Bank; and from the views and feelings expressed by the General as to the course of the Bank, I inferred he was one of those who had suffered, and who took that view. He expressed strong opinions against the Bank of the United States; and to my great astonishment said, (when excited,) "*Colonel, your Father was not in favor of the Bank of the United States.*" I was confounded, and at a loss what to say, as I did not suppose he spoke from want of knowledge, but from a reference to this particular Bank, and made no reply.

The steamer *Pocahontas* was chartered by citizens of New Orleans to convey the General and his party from Nashville to that city. She was fitted out in the most sumptuous manner. The party was General and Mrs. Jackson, two gentlemen with their wives, a young lady, Miss B—, Governor Samuel Houston, Wm. B. Lewis, Robert Armstrong, and others, and the New York delegate. The only freight was the General's cotton-crop.

During the voyage we stopped at the different towns on the river, at the

most of which the people were assembled; and at the principal ones, committees addressed the General, to whom he made appropriate replies. In the course of the voyage an event occurred, which I repeat, as it is suggestive of character. A steamer of greater speed than ours, going, in the same direction, passed us, crossed our bow; then stopped and let us pass her; and then passed us again in triumph. This was repeated again and again, until the General, being excited by the offensive course, ordered a rifle to be brought to him; hailed the pilot of the other steamer, and swore that if he did the same thing again he would shoot him. As I believed the General was in earnest, and as such an outrage could not be of service to our cause, I went below and stated to Mrs. Jackson what had occurred; she said mildly, "Colonel, do me the favor to say to the General I wish to speak to him." I did so. He went to the cabin with me, and remained there in chat with her.

I conversed much with Mrs. Jackson, and found her an amiable, sensible woman. It has frequently occurred to me that it was a very great misfortune that she did not live to exert her influence over the General, and guide him by her good sense and good feelings, when he was President. If she had been alive, the great mistake in relation to Mrs. Eaton would not have been made.

Mrs. Jackson was an uncommonly ugly woman—I mean in her appearance only. She was the first woman I ever saw smoke a cigar. She was correct and easy in her manners, playful in conversation, and fond of a joke, as the following will show:

Before we arrived at Natchez, where I was to leave the party and go on to meet my colleagues, the young lady of the party told me she feared her bonnet was not fit to be seen at New Orleans, and asked me if I could not get one for her and send it aboard, before they landed. As an enterprising man, and not a little disposed to be gallant, I replied: "If you are willing to trust to my taste, I will make the attempt." Shortly afterward, the two young married ladies, hearing what had occurred, asked me to get bonnets for them, which I also engaged to do. A day or two after this, Mrs. Jackson said: "Colonel, I wish you would do me a great favor." I replied, "Madam, it will afford me much pleasure to render you any service in my power." "I have understood you have engaged to get bonnets in New Orleans for these ladies. Now I wish to test your enterprise by asking you to get a bonnet for me and a *becoming one*." This was said with a semi-serious air, which induced the ladies as well as herself to smile.

I replied, "I will prove to you, madam, that I have the skill as well as enterprise to do *all* you require."

As soon as I arrived at New Orleans, I presented a letter of introduction Mr. Livingston had given me to Mr. Montgomery, and by the advice of his family I went to the most fashionable milliner in New Orleans; purchased for the ladies their several bonnets, and had them properly packed and sent to the party on board the steamer above the city. The bonnets were worn by the

ladies at their reception ; and Mrs. Jackson was the belle of the occasion. The General stopped at Natchez, where a committee of arrangements had come up to meet him. It was arranged that he should leave the steamer at the battle-field, where he and his party would be received by the Governor. This was done ; and after addresses by the Governor and others, the New York committee were presented, and an address was made by the writer, as chairman of the committee ; to which an appropriate reply was made by the General.

The delegates addressed the following letter to his Excellency Henry Johnson, Governor of Louisiana.

“ SIR : We have been desired by the Corporation of the city of New York to deliver to you a Medal, struck in commemoration of the completion of the Erie Canal ; a copy of Mr. Colden’s Memoir on the New York Canals, with a letter from the appropriate committee ; and are ready to wait upon your Excellency to perform that duty, whenever it will be most agreeable to you to receive us.

“ We have the honor to be, with great respect, your humble servants,
 “ JAMES A. HAMILTON,
 “ SAUL ALLEY,
 “ THADDEUS PHELPS.

“ To his Excellency Henry Johnson, Governor of Louisiana.”

To which the Governor replied, that he would receive the delegation at 10 o’clock of the morning of the 9th of January.

On that day the delegation met the Governor, and Mr. Hamilton, in their behalf, presented the memoir and letter ; to which the Governor replied :

“ I receive, Gentlemen, with the greatest pleasure, the testimonials which the Corporation of the city of New York have been pleased to offer through you, of their approbation of the conduct of my fellow-citizens on the glorious 8th of January, 1815. The beautiful specimen of art, and the valuable productions of knowledge and talent which you present, would be at any time highly interesting. Given on the present occasion, as a compliment from the Corporation of the first city in the Union, they afford the proudest satisfaction ; and they will be appreciated by the people of Louisiana, as they are by me. The State of New York enjoys the distinction of having led the van.”

A part of the programme was, that the General and his party were to go to the Catholic church, where an aged Catholic priest was to make an address to him. The address was prepared and brought up by the committee, and given to the General, that he might be enabled to prepare his answer. This was a *poser* ; his friends were much at a loss how to make a proper answer at a religious ceremony. They stated their difficulty to the General, who said, “ Oh, give it to the Colonel ; he knows how to address such a character.” I took the address with me, prepared the answer, and delivered it to the General on his way to the church.

The next entertainment was a public dinner, where speeches were made in French and English. They were translated from one language into the

other by Major Davis, with great facility. That made by the delegates from New York, by their chairman, was a tolerably good speech when given in French by the translator, with his eloquent emendations, easy and flowing language. Next and last was a ball at Davis's rooms, where I saw the waltz danced more gracefully by the Creoles than in any part of the world—London Paris, and New York not excepted.

During the evening Gov. Houston said to me, "Colonel, there is another ball at this time in this building which will interest you; will you go to it?" I went with him. It was a Quadroon ball. There was an amphitheatre of seats where the black wenches sat, while the girls who were brought there for sale, and others, danced with white men. They were very well dressed. They were generally under-sized, but well-formed and graceful. While looking on at this novel and disgusting scene, and listening to Houston's explanations, a gentleman saluted me, whom I recognised as Mr. Allain. After talking with him awhile, Houston called me away, and said, "Where did you make his acquaintance?" "At Saratoga Springs," I answered, "when I was there with Grimes." "Come here," said he, "and I will show you his daughters," and he pointed out two Quadroons.

Houston explained that these girls were purchased by the planters for about \$5,000, a large part of which was invested in a house and furniture and conveyed to the slave-mistress. Coming down to New Orleans, on Sunday evening, we stopped at all the landings, where large numbers of well-dressed men came on board. I asked one of the gentlemen of the committee what this meant. "They are going to the opera," he said, "and then they go to the houses of their Quadroon girls, where they breakfast, dining at the St. Charles Hotel." I was informed that this was the accustomed arrangement for the married and single men; and that by the laws of Louisiana, unless the act of adultery was committed in the domicile of the husband, there could be no divorce. Along the coast, near New Orleans, a part of the river is called "The Yellow Bend." This part of the country was inhabited by the offspring of white men,—a marriage between the white and colored races being invalid. The whites of property purchased land along the coast, and conveyed it to their children. At one of the places where we stopped to wood, a black woman came down with slaves to put the wood on board; and there came a well-dressed colored man on the steamer to go as a passenger to New Orleans.

He told me he was from St. Domingo, where he was educated; that he was employed on that plantation to teach the children of the owner, who was an Octoroon man; and at other plantations in the neighborhood. He said there were several families of the colored race there with their slaves, who were well off, owning lands. This man, respectable in appearance and manners, and well educated, was not permitted to go into the cabin.

After a most interesting visit of a few days, I took leave of my friends, left New Orleans in a sail-vessel for Mobile, where I passed three or four days

agreeably and usefully; and from thence went up the Alabama River in a steamer to Montgomery. My companion on this journey was Mr. Corbin, a very worthy gentleman, from Virginia.

At Montgomery we ascertained that the stage for the North, in which there were two or three of my friends, on their way to New York, had left in the morning, and that another stage would not leave for the North in two days. Anxious to overtake that stage, we engaged a wagon to take us to the stage-house before the stage should start in the morning. While at dinner, a United States Agent for the Creek Indians, learning who we were, and that we were going on that night, presented himself to us, and urged us to remain over and hunt with him. "The Indians," he said, "were very much excited just now, in consequence of one of the tribe having been wantonly murdered. A boy and a negro, deer-hunting in the forest, saw an Indian walking along at some distance. The negro said to the boy, 'Try if you can hit him.' He did so, and killed the Indian." Anxious to overtake our companions, we persisted in going on, under the belief that as we were travelling during a dark and drizzling night, the Indians would not be abroad. The agent said, "Gentlemen, as you persist in going on, which I think is quite dangerous, if you meet any Indians, when you are accosted, say that you are the friends of John Bascomb." We went on our way in an open wagon, two horses and a driver, who was well acquainted with the road and country.

I must here state that Gen. Jackson related many incidents connected with the Creek war, and among other persons of whom he spoke in the highest terms, was a Captain Walker, who had married a squaw and lived at Fort Hull in the Creek country. As we went on our way, at midnight, in the forest, one of our horses gave out. We got out to assist the driver to overcome the difficulty, but in vain. I asked him how far we were from the tavern to which we were going. He said fifteen miles. I asked if there were any houses near. He replied, that Fort Hull was off the road about three miles, pointing in the direction. He put us on the track, and went back to remain with his horses, while we decided to go there for assistance. Mr. Corbin and I had not proceeded over a mile in the dense forest, when we saw the light of a fire, which was rather cheering. We advanced towards it, and then saw a large number of Indians lying with their feet to the fire, encircling it. They were evidently asleep. We halted. The question between us was whether to retreat or go on. Believing that they would quickly hear our footsteps if we retreated, and fearing that we might be pursued and injured, we decided to go up to them. Proceeding a few steps, which we took firmly, one of them leaped up with a shout, which brought the others to their feet, and their weapons to their hands. After a word between them, one advanced and addressed us. I replied, "Friends of John Bascomb." The Indian cried out, "friends of John Bascomb, what do you want?" "To go to Fort Hull, Capt. Walker." This was repeated, and after a talk among them in their own language, a negro was sent to talk with us.

We informed him that we were travellers going to the North—that we saw the agent at Montgomery—that our horses were on the road, having given out, and now we wanted to go to the Fort. This was repeated to the Indians. A leading man came forward and asked us to come to the fire; and shortly, a black boy was ordered to light a pine-knot and guide us to the Fort. We thanked them for their kindness, and went our way. The boy took us in an air-line to the Fort, where we found the drawbridge was raised. The dogs barked furiously, the Captain was awakened, and when he asked who we were, I replied, "Travellers, friends of Gen. Jackson." The way was opened directly, and Capt. Walker introduced us to his wigwam, the Fort. His spouse, who was a squaw, was asked to get us coffee, which was done; and upon learning our difficulties, a horse was sent to where our wagon was, guided by the Indian messenger, who went back rejoicing at his night's work, and in due time our wagoner drove up, leading his wearied horses. We supped; fought over some of the battles of the Creek war; gave the Captain full information of the General's movements, intimating that he might be elected President, at which Walker greatly rejoiced. When ready to depart, I was prepared to pay for the services he had rendered us, but he said, "No, Colonel, I am too happy to have rendered this slight service to a friend of Gen. Jackson, my glorious commander." We drove to the tavern; arrived there before it was light; were compelled to sleep on the floor of the bar-room on our cloaks, with our carpet-bags for pillows; because the landlord, when we knocked at the inner door, so directed us. In the morning he informed us that from the unsettled condition of the Indians he could not let any person within whom he did not know, after nightfall. He had married an Indian woman. We understood that white men were very ready to take the daughters of the chiefs to wife, because they got with them lands and slaves. The head men of the barbarous as well as of the more civilized communities, always have the opportunity to take the "lion's share."

In the morning we drove on with the stage and our companions, without any incident worthy of remark until we reached Virginia. In the course of one night, the stage stopped at a negro cabin; an old negro, with a light, brought a young one to the stage (the latter in tears), and put him outside on the seat with the driver; a white man at the same time took a seat inside, putting under his feet, irons which attracted our attention. Upon inquiry, he informed us they were handcuffs; that he was taking the boy to be sold. When we next stopped, we examined the boy, and found him in great distress, from being separated from his parents. We conferred together, and decided that the white miscreant should not ride in the stage with us, and told him so; consequently, as there was no room for him on the outside, he took the boy, his irons, and himself off, to obtain another conveyance.

At Savannah, on the 29th of January, 1828, I addressed a letter to his Excellency John Forsyth, Governor of Georgia, which will be given hereafter. That letter led to circumstances of the gravest importance to the most dis-

tinguished officers of our government at the time, and to imputations upon my conduct of a serious character, which, as will be proved, and which I now declare in the most solemn manner, with a due sense of all my responsibilities in doing so, were not only wholly groundless, but were made without any evidence whatever. I may add, as I do, after a careful retrospect of my long life, that this was the only occasion on which I have been charged or suspected of having been engaged in "artful operations," "political manœuvres," "a base political intrigue," or any dishonorable or dishonest conduct; and I here invite the most rigid scrutiny of all the facts and circumstances to which I shall refer, to prove the whole truth.

Shortly after my return to New York, I addressed a letter to the General, to which I received the following reply, dated February 17, 1828:

"It is truly gratifying to me to learn that your journey, in the pleasurable incidents it afforded, repaid in some degree the solicitude and anxiety natural to so long an absence from those most dear to us. * * * I had intelligence of the death of your chief magistrate, Governor Clinton, a few days before the receipt of your kind letter. I sincerely deplore it. His expanded views; his devoted attention to the interests of the country, entitle him to a distinguished place in the affections of the people; and I rejoice to hear that all parties will unite in the acknowledgment of his merits. New York here, too, sets an example worthy of imitation, worthy of her great resources and of their distinguished patron.

"Mrs. Jackson continues in good health, and unites with me in the reciprocation of those kind feelings which you have been pleased to cherish in our behalf.

"Believe me, my dear sir, your sincere friend, with every sentiment of respect,
"ANDREW JACKSON."

The following letters are given to show the impression General Jackson made upon me at my first acquaintance. The first, to Mr. Warner, was written at the request of Mr. Van Buren.

TO MATTHEW WARNER, LIMA, NEW YORK:

"NEW YORK, September 15, 1828.

"SIR: Your letter of the 4th inst., seeking information as to the character of Gen. Jackson, has been transmitted to me by your friend, with a request that I would reply to it. This reference was probably judged expedient from my having been recently at Nashville, and for some days a visitor in General Jackson's house and neighborhood, and thus drawn into that close acquaintance with him which belongs to such a situation, as well as from my having been a fellow passenger with him in a steamboat to New Orleans, and enjoyed that intimacy which ordinarily results from a voyage of some duration.

"You observe 'that much has been said against General Jackson's moral character;' that as you feel interested in his favor, you wish information on this point; and that you are told by some of your friends, that he is a good moral and pious man, and attends divine worship in a Christian church.

"I found the General, when I visited him, living upon and cultivating an extensive and valuable farm, from which he derives his chief support. His house is a large,

plain building, and so arranged as to accommodate many visitors at the same time; which is necessary, or at least convenient for him, because it is the resting-place of all persons, rich or poor, who travel in that direction; and where all are received with cordiality and treated with such unaffected kindness and hospitality, as makes every one who participates in this generous conduct his personal friend—which has happened to several who came there with strong prejudices against him.

“He is a sincere believer in the Christian religion, and performs his devotions regularly with his family in his own house, and in a Presbyterian church in his neighborhood, of which his most worthy and benevolent but much slandered wife (they have no children) is a member in full communion.

“From all I learned of his private life in his neighborhood, where he is best known, I believe he is a just and upright man, and so uniformly correct in all his dealings with his fellow-men, as to induce them to select him more than any other man in all that part of the country as the arbiter of their differences, the executor of their estates, the guardian of their children.

“In confirmation of that opinion it may be remarked, that in this fierce controversy, marked by malignant slanders, in which no condition or relation of life has been held sacred, General Jackson has never been charged with a want of liberality or integrity in his dealings, punctuality in his contracts, or fidelity to his promise, even to his own hurt. His habits are temperate, his manners easy, frank, engaging, and his conversation is marked by that easy, unaffected behavior to all, that intimate knowledge of mankind, that vigor of intellect and promptitude which have heretofore carried him so successfully through the different situations of perplexity and peril in which he has been placed when in the service of his country.

“As your inquiries are confined to the General’s private life, I forbear to touch upon any subject of a public nature.

“With great respect,

“I am your obedient servant,

“JAMES A. HAMILTON.”

The following letter was written on the 3d July, 1828, to Timothy Pickering, one of the first men of our country. I knew him well; he passed some time as my guest in New York, and, I am proud to say, I enjoyed his confidence.

“DEAR SIR: Your favor of the 3d ultimo is received. * * * You ask me for my opinion of Jackson’s talents and manners. The last are of the most amiable, polished, and winning character. His intercourse has been much greater with men than with books. He therefore well knows how to adapt his deportment to the character and condition of the different classes with whom he meets. He possesses an independent spirit, and great confidence in his own powers; is therefore not embarrassed under any circumstances in which he may be placed. I saw him with the multitude at New Orleans; and going down the river I saw him greeted and addressed without previous notice by committees and individuals in set speeches; he was always at ease and prepared to reply in an appropriate and complimentary manner. He has a sound and vigorous intellect, uncommon promptitude and decision. Indeed, that quality which is called out by peculiar circumstances, or by an effort, on the part of most other men, has by the course of his life become habitual with him.

The whole powers of his mind are more at his command than are those of any other man I ever met with. He is frank, and, I have no doubt, perfectly direct and upright.

"I took occasion during my intercourse with him, which was rather intimate than otherwise, to touch upon Gen. Washington's mode of doing business with the members of his Cabinet. He listened with marked attention; made many pertinent inquiries, and after the subject was exhausted, said, 'I have accustomed myself to receive with respect the opinions of others, but always take the responsibility of deciding for myself and acting upon my own opinion, if I think it most correct. That I believe to be not only the wisest but the safest course; if I err, the blame thus attaches to him to whom it belongs.'

"I have no doubt with such a Cabinet as he may select, our affairs will be safely and wisely, and I am sure they will be honestly and impartially, administered. He is industrious, and accustomed to look into the details of all departments, without attempting to conduct them.

"I have only time for this hasty sketch. You may make what use of it you please. I am gratified to see you are before the public on this subject.

"Yours most truly, J. A. H."

MARTIN VAN BUREN TO MR. COLEMAN.

WASHINGTON, April 4, 1828.

"Mr. Van Buren takes pleasure in presenting Mr. Coleman (for whose judgment he has much respect) with a copy of some observations recently made in the Senate of the United States. Mr. Van Buren is aware of the extent to which his views will clash with preconceived opinions on the part of Mr. C., but he is nevertheless confident that they will be considered with liberality. If Mr. C. could, for ever so short a period, have a peep behind the curtains, he would be made sensible that the only chance for the perpetuity of existing institutions depends upon the preserved vigor and constant watchfulness of the State Governments; that from the proneness on the part of agents so far removed from the people to corruption and other causes, there is not at this moment sufficient honesty in the administration of this Government to keep decent men in countenance; and that we are indebted for the little that remains to constant apprehension of rebuke and resistance from the States. A better opportunity could not arise, than that presented by the abuses of this Administration for those who have so long been under the ban of public opinion to cut loose from sentiments which have fallen so far behind the march of events, and are now, or are likely to be, so discordant with the temper of the times. If proof is still wanting of the fallacy of the once prevalent error that the danger to the scheme consisted in the weakness of the head and strength of the members, take the striking fact that the present Chief Justice of the proudest and largest State in the Confederacy is at this moment a candidate for a subordinate place in the Treasury Department of this Government; a place to which clerks conceive themselves to be entitled in succession, and to which none but third-rate men here would aspire."

The following letters are published as a part of the material:

MARTIN VAN BUREN TO JAMES A. HAMILTON.

"April 7, 1828.

"MY DEAR SIR: I yesterday requested you to get Mr. Coleman to show you a note I sent him with my observations. Since that I have seen a letter from him to

Mr. Cambreleng, from which it appears that he has very mistaken views upon the subject of the choice of electors. I have drafted a letter for Mr. Cambreleng, to write to him upon that subject. See both, and at the same time suggest to him the propriety of not mentioning the circumstance of either note, as their adversary would make a great handle of the matter if they knew it. His good sense will have suggested that, however, before you see him. Old prejudices cannot be trifled with. You will see Gales' last weak attempt to excite jealousy in our ranks this morning.

Your friend, &c."

MARTIN VAN BUREN TO JAMES A. HAMILTON.

"WASHINGTON, May 21, 1828.

"MY DEAR SIR: I will satisfy you when I see you that I have not said, or done, or contemplated any thing upon the subject of the nomination for Governor that you will not approve. I have given to Col. Benton's friend, Mr. Magines, from St. Louis, a letter to you. He is, I believe, a warm-hearted Irish lawyer. I wish you would make him at his ease. The belief here is that we will to-day or to-morrow have the following nominations: Barbour to England; P. R. Porter, Secretary of War; Harrison to Columbia, and Robinson from Kentucky, to Mexico, in the place of Poinsett, to resign. The plan for the campaign is, that Savage is to be run for Governor, and Granger for Lieut. Governor of New York. Clay is to go to Kentucky, and make a desperate push to carry Metcalf's election, and if they fail in that, they are to give up the ghost. All this, I believe, may be confidently relied upon; but don't get me in the papers. I first thought that the project of qualifying Savage for candidateship, by the appointment of Treasurer, was too preposterous to have received the sanction of the people here--deranged and desperate as they are. But it is no longer to be doubted that such is the plan. If New York is not recreant to every honorable sentiment, we will make them rue the day that this profligate scheme was conceived.

"Yours truly, &c."

MARTIN VAN BUREN TO JAMES A. HAMILTON.

"ALBANY, August 25, 1828.

"MY DEAR SIR: I returned on Thursday from my Western excursion. It has been very pleasant, and I hope, politically speaking, has been equally profitable. We shall beat them greatly. The anti-masonic affair is the only thing that requires looking to. Beg Noah and Coleman to treat the matter cautiously. I have written to the former upon the point. The excitement has been vastly greater than I supposed, but has assumed a much milder aspect. Were it not for the pledges given not to vote for a mason, and the opprobrium of reproaches from their brethren, most of the anti-masonites who would otherwise have been with us, would be now, as matters stand, the friends of the administration; and as much troubled with the subject as we are. You can have no idea how much the reputation of the *Evening Post* has improved in the country. It is now generally admitted to be one of the ablest papers in the Union. Let me entreat you to give your undivided attention to the subject of funds. You must absolutely do more in New York, than you promised. Our friends here (at best but poor), will break down. This county alone will be a most oppressive struggle. The Patroon has been induced, by those who

influence him to his prejudice, to consent to run for Congress, and our friends are determined to beat him. I am entirely satisfied that he cannot save the electoral vote for them. We should not suffer the enemy to retain his ammunition after he has been routed. Will not the result of the Kentucky election induce them to bet? *Between us and the post*, make this bet for me, or on our joint account, as you please, viz.: \$500 that Thompson will be defeated, whoever our candidate may be, and \$100 on every thousand of a majority up to 5,000; or, if you can't do better, say \$500 on the result, and \$50 on every thousand up to ten thousand. My visit through the Western Country was very gratifying. At every place where I stopped for ever so short a period, I found myself in a few moments surrounded by crowds of cheerful countenances and stout hearts. Let Noah republish the bet. He mangles it as if he was shy of the question of a majority in the State.

“Very sincerely, your friend, &c.

“P. S. I have received yours since writing the above. Your views as to the delegates are correct. It would be hazarding too much to make out a list as you suggest. I shall go to Lebanon Springs on Friday, and remain there a day or two; after that, will be generally home. Don't you want to go there and shake off the theatre dust? Don't forget to bet all you can.”

MARTIN VAN BUREN TO JAMES A. HAMILTON.

“ALBANY, September 6, 1828.

“MY DEAR FRIEND: I hope sincerely that this will find you quite recovered. Write an answer to the enclosed, in your best style. Say that I have sent his letter to you, and have requested you to answer it. Shape it so that you would not be displeased to see it in print, for such things will happen, although it probably will not in this case; and by all means get some one to do me the favor to copy it, so that it may be read, which will not otherwise be practicable. Let me hear from you soon. Bet on Kentucky, Indiana, and Illinois—jointly if you can, or any two of them.

“Yours, cordially.”

MARTIN VAN BUREN TO JAMES A. HAMILTON.

“September 16, 1828.

“MY DEAR SIR: The letter is excellent without the last sentence, but that, as my name is mentioned in it, may give occasion for ill-natured criticism. Send it to me again as soon as you can, as I want to transmit it without delay. I think it would be better to leave out my name altogether, and say, “Your letter, seeking information as to the character of General Jackson, has been transmitted to me by your friend, with a request that I would reply to it.” This reference was probably judged expedient and proper from, etc.; and still leave out the last sentence, as it is political, etc.

Yours, truly.

“P. S. Does the old gentleman have prayers in his own house? If so, mention it modestly.”

JAMES A. HAMILTON TO CAPTAIN WRIGHT, LONDON.

“NEW YORK, November 2, 1828.

“MY DEAR SIR: My absence from this city, with my engagements of a public

and private nature, have prevented me from acknowledging the receipt of your letter of the 9th ultimo, from London. I assure you it afforded us all very great satisfaction to receive, so directly, an account of all the members of my father's family. Your brother Robert, who I well recollect, will probably have forgotten me. I hope he enjoys good health, and should be pleased if you would make my respects to him.

"We are all zealously engaged in the election for the President of the United States, which commences in this State to-morrow and in all the other States about the same time. The election is very much contested, and will result in the choice of General Jackson. To us, who are accustomed to universal suffrage, it is an ordinary matter; but to you and to most if not all others on your side of the water it must be a subject of curious and pleasing reflection to see a whole people, amounting to about twelve millions of souls, earnestly engaged in making choice by their immediate votes of their Chief Magistrate, without tumult, uninfluenced by a privileged order of any kind either in Church or State, and without corruption. It is true that the patronage of our simple, economical, but excellent Government (not so great as that of the Lord-Lieutenant of Ireland, or to be compared with that of your India Company), has been exercised by our Premier in order to sustain the present President, and the scrutiny of the characters and conduct through life of both the candidates has been conducted without reserve, nay, even with a licentious freedom. But pardon me. I have forgotten that, surrounded by the pleasures and engagements of the Metropolis of the World, you will hardly have given the slightest attention to the events which engross us wholly; and I am happy to add that at or about this time next year I hope to have the pleasure of seeing you in London, and of giving you in exchange for much useful information in regard to your own country, as much as you may desire in regard to this. I am making my arrangements to sail with my wife and children in July or August next, for France; thence to visit England, Scotland, and the Continent.

"Do me the favor to remember me to the Laird of Grange when you have occasion to write to him, and to any other members of our family.

"With very great regard, your friend and servant, &c."

MARTIN VAN BUREN TO JAMES A. HAMILTON.

"ALBANY, December 17, 1828.

"MY DEAR SIR: I have received your letter, and have done as you advised in regard to my unknown correspondent. It never occurred to me until yesterday, whilst riding out on horseback (for we have delightful weather here), that it might be agreeable to you to obtain your father's title of 'Colonel Hamilton' through an appointment as aid to his Excellency.* If so, you have, of course, only to intimate it. I will associate you with two respectable men here, and you will incur no expense or trouble of any kind, not for the present at least. I would not write to Lewis. Let them worry and fret and intrigue at Washington. Six weeks hence they will find themselves as wise as they were when they began. If our friend Jackson wants admonishing and advising upon the point, it would in the end be better for me that he had erred in the beginning. If he should come to Philadelphia, it

* I declined. See the following letter.

might be your duty to pay your respects to him, considering the kind feelings he undoubtedly entertains for you.

“Yours truly, etc.”

JAMES A. HAMILTON TO GOVERNOR MARTIN VAN BUREN.

“NEW YORK, December 20, 1828.

“MY DEAR SIR: I received your letter and disposed of the one enclosed as you directed. Your offer to appoint me one of your aids, I consider a very flattering mark of your attention, and as such, I thank you for it with all my heart; but I cannot allow you, my dear friend, from your disposition to gratify me, so to use this honor which may and ought to be disposed of with much advantage to yourself. You must select a gentleman in this city who is the focus of a large circle of friends, all of whom will be devoted to you, by this honor conferred upon him. From these circumstances I have determined not to accept your offer, unless by doing so you can receive the same advantage, which is impossible from the relation all connected with me stand in towards you. After your letter was received, I turned the matter in my mind, and have hit upon the son of Brockholst Livingston as a person uniting the advantage of talents and knowledge (as I am told, for I do not know him), with a large fortune. He is a single man, and has just returned from abroad. His father, Brockholst Livingston, was a distinguished republican in the great struggle, and his grandfather, Governor Livingston, was a decided Whig, and patriot of the Revolution. I know what you will say as to the name. By this selection, you would thus gratify them all together, with the Ludlows, the Carrolls, Bogerts, several Easton families, who are on terms of great intimacy with his sister (a very clever and talking woman), Mrs. Ledyard—the McVickars, Jays, and Constables, with very many young men, who are pleased with him and his manner of living. If you think well of this, I will take care that an application should be made to you for the place. I need not say to you, my dear sir, that in all these matters such a course must be pursued, as a prudent regard to your interests may dictate; and under this feeling alone, I act on this occasion.

“Yours, etc.”

MARTIN VAN BUREN TO JAMES A. HAMILTON.

“ALBANY, December 28, 1828.

“MY DEAR SIR: I have been so deeply employed in my message, &c., that I have not had time to thank you for the feelings manifested in your last. There is a good deal in your suggestion as to the persons who would be gratified by the appointment of Mr. Livingston. But I know those folks well. They are a sort of friends of which you may have any quantity, when you don't want them; but apt to be very scarce under different circumstances. It would give me more pleasure to learn that any act of mine had been satisfactory to the few individuals of the old Federal party, who have not been so far corrupted by its modern degeneracy as to forget the genuine talents and chivalry of your father, than to receive the thanks of the whole tribe of which you speak. I should, moreover, have difficulties in preferring one who had not applied to several in the city, who have been very pressing, unless it was in your case. I hope, therefore, you will, upon re-consideration, allow

me the pleasure of adopting you, as the saying is, into my military family.* If, however, there are objections of any sort occurring to you, you will do me the favor to be candid in stating them.

“Yours, very truly, &c.”

BANKS AND BANKING.

JAMES A. HAMILTON TO GOVERNOR VAN BUREN.

“MY DEAR SIR: By conversation with intelligent and well-informed persons on this particular subject, and by extensive reading, I have become so imbued with some of the leading principles which I believe ought to govern the Legislature in deciding upon the serious question as to the renewal of the charters of the banks of the State, that I cannot forbear writing to you on the subject, even in a hasty and negligent manner, owing, in some measure, to my want of leisure. The two great points to be considered are, first, a due regard to the stability of the currency of the country; and, second, the security of the depositors and holders of the notes of the banks. Contrary to first, and most usual impressions, I consider the first, really the most important question of the two, and therefore give it the first rank. The evils to the community, great as they are, resulting from the failure of banks, are immeasurably less than the semi-annual panics to which we are exposed by what is called a pressure for money, and which always results from over issues, consequently, over trading and endless individual bankruptcy.

“It is as erroneous as it is common, to say that the commercial difficulties in England in 1825 and in this country in 1819 and 1826, and the approaching commercial difficulties, are the legitimate results of speculation. This is certainly not so. The truth is, that such a spirit is the consequence of a too great facility of borrowing money, induced on the part of the banks by a desire to make large profits; and this results in an *excessive* issue of their notes and credits. The mischief of this error is not confined to lenders only, but it embraces all classes of the community. It makes the consumer buy at high prices; it leads to extravagance, and it depreciates the value of the means of all who live upon fixed incomes, while the failures must necessarily produce great and extended individual distress; it also diminishes the ability of the banks (as they cannot escape amid the extended ruin unharmed) to pay their public creditors, and thus, in a great measure, to impair the security of depositors and note holders. If I am correct in these views, the first question on the subject of the banks is—Can the Legislature, by special enactments, prevent these excessive issues, and thus aid in maintaining the stability of the local currency? I believe they cannot; but I do believe that if incorporations are granted upon correct principles, that it will produce this effect. You might as well endeavor to restrain the exportation of the precious metals of the country, as, by special provisions, endeavor to prevent the banks from issuing more notes than the fair commerce of the country requires. No! The only way to arrive at that great desideratum is, *first*, to compel the banks to do what it was originally intended they should do, as Mr. Bronson expresses it—‘Furnish a *medium* of trade, and not

* I again declined this offer most courteously. Notwithstanding this, he appointed me, as he informed me, in order to get rid of the importunities of Mr. J. L. G., of New York. He sent me a commission. I did not accept the place. I was Brigade Inspector during the latter part of the war of 1812, and thus entitled to the rank of Major.

capital, that is, discount paper which originates in business transactions, and not paper in order to originate business; which may be called accommodation paper. The former is intended to be, and would, under a proper system, be paid when it became due. The latter is, on the contrary, intended to be a long or permanent loan, and is used as capital; whereas the other facilitates the repayment of capital already acquired and invested in purchases. And, *second*, to require them so to place their capital that it cannot be loaned, and consequently having nothing but credit to bank upon, they will be subjected to some of those never varying laws of currency, and thus be unable, without certain ruin, to go beyond a proper limit. I have before stated that I was in favor of a State Bank, by which I mean, granting new, in preference to re-incorporated banks, because the latter have run into habits that are vicious, and wholly foreign to true *principles*; and that it would be easier to commence a new system correctly, than to amend an old one, as it is easier, (I may be permitted, in writing to my Commander-in-Chief, to make a military reference,) to make a soldier of a raw recruit because he has only to learn his new duty, than it is to make one out of a militia-man, who has not only to learn what is correct, but to unlearn what is erroneous in his duty. But this is by no means an important question—whether new banks are formed or old ones renewed. The two great points to which I have referred must be guarded; and I think this will be done effectually by a plan Bronson has submitted to me, together with the plan you have referred to.

“The capital ought, before the Bank can commence its operations, to be invested in the United States or State Stocks—and these securities ought to be placed beyond the control of the bank; that they may be a fund in reserve, and never to be used or to be available for any banking operation; and the amount of the notes to be issued never to exceed the amount of this fund: and, as a mean of preventing any excess, let it be provided that after the bank shall have given security for its notes, they shall be countersigned and stamped by the proper officer or commissioner within whose control the stock is placed. (If it is objected that these securities ought not to be entrusted to any individual, the answer is, that there can be no difficulty in transferring and assigning them in such a special manner to the Register and Assistant Register, if you please, of the Court of Chancery, as would make the coöperation or the order of the bank necessary to the assignment.) By this provision the capital of the bank would be secured to the public as a fund to be applied in payment of the notes in circulation, and these could not at any time exceed the amount thereof. It would also be incapable of being loaned to dealers, and consequently not liable to be lost; but above all the bank would thus be compelled to loan its credits, resulting from its deposits, and bills receivable, and these sources only—the necessary consequence of which is that the loans must be for short periods, in order that the stream which flows *out*, may be regularly and equally supplied by that which flows *in*; if this is not so, the efflux would soon cease—consequently, if the operations of the banks are confined to business paper as it is called, which is made up of these notes at short periods that have been taken for goods sold, and which are expected to be paid out of the re-sale of the same goods to other dealers or consumers; there will be no greater amount of notes offered, than is required for permanent and successful commercial purposes. Or if the banks, being unable to loan their capital, should stretch their credit too far, or in other words make it too cheap, they would necessarily impair it; and by the invariable course of raising the price of goods, every

tyro in the business well knows that the reaction would be ruinous: whereas, if in addition to their credit as is now the case, they could loan their capital, they can encourage over trading not without some, but certainly with less risk than the plan proposed. If instead of confining their issues to the paper which had originated in business transactions, they should then, as they now do, stimulate speculation by lending capital—an inevitable consequence would be that the notes would be depreciated, and consequently (without going through the whole process) specie would be called for which they could not pay, inasmuch as their capital does not consist in any part of it. It is unnecessary for me to go further into the reasoning on the subject. It is as demonstrable that excessive issues would be thus checked at least, as it is clear that while the stock remained invested, the notes of the bank could all be paid.

“In addition to this provision, which would tend to preserve the stability of the currency and to secure the payment of the notes of the bank, I would superadd a Provision—

“2dly, That a commissioner should be appointed by electors chosen by the banks, an elector to every \$400,000 of stock, and one to each bank whose capital should be less than that amount; whose duty it should be to require for each bank $\frac{1}{4}$ of one per cent. on its capital to form a fund to be invested as before, in order to make good any deficiency, should any arise, after applying all the credits of the bank and all its stock to the amount of its deposits and notes; and further to require from each bank a monthly return of its notes in circulation. Such commissioner or supervisor to keep a vigilant eye to the state of the exchanges; of the exports, and imports of the country; and to the general ranges of the prices of commodities, and to notify to the banks any indication of an over-issue of paper—such commissioner or supervisor not to have any interest or concern directly or indirectly in trade or commerce of any kind—to hold his office during the pleasure of the banks, and to be paid his salary out of the income arising from the contributed fund, and the residue of such income to be paid over punctually to the contributors in proportion to their respective interests therein.

“PRINCIPLES DEEMED INDISPENSABLE IN A REFORMED SYSTEM OF BANKING.

“1st. The aggregate amount of bank credit which can be sustained in circulation without depreciation, whether issued from one bank or one thousand banks, can never exceed the amount of the circulating medium which the laws of commerce assign to the country; or more than there would be in gold and silver if there were no banks; although that amount will be different at different times, since it must be regulated by the exigencies of the country, and the state of its exchange with other countries.

“2d. A banker who employs capital, will be enabled to lend more money than one who employs none; but not more credit, therefore he derives no profit on his capital, for in this, as in all other concerns, the interest on the capital is to be charged in the profit and loss account, and as the banker can receive no greater interest where he loans it than he charges for its use, it is evident he must be a loser on that operation, as the expenses and losses attending the loan of capital, must be deducted from the profits he makes on the use of his credit; and that credit he can circulate as extensively if his capital is vested in stock or bonds and mortgages, as he could do if he employed his capital in the same manner as he does his credit. Besides, if the capital is kept in a condition to be at all times available in the current business of

the banker, large portions of it must be occasionally unemployed, and of course unproductive, and when that is the case, he is tempted to lend it on doubtful security, rather than let it remain idle.

"3d. There need be no other funds employed in banking operations than those created by bank credit, the aggregate amount of which, as before stated, ought never to exceed the amount required for a circulating medium; and this supply should be steady and uniform, that is, always in proportion to the natural requirements of commerce, and that amount will be indicated by those immutable laws, which alike regulate both commerce and currency; and which so limit the quantity independently of legislative injunctions, that banks conducted on this principle, can never force any considerable excess into circulation, without producing a reaction which would soon exhaust their specie and check their issues, before that excess could materially enhance the exchangeable value of commodities.

"4th. The legitimate business of bankers, strictly speaking, is the employment of the funds produced by their credit in discounting notes and bills of exchange which have been created in the course of business, and which have but a short time to run. It requires no capital to discount all paper of this description, as the payment of every note furnishes funds to discount others of equal amount.

"5th. The fluctuations in the price of commodities, when excessive, are generally owing, not to a demand for consumption, but to the effect produced by one speculator bidding upon another which creates an artificial price, and its deviation from that which is natural (depending on supply and demand for consumption) is in proportion to the amount of capital which banks can furnish for such objects, and when a reaction ensues, as it always does when loans are excessive, those who were bidding upon each other when the banks were extending, are now compelled, by underbidding each other, to reconvert their commodities into money at such reduced prices as to cause innumerable failures, which, if banks were restricted to credit only, would seldom happen.

"6th. No loans of capital are so injurious in their consequences, as those temporary accommodation loans made by banks; their first effect is, by creating a competition amongst buyers, to raise the exchangeable value of commodities too high for the foreign markets, and a consequent demand on the banks is produced, for specie to export in their place. The next is such a retrenchment of loans, and reduction of price, as will send commodities abroad and bring back money; and those who supposed themselves enriched by the rise of property, now find that they are impoverished or ruined by its fall; and all the property obtained from individuals, on the private credit of those who fail, passes into the hands of their endorsers, to secure the banks against any participation in the losses sustained by their debtors, and which losses their own operations have rendered inevitable. The possession of capital, and the necessity of employing it to make a dividend, sets all the banks *simultaneously* striving to see who can lend the most money and make the greatest dividend; until the drafts for the coin for exportation create an alarm, the strife in curtailing becomes as great as it had been before in extending their loans; those fluctuations, though not so regular, become quite as certain as the rise and fall of the tides, and are obviously the effect of banking capital employed in loans of this pernicious character.

"7th. The monied capital of the country would be better employed to aid production, than in creating artificial prices of the *commodities produced*. Loans of

bank capital are easily obtained when they are not wanted, but not easily repaid when they are,—as those who have ventured into deep speculations so uncertain, both in their amount and duration, have too often experienced.

“8th. It is the *medium* of trade, and not the *capital* necessary for carrying it on, which it is the proper functions of the banks to furnish. When the requisite amount of bank notes have been issued from such medium, the diminution or increase of discounts can have but little influence upon its quantity, except for short periods. If the discounts increase, there must be a correspondent increase of payments, and *vice versa*, and both may happen without having any sensible effect upon prices or upon the amount of money in circulation. Yet such an effect on both may be produced to any desirable extent by withholding loans and requiring payments, or by lending more and requiring less. When, and to what extent the exercise of this power becomes necessary, every experienced banker will know by attending to the state of the foreign exchanges, and the operations of commerce; and the perfection of his skill consists in so conducting his business, as never to have occasion to exercise the power to correct an evil of his own creating.

“If the foregoing propositions are true,—and it is believed that they are,—then it must be admitted that the employment of capital in banking operations adds nothing to the profit of the banker, while it has such an influence in raising and depressing the value of commodities so much *above* and *below* their natural or exchangeable value, (by which is meant *that value* which the relation between the *supply* and the *demand* for consumption always imparts) as to occasion most of the failures which occur amongst men in trade; and which would seldom happen if the banking capital was safely and permanently vested in some productive funds, and the credit of the banks only employed in advancing in *anticipation* and in receiving at *maturity* the money for all goods made payable at short periods which may be offered at discount. Hence it follows that perfect security may be provided against the failure of monied corporations, without lessening their profits or their utility, by requiring their capital to be paid in full, and to be permanently loaned on mortgaged security or vested in stock, prohibiting by proper penalties the employment of any part of it in banking operations, and limiting the issue of credit to the amount of capital; by which simple process the object of all these complicated restrictions and penalties now provided by law, will be fully attained; everything else may be safely left to the discretion of the directors,—*the condition of their being* will necessarily prescribe the nature and limits of their operations, secure better dividends to the stockholders, and perfect security to the public, while any operations, if attempted, incompatible with the interest of the stockholders or the *public good*, will be rendered powerless.”

CHAPTER V.

FROM JANUARY 1829—APRIL 1829.

Election of General Jackson to the Presidency—Formation of the Cabinet—Extract from letters—Gov. Van Buren Secretary of State—James A. Hamilton Secretary *pro tem.*—Letters from Mr. Van Buren to Major Eaton and to James A. Hamilton—The *Evening Post* and political affairs—The foreign appointments—Applications for appointment to office—President Jackson's inaugural address—Memoranda on foreign affairs by Henry Clay—John Quincy Adams and Alexander Hamilton—Convention with Great Britain—Piracies—Depredations by inhabitants of New Brunswick—Treaty with Mexico—Social and political complications—Letters from Mr. Gallatin—Correspondence with William Coleman—The Minister to France—How Mr. Rives was appointed—Excitement on removal.

THE election of General Jackson was an event in our country of vast importance, because it violated a course of public policy which received the sanction of the wisest men of the country of all parties, from the adoption of the Constitution. He was elected only because he had been a successful soldier, not having that familiar acquaintance with public affairs which can alone form a statesman; whereas, during the previous Presidential terms (40 years), statesmen had been elected and charged with the administration of our affairs. More than this, he was wholly uneducated and without talent; his intentions were upright, his integrity unquestionable, his will unyielding, and his devotion to his friends so great as to induce him to use the patronage of his office to reward their services. The number of his removals were estimated by Parton at two thousand, and by another writer at six thousand; whereas, it has been ascertained that during the previous forty years, the removals did not exceed seventy-three. More than one half of those were made by Mr. Jefferson, who said of officials, "few died and none resigned."

The following extracts from letters addressed to me, prove that there was an anxiety in regard to the course of the President in the formation of his Cabinet, and otherwise, which required the presence in Washington at that period of a discreet friend. What reasons the authors of these letters had for assuming that the writer could influence or direct the chief in that important work, or any other in which the public interest was concerned, it is difficult to understand.

C. C. CAMBRELING, House of Representatives, to JAMES A. HAMILTON.

“January 2, 1829.

“I have only a moment to ask you at what time we shall expect you here. The Cabinet business has been going on here some time back.”

THE SAME TO THE SAME.

“January 17, 1829.

“If I had the matter to arrange myself, as matters now stand, I would say: No. 1, New York; No. 2, Lancaster; No. 3, Delaware; No. 4, Ohio; No. 5, Virginia. The General will stay at Gadsby's. You had better order lodgings early.

“Yours, &c.”

R. BUNNER TO HAMILTON.

“HOUSE OF REPRESENTATIVES, January 14, 1829.

“There is a little doubt in my mind that Van Buren can choose his position here, though nothing is certainly known. It seems to be conceded he may, and the Vice-President (Calhoun) is compelled to make Duff Green publish the *Magician* as one of Mr. Calhoun's friends whom he wishes to bring into the Cabinet. Tazewell retires, I believe, on his credit, with White, and certainly I think he will stand a good chance of being called to aid the old General. I should like to see Louis McLane at the head of the Treasury. He is a true friend to Van Buren; will sustain him and give him very salutary aid on many matters in which he is probably not familiar, &c. I will inquire about lodgings. Do you want accommodation for yourself or your family? Let me know.”

BUNNER TO HAMILTON.

“January 21, 1829.

“I will defer answering your letter until I have more maturely considered its contents. I presume you intend that I may consult McLane and Verplanck, without committing either you or any other person. I shall not, however, do even that until you license me so to do. Ingham, I think, from all I can hear is devoted to the Vice. Tazewell is mysterious.

“It is understood here that the Vice is desirous of making Tazewell a constituent member. The Ohio man will be pushed by the West and by the Vice, who relies upon him. * * * I think you ought to be here and secure a room with us. The old mess is at the old house, and by being in the house you may obtain information which you perhaps can get nowhere else, and in no other way. It would not be amiss if you should precede the General's arrival. I concur with you about the banks; as a project, with the views you mention, it is unobjectionable.” * * *

BUNNER TO HAMILTON.

“January 22, 1829.

“I have reflected on your last letter, and do not altogether concur in opinion with you. Our difference is merely that you think it necessary to provide for harmony by previous arrangement, while I think it must be done by subsequent management.” * * * “Shall I take lodgings for you here? You ought to be in Wash-

ington before the 15th. Much may be learned by you before the General's arrival. I think your presence indispensable."

BUNNER TO HAMILTON.

"February 1, 1829.

"MY DEAR HAMILTON: Contrary to all expectations, General Jackson will be here on Sunday next. You ought to be here, neglecting all other business, as soon as possible. Everything that I can hear from Wright is as favorable as you could wish. He is cautious, but as far as his opinion can be a test of its intentions, it is decidedly with the Governor. Come at once."

BUNNER TO HAMILTON.

"February 2, 1829.

"MY DEAR HAMILTON: I spoke to Mrs. Peyton, and she says you can be accommodated with a room, and certainly our mess will be glad to receive you. It is small, consisting of Kane, Ver Planck, Tazewell, Dickinson and myself. However I will get their formal allowance to-day.

"If you do not hear from me, conclude it granted. The Judge (White) of Tennessee, urged me to write to you the letter of last night which I forgot to note. I presume he thinks with me, that you should be on the spot earlier than you intended. I have not yet seen McLean. I can conjecture nothing further on the important subject of New York, which engrosses all interest here at present."

MARTIN VAN BUREN TO JAMES A. HAMILTON.

"ALBANY, February 1, 1829.

"MY DEAR SIR: When do you go to Washington? I have a letter from my friend Major Hamilton, which I should like to send to you if there is time."

These letters were amusing to me at the time, particularly, because I well knew that two points were settled—first, Van Buren was to be Secretary of State.

When I parted from the General in 1828, he balanced between him and Clinton. The death of the latter removed all doubts, and I had been informed by the General that he intended to make Eaton Secretary of War, because he felt it was necessary for him to have in his Cabinet one old friend upon whom he could always rely, and who well knew him.

The importance of my being in Washington, appeared to me to be groundless, or at all events, very much exaggerated.

The following statement taken from notes made in writing, at the time, by the writer, as to the President's course as long as I was with him, may be relied upon as strictly accurate. No man could have served another more faithfully or disinterestedly, than I did General Jackson:

"General Jackson, to avoid the ceremonial of a public reception, made a forced march, and was in the City of Washington, on February 12th, 1829. It was my good fortune to arrive the same day. When I called upon him in the evening, I was

flattered by being received with open arms. He spoke of the death of his wife with deep feeling, and said, 'Colonel, you knew her well and respected her.' I replied, taking his hand, 'I did more than that; I had a sincere regard for her; and now consider her absence as a calamity.' He said, 'I am glad you are here; you must give me all of your time; you have all my confidence. When have you heard from Mr. Van Buren?' I answered, that I had visited him last month, in Albany.

"He immediately opened the subject of the Cabinet by saying, 'It is not necessary to make a selection from Virginia. She has had many Presidents and Secretaries. The Virginians are a high-minded people and do not seek office. Virginia has now the Secretary of War, and as it would not be decorous to deprive her of it, I will put Tazewell in the place of Barbour.' I intimated my approbation of this course, and that it would be well, in order to soothe disappointed feelings, to let that be intimated to Tazewell, which the General said he would do.

"The General during the evening requested me to write to Van Buren, to say a letter would be written to him offering him the place of Secretary of State. The next morning the General asked me if I had written as I had been requested to do. I replied, I had, and on Sunday following I was told by the General, that a letter had been written to Van Buren offering him the State Department, and I was requested to write to him to urge him to come on without delay. I was repeatedly asked afterward by the General whether I believed he would accept (this was when the deliberations were held in regard to the other departments, of which I propose to speak hereafter).

"It had been said that Tazewell would not take a place; that he had declared, 'Having been elected a Senator, I would as soon think of taking a place under George IV., if I was sent a minister to his court, as I would to take a place in the Cabinet.' It was, however, intimated that he would go to London. I was in the house and mess with Tazewell; I knew him well, very well. When he was a Commissioner under the Florida Treaty, and I was an agent of claims, we were for months together in the same house and mess. One afternoon we made a bet of wine in regard to the price of English stocks. I remarked after the bet was noted down, Mr. Bunner being present, 'We would drink it in London.' It took him by surprise, and changing countenance, he rose up, recovered himself, and said, 'You may drink it there, I cannot.' I thought this was all pretense, and that his language imported less than his looks, and intimated to my friend Mr. Bunner, in the course of the evening, to leave us alone. He did so; and I sat up with Tazewell late in the evening. In the course of our conversation, I told him what I had heard, to wit: 'That he would not take a place in the Cabinet, but was willing to go to England,' prefacing this with the declaration that it was 'due to frankness to inform him of what was said; not that I wanted to draw an answer from him.' He replied, 'I have no hesitation; that as to the first, it is true, as to the latter, no person was authorized to say so.' He then gave his reasons why he would not take a place in the Cabinet, which were 'That, having been just now elected a Senator, it would not be treating the people of Virginia well to abandon them; that he could not do so; besides he had a family, and would not bring them up in Washington for any consideration whatever.' I merely added, in order to bring him out on the other point, that 'I had hoped it was true that he had said he would go to England.' This produced no reply.

"I afterward told the President elect, that as to a department, he could have no difficulty as to Tazewell. He said he had had a conversation with him, and told him

what his intentions were in regard to England, and why he could not appoint him to a department.

"Tazewell undoubtedly expected and desired to get the State Department. The editorial articles in the *Richmond Enquirer* are full to that point. Calhoun wished it, and Tazewell was greatly dissatisfied with the Cabinet. His conversations with Louis McLane and others were very full, and very indiscreet; after all, however, when he was distinctly offered the mission to England, he accepted it, and conferred with me more than once on the subject of his going, and of the Secretary of Legation. He also talked with Mr. Berrian, (who was appointed Attorney-General, being well understood, as was Tazewell, to be a Calhoun man,) on the subject, and notwithstanding all this, a paragraph appeared in a Norfolk paper (Mr. Tazewell's place of residence) declaring that Tazewell would not go abroad, giving the reasons; and, as I understood, (I did not see the article) that he would not take a place less than one in the Cabinet."

" March 11.

"Tazewell about 2 o'clock sent a letter to the President stating that letters from Norfolk giving information of domestic affairs, had rendered it necessary for him to say he could not accept the Mission, and as the interests of the country required a Minister to be sent immediately, he must be considered as out of view."

This statement, taken from my journal, shows some of the difficulties we had to encounter. The truth is—and that was well understood by General Jackson—that Calhoun and his friends made a desperate effort to induce the President to employ such men in his cabinet as would give them control of the Government. The game was Tazewell, Secretary of State; Ingham, Treasury; Berrian, Attorney-General, and John McLean, Secretary of War. The journal proceeds :

"I called upon the President on the evening of 11th March, he talked with me of Tazewell's letter, and desired me to call upon him early the next morning, when he would show me the letter; that I must come before breakfast, and come to his bedroom if he was not up."

" March 12th.

"I called at eight o'clock; the President came to me; showed me the letter. I advised him to send for Tazewell and urge him by every consideration, public as well as personal, to accept the appointment, and I impressed upon him the necessity of insisting upon Tazewell's giving him the reason for his not going; which I believed was his unwillingness to be connected with *this* Cabinet (the Cabinet was then formed). The President wrote a note to Tazewell, who called upon him. The President, after Tazewell had left him, sent for me, and told me what the conversation was. The reasons Tazewell gave for declining were entirely of a private or domestic character. The President, however, desired him not to decide on refusing, but to take the matter into consideration, and see if he could not arrange his affairs so as to enable him to go abroad; and so the President considered the matter as remaining. Tazewell, however, told McLane that he had given his final answer in the negative. That he was not pleased with the manner in which the President had urged it; *that he had looked him through and through*, and had told him that 'he must go.' Had given him a military order, but that he considered the matter at rest.

"I must go back. Van Buren, in reply to the letter offering him the place of Secretary of State, accepted; provided he could remain at Albany until April, when the Legislature would adjourn, as it would not be proper for him to resign his place of Governor until after the rising of the Legislature. When that letter was read to Jackson, he hesitated as to the answer; and after a short time, said to me, 'Colonel, I will consent to his remaining away, if you will undertake to perform the duties of the department until he comes.' I replied, 'General, I cannot consent to that arrangement, because I well know I am incompetent to perform the duties of the place.' He replied, briskly, 'That is my affair; I know you can perform the duties as well as any other. If you consent, prepare a paper for me to sign, appointing you to perform the duties of Secretary of State until Mr. Van Buren shall come here and assume the duties.' This matter was so arranged, and I wrote to Van Buren, telling him the President had agreed that he should remain in Albany as long as his duties required him to do so."

MARTIN VAN BUREN TO JAMES A. HAMILTON.

"February 2, 1829.

"MY DEAR HAMILTON: I enclose you a letter to the General, which explains all that I would otherwise write. You will exercise your discretion as to delivering it open or sealed. If the arrangement I propose succeeds, or, whether it does or not, there cannot be a doubt of our ability to serve you in proportion to our desires. I have no time to add another word. I hope Eaton has shown you my letter to him. I had not heard or thought of Messrs. Branch and Eaton as members of the Cabinet, and but slightly of Mr. Berrian. I have, as you know, accepted the General's invitation, and shall stand my hand. I am anxious that McLane and Major-General Hamilton (of South Carolina), should understand all my views; but not to make them a subject of remark. Hamilton and myself only differed in this, that I wished McLane for the Treasury and Cheves for the Navy. But, if the matter is settled otherwise, you and he will see the vital importance of my not saying a word upon the point, or in relation to events which I could not have foreseen, and cannot avoid. See Hamilton and give him this information. Tell him, I have received his letter, and sincerely thank him for it, and that I will write him soon; but I have scarcely time to turn round, and anything I might say now would come too late. But, excuse me for again pressing the importance of not using my name in a manner which could only serve to excite prejudices that might do a dis-service to the public, and all other interests, without doing good. Write me often.

"Yours truly."

MARTIN VAN BUREN TO JAMES A. HAMILTON.

"ALBANY, February 15, 1829.

"MY DEAR SIR: Enclosed, you have a letter from Major Eaton to me and a copy of my reply. You will judge by the condition of things when they arrive whether it will be best to deliver the letter or not. If the Cabinet arrangements are made when my letter is received, it will for many reasons be desirable that my inattention to the Major's letter, should be attributed to the same cause with his negligence in not sending it to me before. His query in relation to myself, was not much better considered than the letter of Major L., on the subject to which you replied for me.

You will, of course, not let the Major know that you are advised of anything except what you are requested to say in the note that covers his. Write me.

“Very truly yours.”

The following are copies of the letters “enclosed.”

MARTIN VAN BUREN TO JAMES A. HAMILTON.

“February 15, 1829.

“MY DEAR SIR: I wish you would hand the enclosed to Major Eaton. It is quite confidential, and I wish you to say to him that, contrary to my nature, I have sent it in the handwriting of my son, from a consciousness of his (M. E.’s) habitual carelessness about his letters, and an apprehension that it might (as heretofore in other cases) find its way into one of the Committee rooms folded up in a petition in behalf of some good fellow, who has no friend except the Major; who, to his credit be it said, is a friend to the friendless.

“In haste, very cordially yours.”

MARTIN VAN BUREN TO MAJOR EATON.

“DEAR SIR: Your questions are of great delicacy, and I shall confidently expect that what I say in reply to them shall be known to *but one person* besides yourself. It is of vital importance to have a decided majority in the quarter to which you allude; but, it is not, under the circumstances, as material how large that majority is. It will be constantly gaining, and with good treatment may be made efficient for every desirable purpose. You have a few new men, and the old are apt to degenerate or improve from circumstances of every day’s occurrence. What may be the state of things in that respect, you, being on the spot, can better judge than myself. If you have twenty-five or twenty-six good men and true, I should think matters would be safe enough.

“You want, for the other concern, practical, intelligent and efficient men, who are conversant with the affairs of the nation, and in whom the people have confidence—men whose capacities are adapted to the discharge of the public business, whether they might, or might not, shine in the composition of essays on abstract and abstruse subjects. Both the gentlemen to whom you refer are of that character; the one to whose recent speech you allude is eminently so. From my knowledge of his industry, intelligence and energy, and also the good feeling that everywhere exists toward him—together with some peculiarities in his political condition, I cannot but regard the selection of him for some difficult and responsible station as a great desideratum. He is one of the most practical, common-sense men in the nation. With respect to the other gentleman to whom you refer and who is not of that Body, I feel great delicacy in speaking. He has had to pass through very delicate and trying scenes. There was a time when it was probable that he would be so tied down to his present situation by circumstances, as to put it out of his power to leave it, whatever his personal wishes might be; but by good fortune he has, it is believed, escaped such entanglement, and is at perfect liberty to pursue his own wishes in the premises, provided their gratification has for its object the public good. No one has authority to say that he will not consent to change his situation, if that can be done under such circumstances as will satisfy him of the probability that he can be more useful than in his present station.”

MARTIN VAN BUREN TO JAMES A. HAMILTON.

"ALBANY, February 21, 1829.

"MY DEAR SIR: I have written a long letter to Eaton, which I have authorized him to show to General Jackson, Judge White and yourself. Let McLane know its contents. I have also referred to you in my letter to the General. I am very desirous to have you with me in the capacity of which we have spoken. There is nothing in the past to prevent it, and the future is full of hope. The only question is, as to the best mode of getting rid of the present incumbent. It would be desirable to provide some other place for him if practicable, and then, again, is it, or is it not necessary to keep him for some time to get the affairs into successful operation. So far from McLane's letter being an objection to your taking it, it furnishes an argument in its favor, inasmuch as it enables us to place the other gentleman's resignation upon some better ground than that of personal objections. The fact that I would not, under any circumstances, have appointed him even if you had solicited it, is of controlling influence. Could you stay until I come down? I have really no time to enlarge, as you may well suppose. Let me hear from you fully upon all these matters. *I hope the General will not find it necessary to avow any opinion upon Constitutional questions at war with the doctrines of the Jefferson School.* Whatever his views may be, there can be no necessity of doing so in an inaugural address. Remember me affectionately to Judge White and Mr. Tazewell. I have, in a letter of to-day, to Mr. Eaton, again touched upon the subject of the Treasury Department. Yours truly, &c."

Coleman of the *Evening Post*, in a letter addressed to me at Washington, dated New York, February 19, 1829, says:

"You have, I believe, the ears of Jackson more than any other individual; and why do you not avail yourself of the great opportunity it gives you not merely for your own gratification, but to promote indirectly his views by a judicious circulation of them, by means of the press, accompanied by popular recommendations or defence when defence may be deemed expedient?"

Such was the anxiety of this veteran Editor to have the reputation of being in advance of his contemporaries of the press, as to give such advice.

In a letter dated February 23, 1829, which is certainly of much more interest, he says:

"What you tell me respecting Adams' assertions, or information respecting your Father's opinion of the purchase of Louisiana, not a little surprises me; for it so happens that that opinion was, after repeated conversations with me, committed to writing in my own phraseology, indeed, for the purpose of publication in the *Evening Post*; and so desirous was he of having his ideas on this important measure of government expressed with the greatest precision, neither restricted nor extended in any degree, that being informed at what time the proof sheets would be ready for inspection, he came to the office and examined it after it had been corrected and was all ready to go to press, and having with great deliberation carefully perused the whole, declared it contained the identical idea he had wished to express on the subject.

"That article I have not seen for some years, but a little research will discover it when I again go down to my office.

"But this is not all I have to say as respects your Father, in connection with this subject. Mr. Bronson" (the distinguished Banker, Isaac Bronson), "lately told me that some years since he happened to dine at the same table with John Adams, the father, and John Quincy Adams, the son, at which the subject of a dissolution of the Union was introduced and discussed; and on that occasion Mr. Bronson distinctly remembers that John Q. Adams said, that a certain Federal gentleman of much consideration in the party (naming him—it is believed that gentleman was Gouverneur Morris), entertained an opinion that it would be conducive to the prosperity of New England, to dissolve all political connection with the Southern States; and that some others of his friends held the same opinions, but that he *must do Hamilton the justice to say, that he did not coincide with them.*

"It is in my power to state facts and circumstances not less strong and conclusive, as to your father's settled and decisive opinion respecting every thing that had the remotest tendency to the dissolution of the Union.

"On a little reflection I cannot possibly believe Adams will venture on so bold a thing, as you have been led to suppose. It would bring him and his name beneath a torrent of everlasting infamy. I cannot believe it until I see it."

MARTIN VAN BUREN TO JAMES A. HAMILTON.

"ALBANY, February, 1829.

"MY DEAR SIR: The several letters which I have written to the President through you, explain most things of which I would otherwise speak in this. Any mode in which you may think the business of the Department can be best attended to, whether that which is stated in your letter of the 25th, or the one suggested by me, will be alike agreeable. I have received a letter from Mr. Gulian Verplanck to-day, in which he informs me that it is understood to be the intention of the President, to send Mr. Moore of Kentucky, to Mexico, but that it is feared that his nomination and departure will be delayed by my absence, and that such delay would be embarrassing to Mr. Moore. If this is so, it is proper that I should say, that I know of few men who have stronger claims upon the interest that is now happily ascendant than Moore, and that my respect for his talents is equal to my conviction of his high merits in other respects. As he goes out to relieve Mr. Poinsett, I am not apprized that any particular instructions, other than such as may without prejudice to the public interest be sent after him, will be necessary. Should the case be otherwise, you will have no difficulty in causing them to be prepared. You should not suffer the imputations of Mr. Adams to afflict you. Certainly not for the present, for the declaration of an old gentleman acknowledging himself *particeps criminis* that a nameless somebody told him that your father *agreed to attend a convention*, cannot, with just minds, be regarded as sufficient to impair his patriotism. Write me directed to New York, to the care of Campbell. Make my best respects to the President, and believe me to be,

"Very truly yours, &c."

JAMES A. HAMILTON TO MARTIN VAN BUREN.

"WASHINGTON, Feb. 29, 1829.

"MY DEAR SIR: Your letter to General Jackson was received by him to-day. After I had read it, he desired me in answer to say that although he regretted your absence for so long a time as you would be detained, he acquiesced in it as necessary. He added that as you had referred him to Mr. Hamilton, the duties of your place would devolve on him; and expressed a hope I would remain here to perform them until your arrival, which I unhesitatingly consented to do. He then told me that there were several appointments in regard to which he would require my opinion; and that I should confer with the Attorney-General, particularly as to the appointment of a minister to the Netherlands. I presume from what he stated that the question *first* to be decided will be whether it is necessary to have a minister plenipotentiary sent to that court; and *second*, whether Mr. Hughes should be the person or not. The first must be decided by a due consideration of the importance of the decision, and by the fact intimated to me, that the King of the Netherlands had requested the appointment of a minister of equal grade with the one representing him here. I am of opinion that unless some plan of commissioners can be devised, that a full minister should be sent; but that Hughes is not 'large' enough for the place. The selection should be made from Maine, if a fit person can be found there. What is to be said of Judge Preeble? In that event Hughes might be transferred, and where?

"Might it not be expedient to send commissioners, giving them the rank of ministers extraordinary, and the pay of those of the second rank? and let Hughes and Preeble be appointed. Col. Humphries was sent to Portugal with the style and rank of Minister Resident, with the pay of *Chargé*. However, I infer from Washington's message that this was an arrangement between the Government and Humphries. He says: (Executive Journal, vol. 1, page 74) 'I do not mean that the change of grade shall render the mission more expensive.' By the same journal, pp. 95 to 99, it appears that Carmichael, *Chargé* at Madrid, and Short, *Chargé* at Paris, were appointed Commissioners Plenipotentiary for negotiating and concluding a Treaty with Spain, concerning the navigation of the Mississippi. The question now arises whether they received the pay of *Chargés* or of Ministers Plenipotentiary. Do me the favor on receipt of this to reply to it, that I may receive your views by the 5th of March.

"As I fully concur with you as to the course you intend to pursue in regard to resigning; and as the public business, after the Senate adjourns, may be so pressing as to suffer by your absence, I would take all my steps with even more deliberation than would be strictly called for by a regard to your dignity and that of the state. The General will address a letter to me, stating your acceptance, your necessary detention, and desiring me to take charge of the department until you arrive here.

"Your last letter to Eaton came too late (the first I did not deliver) to produce any change; it is, however, proper as the record of your views, and may be of great service hereafter. I regret that you should have enjoined so strict a silence in regard to its contents. However, as you may remove the injunction of secrecy by and bye, it will be the same thing.

"Efforts are now being made to induce McLean (P. M. G.) to remain where he is.

They will, I believe, be unsuccessful, to the great mortification of the General; equal joy of Calhoun & Co., and the deep disappointment of Eaton. It is also, by some, hoped that Ingham may decline the Treasury, go into the P. O., and that McLane, of Delaware, may go to the Treasury. To induce this move, your letter will have much effect.

"I thank you for your kind and complimentary reference to me in your two letters.

Adieu, yours, &c., &c."

In the course of the important business of forming a cabinet, I was reminded of the fact that General Washington, when he was making his selections, inquired of Financier Morris, who was the most proper person to be appointed to the Treasury. He replied, Hamilton. Jefferson was selected for the State Department more particularly from his having been a foreign minister; and General Gates for the War Department, because as an experienced officer he was well acquainted with military affairs.

In this important work by President Jackson, no thought appeared to be given as to the fitness of the persons for their places. I am sure I never heard one word in relation thereto, and I certainly had repeated conversations with him in regard to these appointments. Indeed, Van Buren, in his letters on the subject, never made a suggestion of that kind. His letter to me in relation to the President's Inaugural Address, manifested his anxiety that "the General will not find it necessary to avow any opinion upon constitutional questions at war with the doctrines of the Jefferson school."

Mr. Van Buren was certainly not eminently fitted for the State Department, by his knowledge of public affairs, by his education, which was very limited, or his intellectual endowments. In the preparation of his first report as secretary, he required a friend to revise and correct that document. Indeed all his public papers required the assistance of a friend, and to that end he induced Mr. B. F. Butler to go to Washington and to remain there.

Webster told the writer that Van Buren's dealings with the questions of impressment, and on the boundary line, impaired the rights of the United States.

Eaton was made Secretary of War alone, because the General, as he said, must have one man about him in whom he had entire confidence. It is believed that Eaton wrote a history of the General's military life.

Branch was selected because of personal relations. He had no capacity to direct the affairs of the Navy; and Barry those of the Post-office, in obedience to the wishes of the Kentucky Delegation. (See the account of his pecuniary administration of his office in a subsequent chapter.)

Ingham came as the representative of one of the factions of Pennsylvania, seeking the place of Comptroller of the Treasury. Such was his appreciation of his abilities.

APPLICATIONS FOR AND APPOINTMENTS TO OFFICE.

The following letter indicates the grounds upon which applications were made. The writer was an inhabitant of the State of Indiana. The letter is addressed to James A. Hamilton:—

“WASHINGTON CITY, January 14, 1829.

“DEAR SIR: Having had the honor of bringing to this city the electoral votes for President of the United States, I calculated to remain a few weeks for the arrival of General Jackson, hoping some of these violent Adams men now in office may receive their *walking papers*. I have recommendations from the Republican members of the Legislature of the State of Indiana for any office I can ask; but, as many beside myself will apply, I wish to show by letters from my correspondents in the different states the active part I took during the *struggle* for Republicanism. Sir, as you received from me some letters respecting the Presidential election, will you be so good as to direct a letter to me at this place, on the receipt of this, stating my correspondence with you, and such things as you may think proper, for I think those who stood the *heat* of the battle should be first to receive of its benefits. I should like either the Register's office at Crawfordsville, Indiana, or the Marshal of the State. These offices are now held by those of the most active of the Adams men.

Yours respectfully.”

I do not give the name of the writer of this letter, nor do I recollect anything further on the subject.

One man founded his claims to office on the ground that he was the first member of the Legislature of his state who nominated General Jackson for President.

Two men of Pennsylvania were applicants for the office of Marshal. Their petitions were subscribed by thousands; the object of each being to rest his claims to office upon the number of his petitioners. When the huge rolls were brought to the Department, the number of the names were estimated by the length of the paper subscribed.

Men came, women came, to sustain the applications of their husbands and other relatives. The crowd was so great, and the persistence so unreasonable, that an order was issued not to admit any person to the office of the secretary until a late hour of the day. This was necessary to give time to perform the public duties.

The writer had the good fortune to save the Honorable Henry Wheaton, who was minister to Prussia, and Mr. Tudor, of Boston, who was, he believes, Chargé at Buenos Ayres, from removal.

The removal of my friend, John Duer, District-Attorney U. S., was in vain resisted by me. The President had been informed that he was connected with the *American* newspaper in New York, then edited by Charles King, who had made a most unwarrantable attack upon Mrs. Jackson.

I was charged with having induced Mr. Duer's removal, in order to get the

place. There was no foundation for this. I did not seek or desire that office. How I was appointed is distinctly and truly stated above.

I return to my Journal as to the formation of the Cabinet. After the President had determined to make Eaton Secretary of War, or, rather, after that determination was made known, McLean, the then Post-Master-General, who was pressed by Calhoun for the Department of the Treasury or War, was very anxious to change his position, among other reasons, to avoid the loss of character and popularity by removing persons whom he appointed when he should be required to do so. He urged upon the President the consideration of the peculiar delicacy in which he was placed in regard to removals, and induced the President to say "that if Eaton and he could agree to make an exchange he would assent to it." Eaton did agree to relinquish and McLean to take the War Department, and the President announced his choice to Major Hamilton of South Carolina, and others.

On the 25th February, Mr. Van Buren's letter of acceptance was received. It was a long letter written to Eaton, who was directed to show it to Jackson, Judge White and Hamilton. He strongly urged Louis McLane for the Treasury. I do not think this letter was shown to Jackson or White, but it was to Lewis and Dudley (Senator), and was then destroyed. After I had read it I remarked to Eaton it was too late, that I sincerely regretted he had consented to the exchanges, and inquired if no means could be made use of to influence McLean to yield. I stated that I knew the General was worried about it, and regretted he had given his assent—that I was willing to do anything in my power to promote his views. He asked me if I was acquainted with the Post-Master-General. I said I was slightly. He then suggested that I might call upon him with Lewis and place the matter in so strong a light as to induce him to yield. I had at Lewis's request seen James Hamilton (S. C.) and urged him to do the same thing, which he declined, alleging that he would do nothing on the subject of the Cabinet as he had not been consulted about it. Here I may remark that Louis McLane of Delaware, by their authority, authorized me to say to Jackson that Hamilton (S. C.), Drayton, Hayne, McDuffie and Archer had not called to talk with him on the subject of his Cabinet, from motives of delicacy, but that if he wished to see them they would call. I mentioned this to the President, and he invited them to an interview. They saw him. Hamilton (S. C.) was spokesman. He could effect nothing. Their object was the Treasury either for Chevis of South Carolina, or Louis McLane of Delaware, or anybody but Ingham. The President had made up his mind. I repeat, the choice was a very bad one. Ingham was not fitted for the situation. He had not one of the qualities required for that office. It was understood that he came to Washington in the hope of being appointed Comptroller. This was his appreciation of his abilities.

I immediately went to Lewis and proposed to him to go to the Post-Master-General. He declined for good reasons. We then determined to ask Judge

White to see him, who did see him and induced him to yield the place to Eaton and remain where he was, and the next day the Cabinet was announced in the *Telegraph*.

February 26th.—The General put into my hands various applications for office to digest and arrange, and to give my opinion, so that I am now most unexpectedly engaged in the business of the Department of State. I made the following report :

“James A. Hamilton presents his respects to the President elect, and returns herewith the papers committed to him in relation to the following appointments, to wit :

“A Judge of the Supreme Court of the United States.

“A Judge of the District Court of Louisiana.

“A Judge of the District Court of Ohio.

“A District Attorney for Indiana. And begs leave to say that from all the information he has obtained on these subjects, in his opinion, the best selections would be as follows :

“*William T. Barry* of Kentucky, Judge of the Supreme Court.

“*Samuel H. Harper*, Judge of the District Court of Louisiana.

“*John W. Campbell*, Judge of the District Court of Ohio, and

“*Samuel Judah*, District Attorney for the State of Indiana.

“JAMES A. HAMILTON.”

At this time the Post-Master-General was not a candidate for the office of Judge. The day before the nomination was to be made, Ingham, at McLean's instance, called upon the President and told him that the Post Master General would like to take the office of Judge, and urged again the peculiar delicacy and difficulty of his situation as Post-Master-General, in regard to removals. The President sent for me, told me of this intimation, and asked my opinion. I immediately said of all things it was best, and that nothing should be left unattempted to accomplish it. He felt that he was committed to Barry's friends, of the Kentucky Delegation. I answered, “that preference was given to Barry before McLean was thought of.” He said if the Kentucky Delegation would acquiesce he would make the appointment. Bibb was sent for. He acquiesced, and promised to see some of the gentlemen. I was requested to call early in the morning, which I did, before breakfast—then told the General I believed I had some influence with T. W. Moore—that I would see him and induce him to acquiesce. I immediately went to his lodgings—conferred with him. I made the following note of what occurred :

“*March 6, 1829.* I called upon Major T. W. Moore in relation to the appointment of Judge of the Supreme Court, Barry having been selected for this office before it was known McLean (P. M. G.) would take it. After much conversation Major Moore desired me to say to General Jackson, that he wished him to look over the whole ground, Major Barry's qualifications, etc., and that if he should determine that it would be advantageous to his administration, and promote the public interests

to select the Post-Master-General, he (Moore) would be answerable that there would be no grumbling or dissatisfaction in the Kentucky Delegation on the subject.

"Mr. Moore said to me, 'I have no doubt if Major Barry was here he would withdraw his pretensions in a moment,' and he further asked how the President would assure himself that McLean would not continue to be a candidate for the Presidency and make his official influence a means of promoting his success and thereby impairing the dignity of the office and the Court. I said in reply, 'I would advise General Jackson to send for McLean, and to say he contemplated nominating him for Judge, but that he had perhaps peculiar views in regard to the course to be pursued by judicial officers. That he considered them as Ministers of the Temple of Justice, and that as such they were necessarily separated from all party politics or feelings.' I communicated to the General this conversation. He said he was pleased with the result, and that he would hold such a conversation with McLean as I had suggested.

"March 6, 1829.

[Signed]

"JAMES A. HAMILTON."

The nomination was made immediately. It came like a thunder-clap upon the Senate and was stunning to Calhoun, who hoped that with the Post-Master-General in the person of McLean (being a member of the Cabinet with Ingham), he could have some influence or perhaps constraint. The arrangement having been made, Barry was to be Post-Master-General. I called upon McLean to get his resignation, which was given to me, and immediately Barry's name was sent in for Post-Master-General.

Shortly after the General's arrival, he requested me to come to his lodgings early in the morning, that he might, as he said, confer with me uninterruptedly before other persons should call. One morning I was with him, the formation of his Cabinet being the subject. We were together until after 9 a. m., when he told me Calhoun was to call at 10 o'clock. "I know what he is about. He cannot succeed. I wish you to remain in this house until he leaves. Then return and you shall know all about it." I retired—Calhoun called—I remained, and returned to the General after Calhoun left. Jackson said, "He wishes me to appoint Tazewell, Secretary of State, and urged it upon me with great earnestness, dwelling much on his great knowledge and wisdom, and particularly the great influence this appointment would have upon Virginia—securing thus her support to the administration. I received what he said with great attention; and without rejecting his advice, I asked if it would not be useful to secure the influence of the State of New York. By this he knew I meant to refer to Van Buren. His reply was, New York would have been secured by Clinton if he had lived. It cannot be by the influence of any other of her citizens. However, New York is safe without an appointment." This interview, it is believed, was the last with Calhoun on the subject of the Cabinet.

T. W. Moore, who was appointed Minister to Columbia, wished to be Post-Master-General, and it was determined that Barry should be sent abroad. This, however, was not disclosed to me until the 17th March.

I do not know how Branch happened to be selected for the Navy. He was an old friend of the President's, and, having land in Tennessee, frequently visited him there. He was wholly incompetent for this or any other place in the Cabinet. Ingham was taken because it was deemed important to do something for Pennsylvania. He came to Washington hoping to be Comptroller. A portion of the delegation waited upon the General and insisted if anything was to be done for Pennsylvania, Ingham was their choice. They were of those known as the "*Family Party*."

When attempts were made to induce the President not to appoint Eaton—and they were made particularly by the Tennessee Delegation, the General rising with outstretched arms said, "I will sink or swim with him, by God."

In connection with my appointment as Secretary, I wrote thus to a "valued friend:"

"I have this day received from the General, a letter appointing me acting Secretary of State, dated 4th inst. Thus I will at least have the gratification of being connected with the history of our Government, and have had some slight influence upon its affairs. What may follow is uncertain. I have not made a single movement in reference to myself."

The following written to the same person on the subject of the Cabinet, dated 17th February, 1829, may be useful because written immediately after leaving the General:

"I am most heartily sick of Washington, and not a little tired of the intrigue in which we all live.—I went to dine with Jackson; at home nine o'clock p. m. My conversation with the General after the gentlemen retired, was perfectly free on the whole subject which now occupies his and the public attention. Nothing is decided beyond Van Buren for the State and Eaton for the War. The doubt seems to be whether Ingham or McLane of Delaware is to be Secretary of the Treasury; Tazewell is out of the question for Cabinet appointment; but will be offered the English Mission. I incline to think the Post-Master-General will remain where he is. South Carolina gets nothing. The General is clear and judicious in the views which will govern him in making his choice. He may, and I fear will, err in the choice of the person for the Treasury. Louis McLane would be a good, and Ingham *not* a good selection. If it will gratify you I will let you know that I am looked upon here as quite a distinguished personage. Not, however, from any merit I have; but from the belief that I am one of three who enjoy all the General's confidence. The Tennessee Delegation particularly are disposed to make much of me. Be assured, my friend, I take no credit for all this; and to say the truth, I am more mortified than pleased by the reflection that my consequence should rest alone upon mere accident."

February 27.—Van Buren addressed a letter of this date to Gen. Jackson and sent it open to me. In it he accepted the position of Secretary of State, and asked permission to remain at Albany until April:

"It has been usual," he wrote "through the whole course of the Government, to

place one Department temporarily under the superintendence of the head of another. That may, and will probably, have to be done in this case. The only difficulty may be, that the personal relations between Mr. Clay and the gentlemen whom you will select for your Cabinet, may be such as to lose the advantage of those explanations from the present incumbent (Mr. Clay), which it is his duty to give, and with the possession of which the public interests may be materially connected; but which in case of a communication with a person against whom he felt a strong personal dislike, he might either withhold or give so grudgingly as to defeat the object. Allow me to suggest a mode by which the embarrassment upon this point may be in a great degree relieved." * * * "It is of vital importance that I should have for my under Secretary or Chief Clerk a gentleman who is not only intelligent, capable, and honorable, but one in whom I can repose implicit confidence. From my own knowledge of his character, my friend Col. Hamilton answers fully to that character and is the gentleman to whom I had looked for that station. * * * Do me the favor to advise Mr. Hamilton what to write to me: and to arrange affairs in such a way as to allow me the longest time; as I do really stand in need of it to enable me to come out with credit.

"Yours affectionately,

"M. VAN BUREN."

February 20.—I quote from a letter I addressed to a judicious friend as follows:

"When I handed this letter to the President he read it, and asked to see me alone. He then said: 'You must remain here; I cannot spare you; I want you near me. There will be no difficulty hereafter in gratifying you as you desire; but at present you must remain here.' I replied: 'Such is my intention. I am prepared to devote my whole time to promote the success of your administration when and wherever I can be useful to you.' He was gratified, took my hand, and said: 'You are my friend, and so let it remain as we have arranged it.' I then said: 'Between Van Buren and myself there is unlimited confidence, and at the same time, on my part, *the most perfect independence.*' I explained my appointment as Aid-de-Camp, that he might exactly understand our relations. I added: 'Now, General, no man better understands than you do the value of that independence of feeling, and how necessary it is that it should be preserved.' He replied: 'Well, so it shall be; remain where you are.'"

Shortly after, Van Buren, in a second letter, advised that I should take the place of Chief Clerk. I communicated this suggestion to Jackson, to which he replied, emphatically, Colonel, that will not do; to appoint you Chief Clerk I consider as degrading you. The arrangement we have made, that you shall take the department until Van Buren comes in, is the proper one, and so I wish you to inform him; which I did. There were two serious objections to Van Buren's plan; one was, that I would not take such a position; the other that Mr. Clay having resigned, Mr. Brent, the Chief Clerk, was charged by law with the department. There was, consequently, no person or power to appoint a Chief Clerk.

PRESIDENT JACKSON'S INAUGURAL ADDRESS.

I addressed a letter to a judicious friend, Washington, March 1st, 1829, on this subject. Lewis, (William B.,) with the assent of the General, given to him in my presence, submitted to me the draft of the Inaugural Address. I read it over, commented upon it, and was permitted to keep it, in order to consider it well, and suggest such alterations as I deemed important. I first drafted several alterations, and added my reasons for making them. Not being satisfied with that, I wrote the whole over in the form I would have it, and returned the three papers. A day or two after I was invited to a conference in regard to some of the proposed alterations, which I found had been re-copied, and I inferred from this, that the whole in my handwriting had not been submitted to the General. There were present the General, Majors Lewis and Donelson. Such parts as were intended to be submitted at this time for my opinion were read over, and we discussed the subjects, but with partial success on my part, in regard to one criticism which I deemed important—the General behaving with great good sense and frankness, Lewis influenced by the pride of authorship, and Donelson fearing the General should fall into my views as to a Constitutional question. I then referred to another alteration I had proposed—a verbal criticism,—but necessary to shield the General from the imputation of not properly distinguishing the improvement of revenue from its collection. Here, again, he united with me, as did the others. There was a paragraph which was absolute nonsense. I revised it, amended it, and made it proper. Here, again, we differed. Donelson agreed with me that it was not grammatical. The General was wholly indifferent, and at length Lewis yielded. Several other alterations had been made; some of them I considered quite important, which, however, were not adverted to, and I deemed it prudent not to call them up, as I found Lewis' self-love was wounded by what had been done already. From all that occurred I was convinced that the heads and thoughts were the General's, the clothing Lewis' and Donelson's—most of it the work of the former. I will again ask for the paper, and if it is, in my judgment, in any respect defective, I will see the General on the subject alone, and explain to him my views. I learn that it is hereafter to be submitted to us all, as a Cabinet—as it ought most assuredly to be. Lewis will not be present, and we will then make it better. Had it gone forth as it at first stood, it would have been absolutely disgraceful. As it is, I am not a little anxious about it. The General's misfortune is, that his confidence is reposed in men in no degree equal to him in natural parts, but who have been of use to him heretofore in covering his very lamentable defects of education; and as he is unwilling to make these defects known to any others, he is compelled to keep these gentlemen about him. I have been drawn, by various circumstances, so close to him, that time would place me in the same relation to him which Lewis now holds. Van Buren never can get there, nor will any other member of his Cabinet, because he will not yield himself so readily to superior as to inferior minds.

The following is the address I wrote over in the form I would have it. I have endeavored to point out the points of difference between this, and that which was delivered. At the same time it is due to truth and to others to say, I am quite sure it incorporates much that was in the original draft we discussed :

“FELLOW-CITIZENS: About to undertake the arduous duties I have been appointed to perform by the choice of a free people, I avail myself of this customary and solemn occasion to express the gratitude their confidence inspires, and to acknowledge the accountability which my situation enjoins, while the magnitude of their interest convinces me that my thanks cannot be at all commensurate with the honor they have conferred. It admonishes me that the best return I can make is, to dedicate, as I now do, my humble abilities to their exclusive service and their welfare.

“As the Executive of the Federal Constitution, the duty devolves upon me, for a stated period, to execute the laws of the United States; to superintend their foreign and confederate relations; to manage their revenues; to command their forces, and by communications to the Legislature, to watch over and promote their interests generally; and the principles of action by which I shall be governed, in endeavoring to perform these duties, it is now proper for me briefly to explain.

“In administering the laws of Congress I shall keep steadily in view the just limitation as well as the extent of the Executive power, expecting thereby to discharge the functions of my office, without, in the slightest degree, transcending its authority.

“With foreign nations it will be my study to preserve peace; to cultivate friendly intercourse with all on fair, liberal and honorable terms; and in the adjustment of any differences that now do or may hereafter arise, to exhibit the forbearance becoming a powerful nation, rather than the sensibility belonging to a gallant people.

“In all such measures as I may be called on to pursue touching the rights of the separate States, I hope to be animated by a proper respect for these members of our Union, taking care (at the same time) not to confound the rights they have reserved to themselves with those they conceded to the Confederacy.

“The management of the public revenue—that searching operation in all governments—is among the most delicate and important trusts. In ours it will of course demand no inconsiderable share of my official solicitude. Under every aspect in which it can be considered it appears that great advantage must result from the enforcement, on all occasions, of a strict and rigid economy. This I shall aim at the more anxiously, both because it will facilitate the extinguishment of the national debt, the unnecessary duration of which is inconsistent with real independence, and because it will counteract that tendency to public and individual profligacy which a profuse expenditure by the Government is but too apt to engender. Powerful auxiliaries to the attainment of this desirable end are to be found in the regulations provided by the wisdom of Congress, for the specific appropriation of the public money, and the prompt accountability of public officers.

“With regard to a proper selection of the subjects of imposts, with a view to revenue, it seems to me that the spirit of caution and equitable compromise in which the Constitution was formed, requires that the great interests of agriculture, com-

merce and manufacture should be equally favored; and perhaps the only exception to this rule, if we were about to adopt an original course of policy, would be found in the peculiar encouragement of such products only of either of them, as might be found essential to our national independence.

"Considering standing armies, in times of peace, as dangerous to free government, I shall not seek to enlarge our present establishment, nor to disregard that salutary lesson of political experience which teaches that the military should be subordinate to the civil power.

"The gradual increase of our navy, whose flag has displayed in distant climes our skill in navigation and our power in arms; the preservation of our forts, arsenals and dockyards, the introduction of progressive improvements in the discipline and science of both branches of our military forces, are so plainly prescribed by prudence, that I should be excused for omitting to mention sooner their importance; but the bulwark of our defence is the national militia, which, in the present state of our intelligence and population, must render us invincible. As long as our Government is administered for the good of the people, and is regulated by their will; as long as it secures to us the rights of person and property, liberty of conscience and the press, it will be worth defending; and so long as it is worth defending, will a patriotic militia cover it with an impenetrable ægis. We may be subjected to temporary injuries and occasional mortification, but a million of armed freemen, possessed of the means of war, can never be conquered by a foreign foe. Therefore, to any just system calculated to strengthen this national safeguard of the country, I will cheerfully lend all the aid in my power.

"It will be my sincere and constant desire to observe towards the Indian tribes within our limits a just and liberal policy, and to give that humane and considerate attention to their rights and their wants, which are consistent with the habits of our Government and the feelings of our people. In the performance of a task thus generally delineated, I shall endeavor to select men whose diligence and talents will insure, in their respective stations, able and faithful coöperation, depending for the advancement of the public service more on the ability and virtue than on the number of its officers. A diffidence, perhaps too just, in my own qualifications, will teach me to look with reverence to the examples of public virtue left by my illustrious predecessors, and with veneration to the light that flowed from the mind that founded and that which reformed our system. The same diffidence induces me to look with confidence for the aid and advice of the co-ordinate branches of the Government, and for the indulgence and support of my fellow-citizens.

"A firm reliance upon the goodness of that power whose providence mercifully protected our national infancy, and has since sustained us in various vicissitudes, encourages me to offer up my ardent supplications, that He will continue to make our beloved country the object of His divine care and gracious benediction."

Shortly before the 4th of March, the General requested me to prepare a letter dated on that day, to be addressed to me by him, appointing me Secretary of State. This was done as follows:

“WASHINGTON, March 4, 1829.

“SIR: You are appointed to take charge of the Department of State and to perform the duties of that office until Gov. Van Buren arrives in this city.

“Your Obt. servant,

“ANDREW JACKSON.

“Addressed JAMES A. HAMILTON, of New York, Washington.”

This was endorsed at the Department, when it was delivered to the chief clerk, Mr. Brent, 4th March, 1829 :

“HAMILTON, JAS. A., appointed Acting Secretary of State.”

This letter was signed and delivered to me on the 4th of March, just before the General went to the Capitol. He said, “Colonel, you don’t care to see me inaugurated?” “Yes, General, I do; I came here for that purpose.” “No—go to the State House, and as soon as you hear the gun fired, I am President, and you are Secretary. Go on and take charge of the Department” (I do not state the reason he gave for this haste).

I went into the Department, sent for the chief clerk, Mr. Brent; he came and said he supposed I came to take his place, and that he was ready to give it up. I said, “No, Sir; read my appointment and file it. I am Secretary, I do not mean to remove any person; on the contrary, I wish you and others to give me all the assistance you can in the performance of my responsible duties.”

March 4.—I addressed to the Hon. Henry Clay, who resigned the office of Secretary of State some days before the inauguration of Jackson, the following note :

“SIR: The President of the United States having appointed me Secretary of State during Governor Van Buren’s absence, it will afford me great pleasure to call upon you whenever you please, that I may receive from you any information which will promote the public interests.

“With very great respect, yours,

“JAMES A. HAMILTON.”

March 5.—Mr. Clay called at the Department pursuant to a previous arrangement, and communicated such information as might be important, viz. :

“PORTUGAL.—Mr. — was received by the government accredited by Don Miguel, as Regent. Since Don Miguel assumed the throne in his own right, no instructions have been given to the gentleman, who, however, expects them daily. When he has received them, the question will be whether he is to be received as the representative of the government of Portugal. The powers of Europe, whose example is not to govern us, have not received an ambassador from Don Miguel. If he is Sovereign de facto, that is enough for us.”

“MEXICO.—A question may hereafter arise with Mexico, similar to that with the last power; and perhaps another, arising out of the ratification of our treaty, should it receive the sanction of the present Congress.

“The force which has overturned the legitimate government may not be sustained. It is understood that the existing power is more favorable to this country than the last one. Wm. P.—I has had leave to return for some time past, but has

not given notice of his intention to do so. He has been heard from at Vera Cruz on his way here.

"The Treaty of limits is desirable to Mexico, and also to us. The Treaty with Spain, settling the boundary line, is sufficient for us; being obligatory on Mexico. The Treaty of Commerce has been ratified by us, but the congress of Mexico struck out fifteen or sixteen articles."

"GREAT BRITAIN.—The submission to the arbitrament of the King of the Netherlands was agreed to without submitting the choice to the Senate; there was great difficulty in doing so. *It was done in executing a provision of law, the Treaty on this subject between the two countries.* If it is believed that such a submission is necessary, and the King of the Netherlands agrees to be the arbiter, a convention may be negotiated with England making him so, which can then be submitted to the Senate. This is a subject of much delicacy and difficulty. Our statement with proofs and documents, with the manner in which we will authenticate them, has been submitted; a list of the proofs and documents on the other side, has been received and submitted by Mr. Brent to Messrs. Gallatin and Preeble. A correspondence has been held, here and in London, on the subject of indemnity to Baker, for his losses and sufferings; nothing decided.

"The King of the Netherlands feels not well pleased that we have not sent a minister to him, with a corresponding grade with his; this ought to be rectified."

"SWEDEN.—As soon as the arrest of the * * * * by Capt. Turner at St. Bartholomew, was heard of by Baron Stackelbough, he demanded an explanation, to which a reply was given. See what it was. Turner has furnished his statement through the Secretary of the Navy. Harrison, American Consul there, has also sent a statement of the official correspondence. Captain Taylor of the * * * came here with Captain Turner's permission, and presented himself at the Department, desiring to know whether he was to be considered a prisoner or not, and claiming the provision, in such cases made, and also to know how far he was at liberty to go. The answer, with the permission of the President, was: that he was at liberty to go where he pleased; if the vessel was found upon trial to be piratical (she is to be tried at Pensacola), he must hold himself subject to arrest and trial."

"BUENOS AYRES has an interest in this matter; she is not represented here. The Chargé of Sweden has no instructions from his government."

"AUSTRIA.—A Treaty was negotiated between the United States and Austria by Mr. Clay and the Consul of Austria at New York; which the latter, after it was settled, declined, after some hesitation, to sign, until he received instructions from his government. (See Treaty and negotiation)."

The above was written down as it was related by Mr. Clay. I read it to him. He approved, and then said there are two other subjects, which but for this d——d non-intercourse, established by the President, I would communicate to him. Mr. Adams will communicate them to you, if requested to do so by the President.

On 6th March, 1829, I addressed and sent to Hon. John Q. Adams, Washington, the following letter:

"SIR: A friend has placed in my hands a new edition of the correspondence between you and Mr. H. G. Otis and others, published in this city, with additional

papers, said to be illustrative of the subject of that correspondence. Among these papers is a letter written to you by William Plumer of New Hampshire, dated Epping, New Hampshire, December 20th, 1828, in which he says: 'During the long and eventful Session of Congress of 1803 and 1804, I was a member of the Senate, and was at Washington every day of that Session. In the course of that Session, at different times and places, several Senators and Representatives from the New England States informed me that they thought it necessary to establish a separate government in New England, and 'if it should be found practicable' to extend it so far South as to include Pennsylvania, but in all events to establish one in New England, &c.' He adds: 'Just before that Session of Congress closed, one of the gentlemen to whom I have alluded, informed me that arrangements had been made to have, the next autumn, in Boston, a select meeting of the leading Federalists in New England to consider and recommend the measures necessary to form a system of government in the Northern States, and that Alexander Hamilton, of New York, had consented to attend that meeting.' He further adds: 'The gentlemen who, in the winter of 1803 and 1804, informed me that there was to be a meeting of Federalists in the autumn of 1804, at Boston, at the Session of Congress, or the winter of 1804 and 1805, observed to me that the death of General Hamilton had prevented that meeting, but the prospect had not been abandoned, and would not be.'

"In your letter, which is a part of this correspondence, dated Washington, December 30, 1828, you say: 'It was in these letters of 1808 and 1809 that I mentioned the design of certain leaders of the Federal party to effect a dissolution of the Union and the establishment of a Northern Confederacy. This design had been formed in the winter of 1803 and 1804, immediately after, and as a consequence of, the acquisition of Louisiana. Its justifying cause to those who entertained it was, that the acquisition of Louisiana to the Union transcended the Constitutional powers of the Government of the United States.' 'This plan,' you add, 'was so far matured that the proposal had been made to an individual to permit himself, at the proper time, to be placed at the head of the military movements which it was foreseen would be necessary for carrying it into execution. In all this there was no overt act of treason.'

"Without permitting myself to believe that you could countenance any imputation against the honor or patriotism of my late venerated parent, it is obvious that the publication of Governor Plumer's letter, and your communication to H. G. Otis and others, not only tends to such imputation, but, moreover, added to it the sanction of your name. Under these circumstances, deeming it a sacred duty to preserve the memory of my father from all stain, I must also consider it my right to ask that you will inform me whether by the publication of Governor Plumer's letter, or by your communication to H. G. Otis and others, an opinion is to be authorized that you are in possession of any evidence, or that you believe, that the late Alexander Hamilton consented to attend the alleged meeting of the leading Federalists at Boston, or that he was at any time concerned in a project to dissolve the Union and establish a Northern Confederacy? I beg further to ask, Sir, that if the indication, in the paragraph of your letter last above quoted, of an individual to whom a proposal had been made to permit himself to be placed at the head of certain military movements, refers to my father, you will furnish me with the evidence upon which that indication and reference have been made.

"I have the honor to be your obd't serv't."

The following answer was received, dated Washington, March 6, 1829 :

“JAMES A. HAMILTON, Esq., Washington—Sir: In answer to your letter of this date, I take the liberty of referring you to Mr. Plumer himself, for any explanation of the statements in his letter to me of 20th December last.

“The information which I received in the spring of 1804, at Washington, was entirely distinct from and independent of that of Mr. Plumer. A part of it was not that your father had consented to be placed at the head of the project, or to take a part in it, but that it had been communicated to him with a view to engage his cooperation in it, and that in the event of a necessity for the employment of a military force for its execution, it was contemplated that he should be placed at its head. My informant, to the best of my recollection, was Mr. Uriah Tracy, then a Senator from Connecticut. I say to the best of my recollection, because at one of my conversations with Mr. Tracy on this subject, another member of Congress, also now deceased, was present, and I am not perfectly sure from which of them it was that I received this information. After the close of that session of Congress, being at New York on or about the 7th of April, 1804, Mr. Rufus King informed me that a person had been that day conversing with him, and also with your father, as I understood Mr. King, in favor of the project, but that he himself, and he was happy to say your father also, entirely disapproved of it. This is all the evidence I have that your father was made acquainted with the project, solicited by others to join in it, or intended by them to be placed at its head. That he was said to have consented to attend a meeting at Boston in the autumn of 1804 stands upon other testimony than mine. That he ever assented to the project of a separation I do not know or believe, and from the information given me by Mr. King, have reason to believe the contrary. With regard to my inferences or belief from the testimony of Mr. Plumer, wishing to do all possible justice to the memory of your father, I cheerfully state them at your desire. I believe then, implicitly, the statement of Mr. Plumer, as made by him, namely: that he was informed at the session of Congress in 1803-4 that your father had consented to attend the proposed meeting in the autumn of 1804 at Boston, and that in 1804-5 he was informed that the meeting had been prevented by your father's decease. I believe also the fact that he had consented to attend the meeting; but from the information given me by Mr. King, I believe that in consenting to attend the meeting your father's purpose was to dissuade the parties concerned from the undertaking, and to prevail upon them to abandon it. My belief is founded upon my entire confidence in the veracity of Mr. Plumer, upon the general coincidence of the information stated in his letter with that which I had contemporaneously received at Washington, and upon the remarkable fact mentioned by him that he was told at the subsequent session of Congress, that the autumnal meeting at Boston had failed in consequence of the decease of your father; that the project was continued or resumed, notwithstanding your father's decease, until the Hartford Convention in 1814, I also believe.

“I had further reason for believing that the project was disapproved by your father, because it had originated principally from dissatisfaction at the annexation of Louisiana to the Union,—a measure which, from common report, I understood was approved by him.

“I am with respect, Sir, your very humble servant,

“J. Q. ADAMS.”

I wish here to add, in connection with Mr. Adams' letter to me, it was well understood not only that Hamilton approved of the annexation of Louisiana, but that when Jefferson doubted whether he had the constitutional power to make that annexation, Hamilton addressed a letter to James Madison, then Secretary of State, expressing his opinion that the constitutional power was clear, and giving his reasons for that opinion. And further, that Hamilton shortly before his death expressed to his friends his anxiety for the preservation of the Union: to one he said, "To break this Union would break my heart." And further, that the last letter he wrote on public affairs was to Theodore Sedgwick, once Speaker of the House of Representatives, a distinguished eastern Federalist, dated July 10, 1804, in which he says, "I have had on hand for some time a long letter to you, explaining my view of the course and tendency of our politics, and my intentions as to my own future conduct." He here gives his reasons why it was not finished, and adds, "I will here express but one sentiment, which is, that dismemberment of our Empire will be a clear sacrifice of great positive advantages without any counterbalancing good; administering no relief to our real disease, which is *democracy*, the poison of which by a sub-division will only be more concentrated in each part, and consequently the more virulent. King is on his way for Boston, where you may chance to see him and learn from himself his sentiments." He died two days afterwards by the hand of an assassin. Several other evidences of his disapproval of dismemberment will be found in the 7th volume of the History of the Republic.

I communicated to the President, what Mr. Clay had stated in reference to Mr. Adams, and I was directed to ask an interview with him. I consequently addressed the following letter to Mr. Adams:

"DEPARTMENT OF STATE, MARCH 11, 1829.

"TO THE HON. JOHN Q. ADAMS, WASHINGTON.

"SIR: The President of the United States has directed me to call upon you in relation to some matters of public concern. I should be pleased to know when I may have the honor to be received by you.

"With great respect, Your obedient Servant,

"JAMES A. HAMILTON."

To which I received the following reply:

"JAMES A. HAMILTON, Department of State.

"Meridian Hill, Washington, March 11, 1829:

"SIR: I shall be happy to receive you this day upon the subject to which your letter of this morning relates, at this place between one and three o'clock. I am, with respectful consideration, Your obedient Servant,

"JOHN Q. ADAMS."

March 11, 1829: I called upon Mr. Adams as he had proposed I should do—this day at 2 o'clock. After the usual salutation I said, that at an interview I had had with Mr. Clay at my request in relation to the affairs of the Depart-

ment of State, he had incidentally mentioned that Mr. Adams held stocks which it was proper should be transferred to the President; and that there were some matters of public concern which the public good required should be communicated to the President, who had directed me to call upon Mr. Adams on the subject. Mr. Adams said he held certificates of stock in trust for the Seneca nation of Indians to the amount of about \$112,000. They amounted to \$112,853.75 in the three per cents; that this fund was originally \$100,000. It was invested in the stock of the First Bank of the United States, and having been purchased at a price above par, when that bank closed its concerns there was a loss. Afterwards it was invested in the six per cents, and as they were paid off, there was a loss: the fund was invested by him in the three per cents at about eighty per cent., because it was supposed they would not be shortly paid off, and when these were it would be at par. He said that the Indians were paid the dividends upon the bank stock, which were then over \$6,000 per annum, and they had always been paid that amount per annum (whatever the dividends on the stocks were) at the war office, out of the Indian appropriation, and the dividends when received, were carried to the credit of that fund. He also said he held two certificates of three per cents, amounting to \$5,833.36, which were in the name of William Eustis as Secretary of War and his successors in office, in trust for the United States to secure an annuity to the Wyandots under the Treaty of July 4, 1805, (vide United States, Vol. 1, page 409), which certificates of stock, he said, he would deliver to the President upon his order. He further said, "I intended to have delivered in person that book (pointing to a large book of records) to the President; it contains a correspondence I have conducted myself with _____ consul at _____ and the instruction I gave him to make a treaty with the _____. As it has been necessary to observe the utmost secrecy in this negotiation in order to give us a hope of success, for the British ministers at _____ are required as a part of their official business to prevent us if possible from making any treaty, I have not permitted it to take the usual course of the office. No persons know anything of it except Mr. Clay, Mr. Brent, Mr. Watkin and a clerk who copied the correspondence, the Secretary of the Navy, and a clerk in that department (his chief clerk). I thought this the most appropriate time to make the effort, as the _____ ministers were absent from _____. I therefore directed Mr. _____ to make use of _____ Dollars out of the Contingent Fund to conduct the negotiation in the manner such people are accustomed to negotiate. This sum he was authorized to draw in the ordinary course of naval funds, in order that there might be no suspicion on that account, but to keep the account distinct. Mr. _____ the _____ at _____ was directed first to go to _____ and if he ascertained that a treaty could be made, then to send for _____, and use the utmost dispatch and secrecy. I hoped it would have been completed before the session closed. In this book is a correspondence commenced by Mr. Monroe, and since continued from time to time, but without success. There is another matter of little importance as to the purchasing lands

for Indians. "This is all; I am ready to deliver the book, on the President's order." I then said, "Mr. Brent told me you had that book, and that you intended to make a communication in writing. If that is so, it would be well to leave the book with you." He answered, "I do not think that necessary now, after this conversation; I will, however, keep it until Mr. Van Buren arrives, or, if it should be necessary, in consequence of dispatches received from ——, I will deliver it up. I employed —— to take out the dispatches. He was unfortunately detained by a Quarantine for thirty days." After this conversation on public affairs had closed, I waited for a few moments to ascertain if he would introduce the subject of our recent correspondence. I then rose and took my leave, shaking him by the hand. I saw when I was about to leave that he was disappointed and displeased. I therefore, after I had closed the outer door, returned, knocked, asked pardon for returning, and said, "I came back to speak to you upon a subject of an interesting character." He said, "Sit down, apology is unnecessary." I then told him what Coleman had written to me as to my father's opinion in relation to the annexation of Louisiana. He said, "I understood at the time your father wrote the article to which you refer. He, Mr. King, and I, were the only Federalists of the day who approved of that measure." He then gave me a detailed account of his course in the Senate and particularly in relation to the proposed amendment of the Constitution, in order to enable the President (not to make the Treaty, or to take possession of the soil—of his power to do that there was no doubt) * * * but to incorporate *the people* into the Union, giving them the same privileges with the people of the United States, without the sanction of the latter and subjecting the former to the rule of the United States without their consent. However, although Mr. Jefferson entertained doubts as appears from his letter to —— recently published, of which doubts I knew nothing at the time, I found he had taken the necessary measures to complete the annexation regardless of the Constitutional question. I then told him that I had been informed by Mr. Tazewell, that he understood at the time Hamilton's opinion as to the Constitutional power of the Government to complete that work as it was done, had been communicated to Mr. Jefferson or Mr. Madison, and had in a great measure tended to remove those doubts. Mr. Adams, then referring to our recent correspondence, said, "I knew nothing of Mr. Plumer's testimony when I made the first communication to the *Intelligencer* in October. He was a volunteer choosing to inculcate himself in order to afford his testimony to the truth. He wrote to me, that, seeing I was to be called upon by the Eastern Federalists, he had thought proper to state what he had done." Mr. Adams then repeated to me the conversation he had with Mr. King in April, 1804, which he had referred to in his letter (above copied). He added, "Your Father had nothing to do with the project. He discountenanced it." I then stated in confirmation of his opinion in regard to my father's disapproval of the project, that he had written a letter to George Cabot on the subject, in which he expressed his most decided disapprobation of the alleged inten-

tion of his Eastern friends. We shook hands and parted, on his part with evident satisfaction, for, as he believed he had done ample justice (and so it was, though tardy) to my father, he thought himself entitled to an acknowledgment of that fact from me. Mr. Adams was an honest man; but he was a man of strong feelings, perhaps I may justly say resentments.

A LETTER TO A FRIEND.

DEPARTMENT OF STATE, March 6, 1829.

"I have been engaged to-day in receiving the Diplomats who are in the city and reading their notes. I am in good earnest in the very heart of the business of the Department. No part of it is half so laborious as the applications for office."

On the 5th of March, 1829, I prepared the following message for the President :

"GENTLEMEN OF THE SENATE: The Offices of Secretary of State, Secretary of the Treasury, Secretary of War, Secretary of the Navy and Attorney-General of the United States being vacant, I nominate the following persons for these offices: Martin Van Buren of the State of New York, to be Secretary of State; Samuel D. Ingham of Pennsylvania, to be Secretary of the Treasury; John H. Eaton of Tennessee, to be Secretary of War; John Branch of North Carolina, to be Secretary of the Navy; John McPherson Barriar of Georgia, to be Attorney-General of the United States.

(Signed) ANDREW JACKSON."

WASHINGTON, March 5, 1829.

On the 5th of March, 1829, I addressed the following letter to the President :

"James A. Hamilton has the honor respectfully to submit to the President of the United States, that a Treaty of Commerce and Navigation was concluded and signed at Washington on the 1st of May, 1828, between the United States and the King of Prussia, and laid before the Senate, who, by their resolution of that month, advised and consented to its ratification. That by the 4th article thereof it was agreed, that the exchange of the respective ratifications should be made within 4 months from the date of the Treaty.

"That on the 15th of January last, the Chargé d'Affaires for Prussia informed the Secretary of State that he had received the Prussia ratification, and was ready to exchange it for that of the United States. That the Secretary of State, on the — day of the same month, apprised the Chargé d'Affaires of Prussia of the President's intention not to proceed to the exchange proposed by him, in consequence of the expiration of the term stipulated for the exchange by the terms of the Treaty.

"In his opinion, it is most expedient, under the circumstances, to submit the question whether the proposed exchange should now be made to the Senate for their advice.

(Signed) JAMES A. HAMILTON."

DEPARTMENT OF STATE, March 5, 1829.

The President concurred in opinion with the Secretary, and directed him to prepare a message to the Senate, which was as follows :

“GENTLEMEN OF THE SENATE: The Treaty of Commerce and Navigation concluded at Washington on the 1st of May, 1828, between the United States and the King of Prussia, was on the — day of the same month ratified, and presented to your advice and consent, by the President of the United States. By the 4th article, it was agreed that the exchange of the ratifications should be made within *four* months from its date. On the 15th of February last, being — days after the time stipulated by the terms of the Treaty, the Chargé d’Affaires of his Majesty informed the Secretary of State that he had received the Prussia ratification, and was ready to exchange it for that of the United States. Under the circumstances, I have thought it my duty, in order to avert all future question, to ask the advice and counsel of the Senate as to the proposed exchange.”

The Senate advised the exchange, which was promptly made by the Secretary in behalf of the United States and Chargé d’Affaires of Prussia; the latter intimating that he was prepared to make the accustomed present to the Secretary, to which the latter replied, that that custom was not recognized by his Government.

The following Address to the Foreign Ministers was prepared by the Secretary, and delivered by the President :

“I am happy that an occasion has presented itself which enables me to reiterate to you, Gentlemen, respectively, the sentiments expressed in that part of my Inaugural Address relating to the foreign policy of this Government, and to add that I am quite sure the true interests of this country will be best promoted by preserving the relations of peace with all nations, so long as that can be done with a due regard to its own honor; and by commercial intercourse founded on principles of just reciprocity. I have entered, Gentlemen, upon the high trusts committed to me without prejudice against, or undue partialities towards any nation or people, and with personal feelings of the most friendly character for all. Although actuated by a determined purpose to promote the best interests of my own country, I have no desire to impair the rights or interests of others, and will endeavor to effect that object by the most frank, friendly and sincere negotiation. Where differences exist, or may hereafter arise, it will be my desire to settle them on fair and honorable terms, in that spirit of frankness so congenial to my nature, and the character of this people.”

The Ministers present were, Hon. Charles Vaughan, British Minister; Baron Krudner, Russian Minister; Joaquim Campino, Chilian Minister; and the Chargés of Mexico and Brazil.

On the 9th of March, the Secretary prepared and sent to the President the following communication :

“The Acting Secretary of State has the honor respectfully to report to the President of the United States, all the information in this Department of what has been done to carry into effect the *first* article of the Convention between the United States and the British Government, concluded at London on the 29th of September, 1827, a printed copy whereof accompanies this Report.

“The ratifications of this convention were exchanged at London, on the 2d April,

1828. By instruction of this Government to Mr. W. B. Lawrence, Chargé d'Affaires at the Court of St. James, dated February 20th, 1828, (copy annexed) he was required to proceed to the fulfilment of the first article of the Treaty. In pursuance of his instructions, after various interviews with Lords Dudley and Aberdeen, on the 14th of June, they agreed upon the King of the Netherlands as the arbiter, and on the 19th of the same month, it was determined between Mr. Lawrence and Lord Aberdeen, that the communication to the selected Sovereign should be made by the Ministers of the United States and Great Britain in separate notes addressed to his Minister of Foreign Affairs. The text of the note to be used by the respective governments in making that communication was submitted by the British Government, communicated to this Government, and in making that communication, on our part, copies of these notes, and the instructions to Mr. Hughes, Chargé d'Affaires of the United States at the Hague, are annexed.

“No information has as yet been received at this Department whether his Netherlands Majesty has accepted this arbitrament or not. By the instructions referred to, it will be perceived that the choice fell upon the last named Sovereign, who was least desirable to this Government to be the arbitrator. Under these circumstances, the course of this Government, in my opinion, ought to be directed by the anticipation that the King of the Netherlands will accept the trust confided to him; and every measure on our part ought to be tried, at least, to secure to us his favorable consideration.

“The King of the Netherlands, for about four years past, has been represented near this Government by a Minister Plenipotentiary, and during the same time the United States has been, and still is, represented by the inferior grade of Chargé d'Affaires, thus subjecting that Court to the mortifying reflection of being esteemed by us as a Secondary Power. Although, as to the personal character and habits of his Netherlands majesty, we have a right to believe he will himself examine the statements and arguments of the respective parties, and the representations which may be made in regard to them by the officers of his government who may be charged with the subject, yet it may reasonably be supposed that much would be gained by the assiduity of a judicious envoy. I find it was contemplated by the late President at a proper time to send Judge Preble, who is perfect master of the whole subject, as an agent of this Government to Brussels and to the Hague, in order that he may give such explanation as may be required by the arbiter in the course of his examination. Under the circumstances, I am clearly of the opinion that it would be proper to send a Minister Plenipotentiary to represent the United States Government at that Court.

March 9. My Journal of this date states, that I submitted to the President a report on the subject of sending a minister to the Netherlands, with the draft of a message to be sent to the Senate. This report, I do not find among my papers. I concluded by expressing a very decided opinion that a minister ought to be sent. The President agreed with me in this opinion when we examined the subject. My journal proceeds :

“In the evening, the President consulted Mr. Tazewell, who has manifested a disapprobation of such a measure for a long time, from some hidden motive. It is supposed from an apprehension that Hughes would be made the minister. (He is Samuel

Smith's son-in-law.) Tazewell expressed to me the opinion that the arbitrament is all a pretence on the part of the British Government adopted in order to avoid collision, and to protract the discussion with the late administration, having determined not to make a treaty or arrangement with us of any kind. The President influenced by Tazewell's opinion (he is chairman of the committee of Foreign Relations), decided not to make a communication to the Senate (in that he was right, for reasons which will be given hereafter), and also decided not to send a minister.

"*March 10.* This determination the President communicated to me this day, and desired me to call upon General Smith in order to make his decision known to him in the least unpleasant manner I could. I called at his lodgings. He, not remembering me, was not rude, but he was not cordial, until I told him, I was Secretary of State, and came to him by direction of the President; when, supposing I had intelligence of a pleasing nature to communicate, he relaxed into the utmost complacency. I then told him that his communication in reference to Hughes had been put into my hands by the President; that, after much deliberation and advising with his Cabinet, he had reluctantly, owing in a great measure to his (Gen'l S.'s) long and valuable service, his great respect for an old and much esteemed friend, come to the determination at *present* not to send a minister to the Hague. That his solicitude on this subject was increased by the favorable, and, he had no doubt, just manner in which he had heard the character and talents of Mr. Hughes spoken of; but that it was impossible for him to change a course of policy which he had deliberately adopted in order to yield to his feelings and predilections.

"Smith replied at first with haughtiness, 'That he could not ask the President to alter his course from considerations of regard to him,' and after a pause added, 'I trust that a gentleman who has faithfully served his country for twelve years, and in so doing has materially impaired his fortune, will not be superseded.' I then repeated that I was authorized to say, that the President hoped to have it in his power at some future day, on some proper occasion to manifest the regard he had for him, and his confidence in Mr. Hughes. Mr. Smith then said, 'I suppose, he will send him to Spain?' I replied, I do not know. Gen. Smith went into a long account of Hughes' services, his influence with great personages in England, and his extensive correspondence. I then asked him merely for my own information, and to turn the conversation, a question in relation to our trade with Portugal. He took it up, and went through the whole subject, and supposing I had put the question to intimate the probability of a mission, said 'I will go to Portugal.' He then related to me Mr. Munroe's conduct towards him, when he pushed through an appropriation for a minister to Portugal, in appointing Gen. Dearborn to that place. * * * I called the same evening on the President, and communicated the result of my interview, which gave him much pleasure."

The acting Secretary prepared the following message to the Senate, for the President, on the 9th of March:

"GENTLEMEN OF THE SENATE. I transmit to the Senate, a copy of the instructions to the Chargé d'Affaires at London, which led to a negotiation between him and the minister of Foreign Affairs of his Britannic Majesty concerning the reference, provided for by the convention between the United States and Great Britain of the — day of ———, 1828, of the points of difference between the two governments in relation to the North-eastern boundary line of the United States, and which re-

sulted in the designation of the King of the Netherlands as the Sovereign arbiter for the settlement of these differences, together with the copy of a dispatch from Mr. Lawrence to the Department of State, which, with its enclosures, will make the Senate fully acquainted with the proceedings referred to: and I transmit likewise to the Senate, a copy of the dispatch to the Chargé d'Affaires of the United States at Brussels, instructing him to unite with the British representative at the same court, in making known to the King of the Netherlands the selection which had thus been made of him, and in requesting him to undertake the proposed mediation. To this dispatch no answer has as yet been received from Mr. Hughes, and it is consequently not known whether the King of the Netherlands has or has not consented to employ his good offices upon the occasion: but there is reason to believe, from the friendly relations in which he stands to both parties concerned, that he will have agreed to their wishes.

“With this view of the circumstances of the case, I submit to the consideration of the Senate the whole transaction, particularly in regard to the proper reference to the King of the Netherlands, and conclude by nominating to the Senate, * * * * of Maine, as Envoy Extraordinary and Minister Plenipotentiary of the United States to the King of the Netherlands, and * * * * * of * * * as Secretary of Legation to the same court.”

REPORT OF THE ACTING SECRETARY TO THE PRESIDENT ON THE TREATY WITH MEXICO.

“James A. Hamilton, acting Secretary of State, has the honor to submit to the President of the United States, That a Treaty of amity, commerce and navigation between the United States and Mexico, was concluded at Mexico, on the 14th of February, 1828. The Senate advised, and consented by resolution on the 1st of May, 1828, to its ratification. But Mr. Poinsett by his dispatch, dated May 21, 1828, informed the department that the Mexican Congress had adjourned without having ratified the Treaty. No intelligence has been received of its having been subsequently ratified. That a Treaty of limit between the United States and Mexico was concluded, and signed at Mexico, on the 12th of January, 1828; received at this Department on the 16th of April, following; laid before the Senate of the United States. By their resolution of the 28th of the same month, the Senate advised and consented to its ratification. That this treaty was ratified by Mexico, on the 25th of April.

“That by the 5th article of the treaty, it was agreed that the ratifications thereof by the respective parties should be exchanged within four months from the date thereof. That on the 2d of August, 1828, the minister of Mexico apprised the Secretary of State, of his having received the Mexican ratification, and of his readiness to proceed to the exchange. He was informed that the President was not at liberty to proceed to exchange the ratification after the expiration of the period provided for the exchange. This treaty must therefore be submitted to the Senate again for its advice and counsel.

“JAMES A. HAMILTON.”

“DEPARTMENT OF STATE, March 9, 1829.”

March 15. The President desired me to report to him, the course to be taken to check the horrible piracies of which accounts were given in the newspapers of the day. On the 19th of March, the following report was made:

“TO THE PRESIDENT OF THE UNITED STATES.—SIR: I have the honor to enclose herewith copies of the papers I submitted to you on the 15th inst., on the subject of recent piracies committed upon our commerce near Havana and Matanzas, and in doing so, I take the liberty most respectfully to suggest the propriety of your sending those papers to the Secretary of the Navy, requesting him to report to the President, the number and force of vessels comprising our squadron in those seas, and the instructions of its Commandant; and particularly what additional suitable vessels could be most promptly fitted out for this service, if more are required. It is due to humanity, the interests of our citizens, and the honor of the government, immediately to take the most efficacious means to suppress these atrocities. I would further suggest the propriety of calling upon the Head of the same Department to prepare with more deliberation than the pressure of his arduous duties will now permit him to do—a system of measures, which, by being established, and continued, will effectually prevent a recurrence of these offences. JAMES A. HAMILTON.”

“DEPARTMENT OF STATE.”

Journal, March 17th. The President was much gratified. Adopted what I proposed; desired me to write a letter for him to the Navy Department, and is taking strong measures.

The most important subject of negotiation, in which I had the good fortune to be engaged, during the short period I was charged with the duties of the Department of State (one month), was with the British Minister, in relation to depredations upon the disputed territory, in regard to which there was an understanding between the governments, that neither party should exercise acts of ownership therein, while the title remained unsettled.

A letter was addressed to J. A. Hamilton as Secretary of State, on the 7th of March, 1829, by the British Minister, to which an answer was to be given. The Secretary well knew that during the recent Presidential canvass, the public mind had been abused by the representations of those opposed to General Jackson, that should he be elected, he would take the first occasion that should occur, to rush the United States into a war with Great Britain. This was the first communication received from that Government, and the circumstances were as follows:

The Governor of Massachusetts had represented to President Adams, that extensive depredations had been made upon the disputed territory, by the inhabitants of New Brunswick. This was very properly made the ground of a complaint by Mr. Clay, then Secretary of State (in January, 1829), which the British Minister referred to Sir Howard Douglass, who made a thorough examination, and in reply to Mr. Vaughan, he declared that if such depredations had been committed, they were without authority. He added on the contrary, “I assure you there is no color of authority for such proceedings; and that every caution has been adopted to restrain and prevent them,” and stating what effective measures he had taken “to insure the strictest observance of his instructions to that end.” When this communication was received, the Secretary determined that thus was presented to the President a good opportunity to disabuse the

public mind; and to give an assurance of the spirit in which his negotiations with Great Britain and other powers would be conducted.

The acting Secretary, before he communicated the British Minister's note to the President, prepared the reply he deemed proper. He then called upon the President, read the letter and documents, talked the matter over with him and read the reply he had prepared, which the President took up, read over and said: That, Colonel, is the very thing, it is a just expression of my purposes; I am thankful to you for having taken this opportunity to show how vilely I have been misrepresented." The reply is as follows:

TO THE RIGHT HONORABLE CHARLES RICHARD VAUGHAN, M. P. FROM GREAT BRITAIN.

"DEPARTMENT OF STATE, WASHINGTON, March 11, 1829.

"SIR: I have received and laid before the President of the United States, the note with its enclosures, which you did me the honor to write me on the 7th of this month; in answer to a representation made to you by Mr. Clay, on the 9th of January last, at the instance of the Governor of Massachusetts, concerning depredations complained of by him, against inhabitants of the Province of New Brunswick, in cutting timber, preparing lumber for market, and erecting mills upon soil of the Territory in dispute between the United States and Great Britain; and I am directed by the President to state in reply, as I take much pleasure in doing, that he derives great satisfaction from the information contained in your communication, as he especially perceives in the energetic and prompt measures adopted by Sir Howard Douglass, Lieutenant Governor of the Province in question, and detailed in the inclosures referred to, a pledge of the same disposition, on the part of the authorities of that Province, which animates this Government, to enforce a strict observance of the understanding between the two governments, that the citizens or subjects of neither shall exercise any acts of ownership in the disputed Territory, while the title to it remains unsettled.

"I will lose no time in making known to the Governors of Massachusetts and Maine, the measures which have been thus adopted by the Lieutenant Governor of New Brunswick, to repress and punish the irregularities complained of by the former, and to guard against their re-occurrence, and will at the same time inform their Excellencies of the just and confident expectation entertained by the President, that the conciliatory understanding or arrangement between the two governments of the United States and Great Britain, already referred to, should not be disturbed by the citizens of these two States.

"I am directed likewise, by the President, to use this first occasion of an official communication with you, under his orders, to request the favor of you to make known to your Government, the sincere regret which he feels at the existence of any difference or misunderstanding between the United States and Great Britain, upon the subject matter of this letter or any other whatever; and in all the measures which may be adopted on his part toward their adjustment, he will be entirely actuated and governed by a sincere desire to promote the kindest and best feelings on both sides; and to secure the mutual and lasting interest of the parties.

"I pray you, sir, to accept the renewed assurance of the high and distinguished consideration with which I have the honor to be,

"Your obedient and humble servant,

"JAMES A. HAMILTON,

"Acting Secretary of State."

Mr. Vaughan, afterwards Sir Charles, had evidently been so strongly impressed with the opinion, so generally entertained by the Officials of the late administration in Washington, that when he received the above letter, he called at the Department to express to me, personally, the gratification my reply had given to him; he added—"as he was assured it would give to his government."

I intimated to Mr. Vaughan, that he was agreeably disappointed, inasmuch as he had been led to believe that a very different temper would have been manifested. He replied: "I admit it, and attribute the present mood to you." I said, "*no*," when I suggested to the President the reply that ought to be given to your note, he said, "certainly, that is what I want to do." In consequence of the gratification expressed by the British minister with this letter, it was represented very generally in Maine, that I had given up the whole boundary question to Great Britain. Indeed, letters of inquiry on the subject were addressed to the President, which he showed me—one, I think, from Judge Preble. The answer to him was a copy of the above letter.

The Hon. Albert Gallatin, who, with Mr. Preble of Maine, was employed by the government to draw up the argument on the part of the United States, came to Washington and to the Department to be informed as to what had been done. The acting Secretary had never before met this distinguished diplomatist. The answer to his inquiry was given by putting into his hand the recorded letter to Mr. Vaughan. He read it with earnestness, and putting down the volume said, "What a gross perversion! It is just the reply that should have been given." After some conversation on the subject of the arbitrament, the character of the King of the Netherlands, and the propriety of our being properly represented at his court, when the question to be decided should be submitted to him, Mr. Gallatin (I quote from my journal) said, "With your permission I will relate a circumstance that occurred when I was first appointed by Mr. Jefferson as Secretary of the Treasury, which will interest you." I, of course, expressed a wish to hear him. Mr. Gallatin, "You know I succeeded your father as Secretary of the Treasury." James A. Hamilton,—"No! Mr. Wolcott succeeded him." Mr. Gallatin,— "True!—Wolcott was appointed when your father resigned, to carry out his plans under his directions. Shortly after my appointment, Mr. Jefferson said to me, 'Gallatin, your most important duty will be to examine the accounts, all the letters and records of your Department, in order to discover the blunders and frauds of Hamilton, and to ascertain what changes may be required to reform the system—this is a most important duty; it will require all your industry and

acuteness, and to do it thoroughly, you may employ whatever extra force may be required.' You know well what the state of parties was at that time, and I must say, I went to the work with good appetite. The work was performed most thoroughly, occupying much time. All the accounts and correspondence were carefully examined, and thus I became master of the whole system and all its details. When finished, I went to Mr. Jefferson and said to him, 'Mr. President, I have, as you directed me to do, made a most thorough examination of all the books, accounts and correspondence of my department, from its commencement.' The President, with some eagerness, interrupted me, saying: 'Well, Gallatin, what have you found?' I answered him, 'I have found the most perfect system ever formed, and any change that should be made, would only injure it—Hamilton made no blunders, committed no frauds—he did nothing wrong.' I think Mr. Jefferson was disappointed. It affords me much pleasure to make this communication to the son of that illustrious man."

I arose, took Mr. Gallatin's hand, and thanked him most heartily. This was the writer's first acquaintance with Mr. Gallatin, who retired with the understanding that he would call upon me again. He did so, and I was very much impressed with the acuteness and profound knowledge of European affairs manifested by this veteran diplomatist. The next day he addressed the following note to me:

"DEAR SIR: If you have any New York papers that contain the last European accounts, I would thank you to send one to me. I feel interested in the fate of the bill for the Catholic emancipation.

"Respectfully yours,

"ALBERT GALLATIN."

The following statement may be properly presented here:

Mr. Gallatin, in his first report to Congress, approvingly referred to Mr. Hamilton's Funding System thus:

"That the actual revenues of the Union are sufficient to defray all the expenses, civil and military, of the Government to the extent authorized by existing laws, to meet all the engagements of the Government of the United States, and to discharge in fifteen and a half (15½) years the whole of our public debt."

This Report was sent to Mr. Jefferson, then President, and he addressed a letter to Mr. Gallatin, saying:

"I have read and considered your Report on the operations of the Sinking Fund, and entirely approve it as the best plan on which we can set out."

Further, Mr. Jefferson, in a letter to John W. Eppes, June 24, 1813, writes:

"It is a wise rule and should be fundamental in a Government disposed to cherish its credit and at the same time to restrain the use of it within the limits of its faculties, never to borrow a dollar without laying a tax at the same instant for paying the interest annually and the principal within a given term, and to consider that tax as pledged to the creditors as the public faith."

Jefferson, in his "Ana" dated February 14, 1818, speaking of Hamilton's financial system, said :

"It had two objects, 1st. 'as a puzzle to exclude popular understanding and inquiry ; 2d. 'as a machine for the corruption of the Legislature.'"

Mr. Gallatin, who had thoroughly examined this system with a good appetite to find it fraudulent, informed him, who wrote the above, that he found "the most perfect system ever formed," and that "any change that should be made would only injure it. Hamilton did nothing wrong."

Journal, March 18, 1829.—The President by note requested me "to make a synopsis of our foreign relations as to commerce, navigation, and friendship," and, also, "to give him the names of our ministers of every grade ; our consuls and commercial agents, and their places of residence."

I found this a work of great labor, of which I am sure the President had no idea. I went at it, and worked night and day, being determined to finish before Van Buren should take office, which I did. A copy now before me, comprises one hundred pages of cap, and gives a detailed statement of the various treaties between the United States and France, Great Britain, Russia, Spain, Portugal, Netherlands, Sweden, Denmark, Prussia, Naples, Austria, Hanseatic Cities, Mexico, Columbia, Federation of the centre of South America and Brazil, Supplemental Report North-Eastern Boundary. (See Appendix A.)

J. A. HAMILTON TO A FRIEND IN NEW YORK.

WASHINGTON, April 25th, 1829.

"Yesterday when I communicated to Van Buren the President's decision in favor of Swartwout as Collector, and of Hamilton as District Attorney, he (Van Buren) was as much distressed by the latter as the former, or nearly so at least ; the latter increased his deep regret at the former, not from any want of regard for Hamilton, or from a doubt that he would ultimately be appointed ; but because he feared an unfavorable political effect. Swartwout was odious in New York, and Hamilton was a Federalist, and son of the leader of the Federal party. These two appointments might induce a doubt of Van Buren's influence with his chief. He anxiously wished Hamilton to call upon the President and state to him the bad party effect of these two appointments. This Hamilton declined to do, for reasons he gave. It produced an interesting conversation. In the afternoon Van Buren said to Hamilton, 'You will have to go to New York very soon,' and he wrote to his son John to hasten here on that account. In a letter to Cambreling on the subject, he put in a P. S., which he first submitted to Hamilton for his approval. 'The President has this day appointed Hamilton District Attorney. This was done voluntarily by the President, without any conversation with me on the subject.' Van Buren's object was to prove to his political friends that he was not at all responsible and indeed had nothing to do with Hamilton's appointment. I confess I was greatly surprised at this. I knew Van Buren wanted Hamilton here to assist him. He first suggested that he should be his chief clerk, and next that he should be appointed Comptroller in the Treasury Department. Van Buren was surprised because, although his appointment had been intimated to him by Lewis long before, he had not made up his

mind that the appointment would be injurious to him from its unpopularity, until after it was made. Hamilton replied to the remark made by Mr. Van Buren as to Hamilton's going to New York at once. 'He did not consider that necessary immediately,' and thus that was left; the remark as to Hamilton going to New York, was evidently the result of disappointment, and savored of ill temper. Hamilton told the President this morning that he wished to be permitted to remain here a little longer, because Mr. Van Buren desired him to do so. That it was best; this was assented to. Thus this matter stands."

Van Buren, during the early period of life, struggled professionally and politically with men who were decidedly superior to him by their social position, their education and talents; but very inferior to him in uprightness of character. He was thus taught to believe that he must husband all those circumstances which would promote his success. I knew him well during that period, and much better afterwards. I have the recollection of hearing of his doing a generous action. He was a man of great sagacity, of good temper, and winning manners.

The events here related prove that he called upon me to serve him, and that I did render him essential services, and he certainly *never rendered me a service of any kind* that I am aware of.

The following letter, written by Major William Lewis, tends to prove that he was not as mindful of services rendered to him or as true to his best friends as he ought to have been:

WILLIAM B. LEWIS TO JAMES A. HAMILTON.

WASHINGTON, April 10, 1839.

"MY DEAR SIR: Yours of the past month was received several days ago. As you say, I have no doubt there is a strong desire to get rid of, Campbell, Lewis and some others here. But whether they will venture upon so hazardous an experiment as that of proscribing, and dismissing from office, men for *opinion sake merely*, is doubtful. However, desperate men become reckless of consequences, and there is no telling what they may do in cases referred to. Having determined not to leave my office unless I am superseded by order of the President ('Van Buren') I shall continue at my post without turning either to the right or to the left. Since the rumors to which you refer first reached me, I have not been near the President, nor shall I visit him until I know his determination, and even then it is doubtful whether I do. That will depend on circumstances. I cannot say whether he ever intended to remove me, but *I know* that he allowed such a proposition to be made to him, and have reason to *believe* he has had it under consideration. The chief magistrate of a nation who could listen even to such a proposition in relation to one who had done so much, or more perhaps than any other person, to place him where he is, has no right to expect either the friendship or future support of that individual. I repeat, therefore, that our future relations will depend entirely upon the fact, as to whether he ever encouraged those who urged my removal to expect their importunities would be complied with. In conclusion, I will say that he has no just ground of complaint with regard to me. If either party has a right to complain, I am sure you will admit with me that I am that party, and not the President."

The following letter, from C. C. Cambreling, a member of the House of Representatives, is suggestive as to the extent of the business of my office. It is without date, but is endorsed "*April*."

"DEAR HAMILTON: I hand you the enclosed letters, and ask your best attention to them. I wish you to attend to the following matters and things:

"1. Look after Coddington's interests.

"2. W. S. Coe and Abraham B. King as Appraisers.

"3. Look at Hinman's letters enclosed. He is a first-rate Republican.

"4. Hand the enclosed letter of Coe to the Secretary of the Treasury, and the memorial to the General, or to Mr. Ingham, as you may think best.

"5. If our new Secretary of the Navy issues any midshipmen's warrants, get one for Francis E. Brany, of Bristol, Pennsylvania. I have written to Mr. Branch about it. Yours, sincerely."

Swartwout's appointment was opposed by the leading friends of General Jackson and Mr. Van Buren in New York. Mr. Van Buren opposed it most earnestly; and that he might be understood not to be at all responsible for it, he made a statement in writing of his reasons, which were of a personal character, for opposing the appointment, and gave it to the President after the appointment was made, to be kept by him *in memoriam*. After a year or two, the President returned the paper to Mr. Van Buren, saying, "I return this paper to you because time has proved that your opinion of Mr. Swartwout's unfitness for the office was a mistake."

Never was there a worse appointment, either in a personal or party view. I was anxious, and so stated to the President, that Thompson should be retained. He understood the duties of the office, and performed them most satisfactorily. Mr. Swartwout had not a single quality of mind, education, or character, to entitle him to the office. He had no political influence. His brother, General Swartwout, was once Navy Agent, and had been removed as a defaulter.

The two following letters, written by Mr. Jesse Hoyt, are given as specimen letters to guide other applicants who consider themselves as entitled to the rewards for personal services, and the honor of public office:

"NEW YORK, March 8, 1829.

"TO JAMES A. HAMILTON:

"MY DEAR SIR: I returned from Albany a day or two since, and was surprised to hear that the same effort was on foot that had been put in motion then, to save Mr. John Duer from the fate that public expectation considers as awaiting all those who had contributed to sustain those whom the people have thought unworthy of confidence. I believe I am perfectly acquainted with the situation in which you are placed on this subject, and it is due to the regard I entertain for you to apprise you that *I am a candidate for the office*. I have not taken this step without the advice of friends here, and not without a perfect conviction that Mr. Duer's removal is called for by the sufferers in 1824 (Adams was made President) as well

as the victors in 1828. Whatever may be your partiality for Mr. Duer and some of his friends who have acted with you for the last few years, I think you will admit the very great injustice of leaving him in possession of so valuable an office, after all that has taken place within your personal knowledge. Laying out of view any personal considerations, I hazard nothing in saying that the policy of retaining any of the old levers in power will but *too* surely tend to dampen all ardor and energy hereafter. Though this tendency might not reach you or me and many others, its effects could not but be felt.

"Yours, very truly,

J. HOYT."

FROM THE SAME TO THE SAME.

"NEW YORK, April 26, 1829.

"MY DEAR SIR: I am told that the President has offered you Mr. Duer's place. I suppose, then, it is settled that this worthy gentleman is to reap a reward for his political perfidy, which has been withheld 53 days too long, [such language in regard to Mr. Duer was most atrocious; he was as fair and honorable a man as ever breathed,] and that no political orthodox man would be in favor of Mr. Colden. I knew of none but yourself and myself that are asking for it; [I never asked or desired the office; it was thrust upon me, as I have before stated;] and I am *wise enough* to try to satisfy you that you had better not take it; *modest enough* to ask you to support me. You have been out of the profession ten years, and have made a fortune. I have been in it almost double the time, and have contrived to keep poor. You have a natural aversion for the profession. I have a natural love for it. You can have something more dignified. I ask for nothing higher from the powers that be. I have other reasons for asking you to decline the office, even if I do not get it. And *with a very good feeling* I will tell you what it is—If you should not be appointed, I should be prone to think I should have had it. Will you tell me what is to be done?"

"Yours,

J. HOYT."

This man was a pet of Van Buren's. I have understood he was a grocer, and became bankrupt. He was afterwards appointed by Van Buren Collector of the Port of New York. He certainly then purloined a large amount of the public money.

MR. COLEMAN, EDITOR "EVENING POST," TO JAMES A. HAMILTON.

"NEW YORK, March 18, 1829.

"MY DEAR SIR: * * * I am pleased at what you tell me respecting the President's determination, and particularly with his disposition with regard to England. I am convinced that if he brings to an amicable termination the points of difference with that country alone, it will be more conducive to the permanent prosperity of both, than any event that has occurred since the Treaty of '94, and be received with unbounded applause in every quarter of the Union. It is my sincere belief, founded on repeated conversations with intelligent and well disposed Englishmen, that we have nothing to do but receive the hand of good feeling which she will hasten to stretch out to us. For God's sake, no standing upon points and ceremony further than a decent regard to our own dignity demands, and all is as we ourselves could wish.

“David B. Ogden came fresh from Washington yesterday morning, and sat with me nearly an hour in familiar and unreserved chat. He told me the President appeared so utterly incompetent to his new situation that fears were entertained that the Government would run down unless Van Buren could sustain it: that instead of that unmanageable self-will that was apprehended, he was so unsettled, wavering and capricious of purpose, that the last visitor was sure of his ear: that in the ticklish case of General Eaton, his wife had been to him with the story of her wrongs; complained of the treatment she had met with from the high-spirited dames of Washington, and obtained from him a promise, accompanied by an imprecation, that he would espouse her cause, and teach the females of that place that they should bend in low submission to one whose rights he would protect and defend, ‘by the eternal God.’ And such, he said, was the state of things as represented to him when he came away. Van Buren was the only man of the Cabinet of whom wise report spoke well. Berrian was the most unpopular man in Georgia. As to Clay, he never saw him so very much elated. However, he said, candor required him to confess all his associations had been with the disappointed and mortified Adams partisans, and that this ought undoubtedly to be taken into consideration. Calhoun, he said, had already begun to advance his pretension to the next term, and had given a splendid dinner to the conductors of the several presses in various parts of the United States at Washington, of whom no less a number than 18 were present, and among the rest M. M. Noah, the special friend and confidant of Postmaster Gouverneur, who is a Calhoun man. * * *

“I am sorry, indeed, that you should think of leaving Washington at present. It will not be safe; rely upon it. * * * Mr. M. Livingston mentioned to me yesterday that Edward Livingston’s wife is a fine woman, and now is at Washington, and in the house with the General, and he is confident her influence with him would preserve him from such an embarrassing, unfortunate scrape as that mentioned on the preceding page; but that he would get his wife to write to him this day on that subject. I am more afraid of this affair than of any other whatever.

“Adieu, I cannot add another word.”

JAMES A. HAMILTON TO A DISCREET FRIEND.

“DEPARTMENT OF STATE, March 21, 1829.

“MY DEAR SIR: I believe I informed you that during my first visit to Adams we conversed about ‘*the project*’ and that I had told him what you had said about my father’s opinion in regard to the annexation of Louisiana, or as we call it ‘the convention of cession of Louisiana,’ &c., &c. I was required by the President to call upon him again to-day, and after we had concluded the business upon which I went and was about to depart, he said: ‘Mr. Hamilton, when I last saw you, you told me that you thought the expression of your father’s opinion as to the Constitutionality of the annexation of Louisiana had induced Mr. Jefferson to relinquish his Constitutional scruple.’ I replied, ‘I did express such a belief, and I will now state particularly on what it was founded and all I know on the subject. After the publication of Mr. Plumer’s letter, in conversation with Mr. Tazewell I stated to him what Mr. Coleman had written to me on that subject, and Mr. T. in confirmation of that statement of what my father’s views were, said: ‘I received an impression at the time, I think from Mr. Madison, that your father wrote to him or to Mr. Jefferson on the question

of Constitutional power, and that Mr. Jefferson's scruples yielded to his opinion.' Mr. Adams then added, 'You also spoke to me of a letter written by your father to Mr. Cabot.' I replied, 'I did, but I think I was mistaken in the fact.' The letter to which I referred was written, I believe, by Mr. Wolcott to Mr. Cabot, and probably expressed my father's views. He said, 'Have you got that letter?' I replied, 'No! We are seeking for it.' He said, 'I should like to know the date of it—I think that important, and should be glad when it is found if you would inform me of that fact.' I have ascertained that the conversation I had with Mr. King was on the 8th of April.—I wrote to you that it was about the 7th April, 1804. I then read from a letter I this day received from my brother John, as follows: 'A gentleman yesterday sent me a message stating that he had received a letter from Governor Wolcott on the subject of Plumer's letter. It contains a full contradiction of the charge.' Mr. Adams said, 'You suppose by the *charge* he means that against your father contained in Plumer's letter of his having consented to attend a meeting.' I said, 'I presumed that was what he meant. That I knew no more of it than I had read to him.' My object in all that passed between us was first in regard to my father's opinion as to the constitutionality and expediency of the annexation of Louisiana, to exchange in his mind evidence for 'rumor,' and to induce a strong conviction from documentary evidence that my father was averse to the alleged '*project*,' in order that in his reply to the 'appeal' he might be induced to do complete and entire justice to my father. You may be assured that Adams now does and always has believed there was such a *project*, and that he will adduce such proofs of conversations on the subject held by distinguished persons in the Eastern States as will bring conviction to the public mind. He is a zealot, and therefore a little mad on the subject. I do believe at first he united in those opinions then freely expressed and extensively entertained among his friends, and that when the matter became serious he became alarmed, particularly when he found men of a higher order than himself, and others who had conversed with him, did not unite in it. And I also believe that he has now and did in 1808-9 give it a deeper coloring than it deserved—but be assured the public will go with him. He told me he had ascertained that it had originated in Connecticut, and at an earlier day than he had at first supposed, and that it was first occasioned by the slave representation which gave the South an undue influence. In reciting our conversation I ought to have told you in order to be, as I intended to be, exact in all respects, that I told him my father had three days before his death written a letter to Sedgwick strongly impressing upon his mind the importance of preserving the Union. That it was a substitute for a much longer and more elaborate communication that he had proposed to make on that and other subjects connected with the welfare of the country. And also that I asked him if there was not something to be found among Mr. King's papers on this subject. He replied, 'I do not know.' I wrote to Charles King on the subject, and he replied that as they did not wish their father's name to be connected with the matter, and as they intended to keep out of it, they had not looked into their father's papers to ascertain what was there, or something to that effect. I then said that we were at one time with the Kings, and that when James King had been spoken to, he had made a similar reply. He immediately said, 'I, however, have always been on good terms and been treated with kindness by Mr. King and every member of his family.' If I see him again I will let him know the Benson anecdote. Our negotiations will be conducted in a frank and manly manner. If the views and feelings of the President are fairly represented he heartily despises the tricks, airs and

acts of diplomacy which in truth amount to nothing after all but to make a display. When I spoke of '*the old man,*' &c., I meant nothing more than to use a term expressive of the kindness I feel for him, and particularly at this time when he is unwell, and almost worn down. Will you never know how to appreciate what D. B. O. says? He is the prince of gossips and of —. His representations of the vacillating conduct of the President, and of Mrs. Eaton's interview, is all a fable. That Calhoun is billing and cooing, I have no doubt, but when you tell me that Noah should be the friend and confidant of Calhoun it surprises me. I have always known that the latter was a Calhoun man. When we meet I will let you know all. Until then I pray you do not heed anything you hear. Your opinion will be quoted, and you stand now in a position to be very useful. I do not mean to leave Washington for some time, although I am tired and almost sick. Preserve this letter. I have written the first part of it as a memorandum of what passed with Adams.

"Adieu. Yours sincerely, &c.

"P. S. Lyman dined with me yesterday. He is a clever man."

M. VAN BUREN TO JAMES A. HAMILTON.

"ALBANY, March, 1829.

"MY DEAR SIR: I am not sufficiently advised as to the talents of young Duane to enable me to judge of the fitness of his appointment. If he is competent, it strikes me that the selection would be well received. If the General makes one removal at this moment, he must go on. Would it not be better to get the streets of Washington clear of office-seekers first, in the way I proposed? I cannot, from my total want of knowledge as to Barry's professional talents, speak as to the propriety of his appointment. Politically, it would be well, but I take it for granted that, if desired to be done at this time, it will have been done before this reaches you. As to the publication of the session-laws, I have only to say that I wish the contract to be made, and have no personal wishes upon the subject of the individual to be employed other than that (if the public can be as well, and as reasonably, served) it should be one of our friends. If it has been usual (as I take to be the course) to have it done at Washington by the printers to Congress, I would of course contract with Gen. Greene. There can be no difficulty in doing what is right upon this subject without troubling the President farther than to take his advice as to the person to be employed. As to the publication in the newspapers I have more to say. So far as depends on me, my course will be, to restore by a single order every one who has been turned out by Mr. Clay for political reasons, unless circumstances of a personal character have since arisen which would make the reappointment in any case improper. To ascertain that, will take a little time. There I would pause. It would be perfectly agreeable to me to take the responsibility of that measure myself, and I cannot think that it can be necessary to do anything about it until I come down. If the present incumbents should begin the publication of the laws (if that beginning is necessary) their work will be cut off by their respective removals, and the persons appointed will take it up where they leave it off. We are totally buried in the snow here, and I fear that the roads will, for some days, be impassable. I await only the result of my commission or resolution, to resign and be off. Remember me affectionately to the President, and believe me to be

"Very sincerely your friend."

Van Buren was in Washington on the 22d of March, 1829. He did not assume the duties of Secretary until after the 4th of April. Up to that day I was charged with the responsibilities of that office and received the salary for one month. At Van Buren's request, I remained in Washington to assist him in his duties until the latter part of May.

The following extracts from letters written to a friend in New York at the moment the events to which they refer occurred, without reference to their dates, will afford glimpses of an interesting character :

“ April, 1829.

“ I have just returned from dinner at the President's, where everything went off well. The ladies were not at the table. Van Buren, Kendall, Lewis, and I were present. (Kendall was invited at the instance of Mr. Van Buren, who, the day before, said to me, ‘Hamilton, Kendall is to be an influential man. I wish the President would invite him to dinner, and if you have no objection, as you are so intimate with the General, I wish you would propose to him to invite Kendall to meet us at dinner to-morrow.’) I spoke to the President, and Kendall was invited. Van Buren was very attentive to him.”

Another letter to the same :

“ April, 1829.

“ McLane hesitated, but will consent by letter to-day to take the place of Attorney General. But as Berrian has refused the mission and continues Attorney General, that matter is at an end ; and we have offered the mission to McLane, who will, I have no doubt, accept it ; if he does not, the President has intimated to me that I am the next ; Vaughan expressed to me to-day a strong desire that I should go.”

Very shortly after the Cabinet was formed I perceived that the Attorney General (Berrian) was not at all acceptable. At length the feeling ripened into a determination to get rid of him, and to give the place to Louis McLane. The latter had been induced to neglect his private affairs for some years by the allurements of Congress. His most intelligent and excellent wife induced him, when his term of service in the House of Representatives expired, to go to Wilmington (Delaware) and practise law. This being generally understood, the President and Van Buren wishing to bring him into the Cabinet as Attorney General, sent me to see McLane, and authorized me to engage on their behalf if he would return to the public service, that when Judge Duval (who was very aged and infirm) should die, or any other vacancy should occur on the bench of the Supreme Court, he should have it ; and to tell him, if he assented, that he would be appointed Attorney General in the place of Berrian.

I went on this important errand with all haste. We travelled by stages at that time, and over very bad roads. I arrived at McLane's before breakfast. Had an interview with him ; talked the whole matter over, making a distinct offer of the judgeship as the condition of his going into public service. This being well understood, he authorized me to say to the President that he ac-

cepted the offer upon the condition stated, and that he would go to Washington in a few days. I returned without delay and communicated the result of my negotiation. Berrian was not displaced, and McLane was appointed Minister to Great Britain, where he remained until August, 1831, when Van Buren was sent.

McLane was afterwards appointed Secretary of the Treasury. He would not remove the deposits, and was compelled to resign. Duane was appointed; he refused. Then Taney was appointed Secretary of the Treasury. He removed the deposits, and consequently when Justice Marshall died, Taney was appointed in his place, whereas McLane should have been appointed pursuant to the engagement made with him through me. It is said Jackson felt this injustice to McLane so keenly that he called upon President Polk and urged him to appoint McLane to a mission; this was done. Van Buren met Mrs. McLane after the violation of this pledge, and addressed her in his usually courteous manner. She repulsed him, saying, "She could not recognize a man as a gentleman, who was so regardless of his engagements as he had been."

On the 14th April, 1829, McLane addressed the following letter to me:

"DEAR SIR: You will see by the enclosed that you are a better negotiator than you supposed" (referring to the negotiation above stated). "I will confess to you that I have taken this step reluctantly, and with fearful forebodings. I am not, however—unfortunately—in a situation to consult all my feelings, much less to be fastidious, and for reasons which we may talk over when we meet. I have launched my bark on a new sea.

"Believe me very truly yours, L. McLANE."

In a letter of a subsequent date, on the death of Judge Washington, which I will give hereafter, he referred again to this arrangement.

MARTIN VAN BUREN TO PRESIDENT JACKSON.

"April 14, 1829.

"DEAR SIR: I have no doubt we shall very soon receive answers of acceptance from McLane and Woodbury. If we could determine upon the appointment to the Netherlands at the same time, and then announce that of Woodbury and Van Ness from New England, and McLane for Old England, all would be well received, being in itself very proper. The importance of having a resident minister at the Netherlands, acquainted with the controversy, and able to enforce our rights in advance of the submission, is obvious. I cannot doubt Judge Preble's approbation, provided it is understood that he goes afterwards as Envoy; at all events, what is now decided upon may be subject to revision when he arrives. The only difficulty in the way (and a serious one it is) is the situation of Mr. Hughes. Two things in regard to that appear to be certain, viz.: 1st. That he is wholly incompetent to the discharge of the particular and important duties growing out of the Maine contest; and, 2d. That from his present position in the public service, and with an eye to what has taken place, &c., &c., we cannot get him out of the way without giving great general

dissatisfaction, unless it be by promotion of some sort. There is no reason to believe that Mr. Poinsett will return at this time, and, if he should, Mr. Hughes' talents are not well adapted to a Court in which, from our contiguity, &c., we ought to be well represented. There is no other and authorized diplomatic mission open of a grade superior to his own. What, then, can be done with him? The difficulty and delicacy of our situation in this respect has pressed heavily upon my mind, and I have been able to hit upon but one mode in which we can be effectually relieved. However agreeable and pleasant a companion Mr. Hughes is, I do not think that he has the right talents to make him useful to his country in the diplomatic service, and especially in its highest walks. It would, therefore, be a public advantage to get him out of the system; but, as he has been in it so long, and owing to the peculiar conjuncture which exists, is so strongly fixed, that cannot be done without some cost. I submit to your consideration the propriety of giving him money for honors. Can we ever do better with the Consulate at Liverpool than to make it serve this purpose? That General Smith would be satisfied is, I think, highly probable. At all events, that should create no difficulty, as he ought to be satisfied. The obvious fact that the office, instead of being bestowed on a friend, had been made subservient to the great interests of the country (which all would understand), would serve to do away all sympathy for old Mr. Maury—who having been appointed by General Washington, has, on that account, some sanctity attached to his commission."

WILLIAM COLEMAN TO JAMES A. HAMILTON.

"NEW YORK, April 15th.

"DEAR SIR: My object in writing again to-day, is to tell you of a conversation I had yesterday with Col. Troup, leaving you to make such use of it as you may judge best. In the afternoon, he came to my house not a little agitated to inform me that he suspected that Swartwout had been exerting himself, and engaging his friends to exert themselves, to induce the members of the Cincinnati to take an active part in procuring him his appointment; calculating that the influence of this body with General Jackson would be paramount; that Varick had been enlisted, and he feared that Fish also had been persuaded to lend his name to further his views, and that one of the old members of the order had called upon him for the purpose of getting him to join with V. and F. Mr. Troup told his visitor that he would sooner cut off one of his fingers than he would endeavor to persuade General Jackson to do an act that must go near to ruin him in the estimation of his best friends. On which he hastily took his leave. * * * Swartwout has engaged almost every man of decent appearance whom he has found in the streets or elsewhere in furthering his views, and at the same time, keeps a constant running about to and fro, telling every one he meets that his commission is on its way here. Yesterday, I was informed that he had received a letter by the morning's mail from Genl. Swift, another of his cronies, telling him that he had heard General Jackson say at a public dinner at the General's table, that he had given orders for the commission to be made out, and that it would be here by to-day's mail. Troup told me that he had met Burr a day or two since, when the appointment of Swartwout becoming the subject of conversation, Burr, very much to the surprise of T., said that if the President did make it, he would do the most outrageous thing that had yet been done in any part of the United States. From which it would clearly appear that

Burr and Swartwout have ceased to be friends. Col. Troup said he had intended to write at length to Mr. Van Buren, and exert whatever influence he might possess to prevent the President from doing an act that must prove deeply and lastingly injurious, but that he had been dissuaded from doing so by his son, who thought it would expose him to the lasting and inveterate resentment of Swartwout and his friends. Troup in a whisper said, Lenox declared that Swartwout would certainly be appointed. He (Swartwout), having stated to Lenox that the President would keep his promise to him, because he (Jackson) well knew that if he did not, he (Swartwout) would publish to the world, Jackson's participation with Burr in his attempt to sever the States, and establish a Government in a Nation to be formed of a part of Mexico, and of the western part of the United States. But, why not put this vexatious and highly irritating question at rest at once and forever, by appointing John Ferguson to the place of Collector, and Swartwout Naval Officer, if it is not too good a situation for him? Respecting the former, I have no scruple in saying the appointment would give universal satisfaction to every man whose good opinion is worth having either here or elsewhere. Such is the result of my inquiries among our merchants. He is a man of legal acquirements, a good belles-lettres scholar, and of an unblemished private character. His long experience in the Custom-House has made him conversant with all the statutes relating to the revenue, and their various readings and constructions: for he has been the mentor to whom Thompson has always been in the habit of having recourse, and upon whom he has always implicitly relied, in every difficulty. His promotion at this time, I am sure, would be hailed by the merchants of New York with heartfelt pleasure. I had made up my mind this morning to dismiss all scruples from my mind, and approach the President himself in the form of a letter which should contain a fair, impartial, and disinterested statement of the agitation and anxiety that prevail in this city at this moment, concerning the pending appointment of Collector. Perhaps I may prepare such a letter, and envelope it to you by an early mail unsealed, which I shall beg you to read carefully, and then hand to Mr. Van Buren for his perusal also; after which it is to be delivered, or not, according as you and he shall judge meet. I have just this moment been told by Mr. Burnham, with marks of horror on his countenance, that Henry Post, concerning whom I spoke to you in my letter of yesterday, has been appointed an appraiser at the Custom-House—God forbid!

JAMES A. HAMILTON TO WILLIAM COLEMAN.

“WASHINGTON, April 16, 1829.

“DEAR SIR: I would immediately communicate your letter to the President, but that you have mentioned Charles King as opposed to Swartwout. If you had said a gentleman of respectability, or in any other manner described Charles King without naming him, it would have done well; but, with that name in your letter, it would be wholly inoperative. You must, therefore, in the same temper write another letter of the same tenor, omitting that name; and, if you can, I pray you write directly to Ingham or the President, and for this reason say all you have said in your letter, which I return to you for that purpose, omitting that name, but do not delay, and let all your friends write. A vast many letters have been sent here from all quarters, and they must be counteracted by others.”

JAMES A. HAMILTON TO WILLIAM COLEMAN.

"WASHINGTON, April 23, 1829.

"DEAR SIR: To-day, it is believed the appointments for your city will be made. J. Thompson, Collector, will be removed, but who will get his place, I cannot say. I have no doubt Coddington will be appointed Surveyor, and Coe, one of the appraisers. Who will be the other, is uncertain. The District Attorney will be a friend of yours, beyond all doubt. The President said to me, to-day, 'I am anxious to make appointments for New York, that I may have the pleasure of giving you a reward approaching in some measure to the degree of services you have rendered to me.'

Yours, in haste."

A letter to a Judicious Friend, dated April 22, is given, as confirming what I have before stated, in regard to the want of knowledge of the history of our Country, of men in high position. It is as follows:

"In order to preserve the evidence of passing events which may afford something for history, I relate an incident of to-day. The President, Eaton, Donelson and Lewis, present. Eaton, as Secretary of War, had prepared a '*talk*' in reply to a remonstrance of the Cherokee Nation of Indians against what they deemed a usurpation by Georgia; that State having determined, unless they removed before the 10th June, 1830, to drive them out of her territories. The Indians having formed a Constitution for their government, are disposed to place themselves in an independent position as to the State Government.

"The object of the communication to the Indians is, First: to show them that they have not the rights they claim, and, Second: that the Government of the United States has not a Constitutional power to sustain them against Georgia. This paper was carefully prepared, copied, signed by Eaton, and ready to be delivered. The President thought proper to submit it to Van Buren for his opinion as to the constitutional question, and to that end, he gave it to me this morning; directing me to read it, and requesting Van Buren to give him his opinion by 2 o'clock. I read it over before I delivered it to Van Buren, and found a gross inaccuracy (which I will hereafter explain) repeated twice. I gave the paper to Van Buren. He went over it. He suggested alterations, but the faults I had observed, did not occur to him. He came to the Department with the paper, and desired me to examine it with him. We did so. He read it, paragraph by paragraph, and sentence by sentence, suggesting such alterations in the phraseology as occurred to him, but passing over those defects without observing them. He then took it to the President. It was then examined by him, the President, and Eaton, and settled. When he came to dinner (we were living together) I asked him what had been done. He replied that all or most of his suggestions had been adopted. I then asked him, 'if it had occurred to him (I had been thinking of it, and had come to a decided opinion), that there was an error of a most serious nature in stating that "By the Treaty of 1783, and by the acknowledgment of an Independence *thereby* the United States acquired Sovereignty," &c. Whereas the true position was, and it was that which we had always insisted upon, that our Sovereignty was acquired by our Declaration of Independence and our successful war, and not by the acknowledgment of Great Britain or by the Treaty. Before the negotiation of that treaty, our commissioners insisted that the United States must be recognized as a Nation. The Treaty was essentially a settlement of boundaries between independent nations, &c., &c., &c.

"I urged that the position taken in this very important State paper was inaccurate, and might be injurious to us in the controversy in regard to the Eastern boundary line; for, if that treaty was to be considered as a grant of Sovereignty over our Territory, it would be urged that such a grant ought to be construed most strictly against us, and thus that the Maine question might be affected, and that it was historically a blunder; that our Commissioners, under the urgent advice of Mr. Jay, refused to enter upon the negotiation of that treaty unless we met the British Government as an independent nation; in addition, that it, distinctly yields a position we had forever asserted, and sustained against the British as to our fisheries, &c., &c.

"Mr. Van Buren readily yielded to my remarks, only interrupting me to ask how it would interfere with the boundary question. I again explained, in the manner I have stated. He sat down and wrote a letter to Eaton, which he read to me, pointing out the error. The letter was sent. In an hour, Eaton came with Donelson (Lewis having come before) to our room. Van Buren asked him if he had received his note. He had not. Van Buren then explained to him the error, and added, 'Hamilton's keen intelligence first pointed it out!—the paper must be altered.' Eaton produced it. I took it, and referred to the two places. All acquiesced in the propriety of a change. This is a very important paper, and will be much scrutinized. If it had gone forth as it was, it would have disgraced its authors, and must have excited great distrust of the fitness of the two Secretaries to manage the affairs of this great Country;—a distrust which, with all my regard for the President, I cannot help indulging.

"How many other gross faults it may have, I know not. I did not examine it with that care always required to make such a paper what it ought to be. These faults were too glaring to have escaped a tyro in our affairs, and I assure you it makes me tremble, when I reflect how unconscious we all are of our needs; and how indifferent some of our public men are to reading, and making themselves masters of principles, and familiar with the striking facts in the history of our country. If we get through without calamity, it will be by good fortune, by the force and simplicity of our machine, and the sincerity of our relations."

At this day, when referring to this singular event, I am more and more surprised that the Secretary of State and the Secretary of War should have been so ignorant of the interesting events which occurred in Paris, preliminarily to the negotiation of the Treaty of Peace, when Mr. Jay so wisely and firmly resisted the advice of Vergennes, the French minister, to whom he made this memorable declaration: "That he did not consider American independence as requiring any aid or validity from British Acts. If Great Britain treated with them as with any other nation, on a footing of equality, that would be sufficient." And the remarkable declaration of George III. to Lord Shelburne: "The point next my heart, and which I am determined, be the consequence what it may, never to relinquish but with my crown and life, is to prevent a total unequivocal recognition of the independence of America."

Mr. Jay's frank and manly firmness overcame all this obstinacy; and Mr. Oswald, on the 21st September, 1782, received a second commission author.

izing him to treat and conclude with any commissioners vested with equal powers, "by and on the part of the Thirteen United States of America, a peace or truce with the United States." That this epoch of our history, so remarkably manifesting the tenacity of George III., the want of fidelity on the part of France or her minister Vergennes, and so honorable to the American Commissioners, was not reached by the studies of the Secretary of State or the Secretary of War of the United States, is perhaps as remarkable as any other event in the history of the high officials of our Government up to that period.

TO A DISCREET FRIEND.

"WASHINGTON, April 23, 1829.

"MY DEAR SIR: Last evening, after I returned from a party at Carrie Patterson's, I wrote to you a letter of four sheets upon a matter of public importance; indeed, so much so that I dared not trust it to the mail. Should a very good private conveyance offer, I will avail myself of it. I will only add, lest you should be excited by the hesitancy, that as it regards myself, it is creditable to me, and tends greatly to induce a wish to keep me here. I am to-day to dine with Vaughan, to celebrate the King's birthday. I will, when I return, unless my *loyalty* should induce me to drink too deep, give you an account of the feast and all that occurs worthy of remark. To-day the appointments will be made for New York. The President said to me: 'I am anxious to do that work in order to have the pleasure of rendering to you a service in some measure approaching to those you have rendered to me.' I thanked him most heartily.

"I am very tired of being here, among other reasons because I am cruelly disappointed at the manner in which, and to the extent removals and appointments are made."

TO THE SAME.

"April 29, 1829.

"McLane is quite alarmed lest he should be unable to do anything in England. He has presented all sorts of advantages to me to induce me to go with him; and at length proposes that there should be a special mission, and that I should be a commissioner with him; which would make me Envoy Extraordinary and Minister Plenipotentiary; and after a treaty is formed, that I should remain with that title and as a resident minister. To that I would consent; and he is determined to exert himself in the matter with all his power. I do not think it can be brought about: but, if it should be, I do not think I could refuse. I told him it would be a great sacrifice. He replied that I could get the same, or as good an office as that I now have (District-Attorney) on my return."

TO THE SAME.

"WASHINGTON, April 24, 1829.

"The President has sent an order for my appointment as District-Attorney. The rest of the news you will hear soon enough. The appointment of Swartwout has quite annoyed Van Buren, who yesterday sent a strong argument to the President against Swartwout's appointment. It is well, if it were to be, that it is done; and now I dismiss it as a painful subject from my mind, and I hope the Secretary will, as I have advised him, do the same."

FROM JAMES A. HAMILTON TO A DISCREET FRIEND.

"WASHINGTON, May, 1829.

"To-day, Van Buren received a letter from Butler, declining his last and most pressing request to come here. This absolutely cut him down; and as a mark of his regard for me, I repeat what passed when he read the letter. He turned to me and said: 'What shall I do; how much I regret to lose you. However, that cannot be helped; you must not leave me until we get through with the instructions to England and France.' I referred him to the middle of the month as the period of my departure. He replied, 'Oh, my dear friend, what shall I do without you; but stop, say no more of that at present; let us go to our work.' I declare to you, his friendship for, and apparent dependence upon me, for his comfort (if nothing more), is so great as to make me almost sad when I think of leaving him, and particularly believing, as I do, how useful I am to him."

"WASHINGTON, May 12, 1829.

"As the time for my departure approaches, Van Buren draws closer to me; I feel real regret at leaving him; more, indeed, than I could have supposed. He often says, 'When you are gone, what shall I do for a companion! We could live cheerfully and happily together for ever, could we not?' His inquiries after my health, and advice to remain in-doors and take care of myself, are of the most winning character; never did there exist more entire confidence between two men than there is between us. I am just now preparing instructions for the ministers to France and England, and for Lee as Consul-General to the Barbary Powers."

JAMES A. HAMILTON TO WILLIAM COLEMAN.

"WASHINGTON, May 6, 1829.

"DEAR SIR: Your letter of the 4th inst. is received, and I reply to all its points. In the first place, I cannot leave this city until the 15th inst., and perhaps not quite as soon as that, although I am as anxious as you can possibly conceive to get home. My detention is caused by my having been engaged in some public matters which I have not completed, and to throw up which, and thus commit them to new hands, would produce very inconvenient delay. In addition, I am disposed, although at a sacrifice of my personal convenience, to give myself the advantage of completing these works. So much for that. * * * As to the displeasure of Duer and Bunner, to which you refer, it is certainly causeless. The President's mind was made up at an early day on that subject, and nothing could have changed him. A letter was written by some person in New York informing him of the intimacy between King and Duer, and saying, as the President told me, that unless Duer was removed all the declarations as to reform would be considered as illusory and deceptive. He told me this with a tone and energy which seemed to have its origin in some matter of deep feelings. More of all this when we meet.

"Your letter to the President must *not be published*, as much has already been said on the subject of Swartwout's appointment. It stands well as you placed it in the paper of Monday. * * * The appointment to which the President referred was that of Swartwout as Collector."

The Minister to France. The President, shortly after his inauguration, offered this mission to his friend the Hon. Edward Livingston, then a Senator of the United States. His delay in accepting or declining the office embarrassed and indeed displeased the President. However, about the 7th of May, a letter was received at the Department from that gentleman declining the place.

I relate the following to show from what slight causes honors are sometimes conferred.

When Livingston's letter was received, I suggested to Van Buren that it would be well to select another person immediately, in order to avoid the pressure of applicants; that William C. Rives was a fit man for the place; that his appointment would gratify Virginia, and thus you will have an opportunity to prove that you "know how to keep as well as to make friends." He assented, and asked me to go to the President and urge his appointment. I took Livingston's letter. The President said, "Well, I am glad he has decided at last." I suggested that it was important to make an immediate selection, and that Rives was a proper man. He said, "Do you know him—is he competent—what does Van Buren say?" I replied, he thinks the selection will be a good one. "Well, I am satisfied; but before the place is offered, do you write to him to know whether he will accept. I will not have these things hanging so long." I wrote to Rives immediately, who replied as follows, on the 14th of May, when the appointment was made.

"I had the pleasure of receiving by the last mail your very acceptable letter of the 7th inst. enclosing one to Mrs. Rives" (she it was who had said to me that 'Van Buren knew how to make friends, but not how to keep them.') * * * "Permit me, my dear sir, to return you my own thanks for the friendly interest you have been so good as to take in my fortunes; and to assure you that the cordial sanction of such minds as yours to the act of my selection for an important and delicate service materially enhances the gratification arising from it to my own feelings. A letter I had the honor to address a few days ago to our distinguished friend the Secretary of State, has no doubt put you in possession of my decision on the offer made to me."

A LETTER TO A FRIEND.

"May, 1829.

"Mr. Livingston came on here in great haste. He dined with us (Van Buren and J. A. H.) I verily believe his object was to ascertain whether he could not still take the mission to France. That was out of the question, inasmuch as it had been offered to Mr. Rives. He now wishes John Tillotson to be appointed consul at Havre, and Davesac, his brother-in-law, to get a place. All is getting on well. I am very busy."

JAMES A. HAMILTON TO A DISCREET FRIEND.

"May 10, 1829.

"Van Buren and I are invited to dine to-morrow with the President to meet the Danish Governor Von Scholten.

“During the last two days I have devoted myself to the examination of French and English correspondence: and to make notes of instructions to be forwarded to our new ministers at those Courts. When this is done, I have done. I have, however, found much further and other employment, which will keep me in Washington until June.

“This city is in an uproar of excitement owing to removals from office. That operation comes home to the interests and social arrangements of many in this community, and makes all who hold office, tremble. Van Buren is still harping upon keeping me here. He has determined, and the President acquiesces, that in the first message it be recommended that instead of a Home Department an under Secretary of State be appointed (salary \$3,500) with a chief and other clerks; and this office he says I must take—having then enjoyed the District Attorney’s office one year. So, you see, he is bent upon having me here.”

CHAPTER VI.

FROM APRIL 23, 1829—DECEMBER 16, 1830.

Mr. Hamilton appointed District Attorney for the Southern District of New York—Difficulties of the Position—Judgment against Edward Livingston—Its Settlement—Letters from Martin Van Buren—Instructions to Ministers Rives and McLane—Mr. Rhind's Negotiations with the Porte—Mr. Van Buren on the Newspapers—The Eaton Affair considered in the Cabinet—A Long Account by Mr. Van Buren—General Jackson's Message—The National Bank—General Jackson and Congress—Memorial on the German Trade.

THE office of District Attorney of the United States for the Southern District of New York was conferred upon me by President Jackson on the 23d of April, 1829. Having remained in Washington, assisting Mr. Van Buren, Secretary of State, during April and May, 1829, on the 8th of June, 1829, I left Washington to enter upon the arduous duties of that office.

The evening of the day before I left Washington, I went to take leave of the President. He said to me: "Go to the duties of your office, and make as much money as you can; but remember, you are to be always at my command. Branch (Secretary of the Navy) will not hold that office long, and when he retires, you will be called upon to take his place. I want you to be near me."

Having essentially withdrawn from the practice of the law for over six years, and never having been a proficient even in the ordinary course of the profession, I was now called upon to renew a profession, the difficulties of which were increased by the fact that they involved an accurate knowledge of the laws of the United States; of the course of commercial affairs; of the laws particularly applicable thereto; and also of the criminal law.

In addition to the ordinary cases of suits on duty, bonds, prosecutions for forfeitures, of which there were many, I found several long pending suits against defaulting public officers.

The following incident will show how ignorantly or loosely the affairs of the Treasury Department were conducted. My friend, Edward Livingston,

was indebted to the United States to a large amount, for which there was a judgment on record against him in the United States Court in New York. He came to my office in New York with a letter dated 20th August, 1829, addressed to me officially, signed by S. Pleasanton, an agent of the Treasury, by which I was informed that a satisfactory arrangement having been made by the attorney of the United States at New Orleans, for the payment of the balance of the judgment standing against Edward Livingston in my district, which balance was stated to be \$9,511.47, I was directed to enter satisfaction on that judgment. As the letter was handed to me and read, (having been informed by a letter addressed to me by Mr. Livingston, dated June 16, 1829, that "the debt was to be paid by the assignment of property in New Orleans,") I told him I could not enter satisfaction of that judgment on that letter, as no officer of the Government had a right (unless authorized by an act of Congress to do so) to receive anything but money in payment of a debt to the Government, and that his letter of June 16 had conveyed to me the knowledge of the fact that the judgment was not thus paid. He earnestly urged me to obey the order of the agent, insisting that it was not my duty to look into the kind of settlement which was made with the attorney at New Orleans. I, however, entertained a different opinion; and although very much disposed to serve him, I persisted in declining to discharge the judgment. He returned to Washington, and shortly afterwards I received a letter from the Solicitor of the Treasury directing me to enter satisfaction of the judgment in favor of the United States agent, Edward Livingston, the debt having been paid. This being imperative, I drew a satisfaction of the judgment in the usual form on the back of the letter, filed the same, and thus the judgment was cancelled.

Subsequently, Mr. Ogden Hoffman, District Attorney, examining the records in relation to that indebtedness, and finding the satisfaction piece thus written, asked me why I used the Solicitor's note for that purpose. I replied that I did so because I intended that the authority under which I had entered satisfaction of that judgment should always go along with that fact, believing, as I did, that this was an official means of getting over a difficulty, and thus doing a favor to a gentleman who was a personal friend of the President, and who could not receive the salary of office so long as that judgment was in force. It was a piece of jugglery with which I did not choose to be supposed to be connected.

MARTIN VAN BUREN TO J. A. HAMILTON.

WASHINGTON, July 13, 1829.

"MY DEAR HAMILTON: I last evening put the last sentence to Mr. Rives' instructions. They are now in the hands of the copyist, and will be ready for submission to the President when he returns on Wednesday. I assure you I am very happy in having gotten through these works. I hoped to have made Mr. Rives' shorter, but by a singular result, they will not vary three pages. I found it indis-

pensably necessary to throw the whole French affair in a new form. I shall go up to McLane's in a few days, and have some idea of accompanying him to the ship at the mouth of the Delaware, but that is uncertain. If I send Mr. Rives' instructions to him at New York, you have my permission to ask him to show them to you, and the same with McLane. The latter gentleman was much pleased with his, and evidently felt that his business was much simplified, and of course went immediately to worrying himself about his passage, and in regard to which he has suffered Mr. R. to put him in the wrong. For a truly great man, he has more littleness about him than usual. I found the subject of particular directions to Mr. R., in regard to the claims, very embarrassing. I trust you will think I have got over it very well. I mean to write to the claimants to appoint a committee with full power to commit them by their opinion and advice, with whom I will consult, if it should become necessary. I know these people well. Get for them what you may, and they will grumble just as much for the residue as if they had received nothing, whilst, in advance, they would be satisfied with much less. But I do not wish to give publicity to this. I am amused with the rabid virulence of Charles King. His last display of little malice is evinced in the republication of toasts which John McLane got some canal contractors at Georgetown to father, to revenge himself on our ministers for refusing to take him as Secretary. * * *

"The General grows upon me every day. I can fairly say that I have become quite enamored with him. Write me often. I was much pleased with your interview with Mr. Gallatin. His remarks were very important to sustain me in case of misfortune in a course I had determined to pursue, because it was plainly unavoidable. But you will see that I have looked at it in both aspects without materially weakening either. What a farrago of matters here!

"Yours truly."

"P. S.—Mr. Calvert visits me often. He damns us up hill and down for reducing the value of real estate in Washington. He says, that if we were to put it to the vote in the district, we would not get more votes than Mr. Owen did in his contest with Campbell."

PRESIDENT JACKSON TO JAMES A. HAMILTON.

WASHINGTON, July 15, 1829.

"DEAR SIR: Your letter of July 10, marked confidential, I received on my return from Point Comfort, for which I thank you. I have this moment enclosed it to the Secretary of the Treasury for his guide. With the compliments of myself and family to you and yours, I remain, dear sir, your friend, &c."

MR. VAN BUREN TO J. A. HAMILTON.

WASHINGTON, July 18, 1829.

MY DEAR SIR: Thank Mr. Huygens for his suggestions. It is easy to say that it will not do for us to let any *other* power occupy Cuba; but, my dear sir, who is to take the responsibility of preventing it, should the attempt be made? Surely, not the President. He can only remonstrate. To this end I shall, after my return, write a letter to McLane, Rives, and Everett, or Van Ness, directing them what to say upon the subject to the Powers to which they are accredited. My hope and belief is, that

the expedition against Mexico will altogether fail, and that Mexico will not feel herself strong enough to attempt Cuba, with a full knowledge that she could not be allowed to possess it long if she succeeded in conquering it in the first instance, and with reason to believe that it would be the means of involving herself with other Powers. I am well satisfied with my instructions, but you will now see them and judge for yourself.

"You will see by the articles which have already appeared upon the subject of the negotiation of a tariff, how much sensibility there is in the public mind upon that subject. A very ridiculous article was inserted in the *Telegraph* by one of the individuals left by General Green in charge of the paper, upon which Gales has seized with much address. It will be corrected in to-day's *Telegraph*. I shall leave here for McLane's on Wednesday morning. Will stay there a day or two and return to Washington by Cape May. I wrote to Cambreling, advising him and you to meet me at Delaware, and to take a trip to the Cape with me. If you do not apprehend that a meeting with the anti-tariff champion at such a place would, in connection with what has already been said, furnish food for newspaper speculation, I should like to have you come.

"Cam. would turn up his nose at this in great contempt, but there is more in small matters than he is always aware of, although he is really a sensible and useful man. * * * *

"In haste, yours truly."

MARTIN VAN BUREN TO JAMES A. HAMILTON.

"WASHINGTON, August 13, 1829.

"MY DEAR SIR: Baron Krudner left here this morning, in all respects well satisfied. He made no complaints, nor had he cause for any. There is a Mr. Rhind here, whom we have appointed Consul at Odessa. He has been very strongly recommended—appears to be a very sensible, worthy man, and, between us, I have it in contemplation to associate with him Offley to renew the negotiation with the Porte. I am persuaded I can succeed. Krudner is anxious that he should. Enquire about Rhind, and let me know. The President is much better, and keeps us hard at work. He is determined to do all the good he can. We are trying to get him off to the Rip-Raps for a few weeks, and shall succeed. Why is it that the *Courier* and *Post* are so incessant in their attacks upon Don Miguel? Mr. Brent's dispatches in regard to him are much more favorable. He says (and there is no doubt of it), that the publications of that character in the English papers are the result of combined efforts from the opposition at home. Mr. Torlarde becomes very uneasy, and his feelings are the more excited by the circumstance of the arrival and presentation of the new Chargé from Brazil. We shall soon have to decide. I fear, my dear sir, I shall give you too much trouble about my affairs.

"In haste, yours, &c.

"P. S. Ask our good friends the Huygenses when they are coming home, and what I can do for them. Tell them Washington is the healthiest place in the known world—at least so I try to make myself think."

"WASHINGTON, September 8, 1829.

"The credulity of the public in regard to the numerous dissensions in the present Cabinet is amusing, and so far as it relates to our friends mortifying. You are able

to appreciate the means I possess to form an accurate judgment upon the matter, and if you think my statements entitled to confidence, and are disposed, as I have no doubt you will be, to check silly desires of the enemy, I beg you to say, as in truth you may, that there is not a particle of truth in any of those inventions of a despairing and discredited faction. There has been no question decided by the Government since the 4th of March upon which the slightest diversity of opinion has existed between the different members of the Cabinet ; between the President and them collectively, and between them individually, the utmost harmony and the kindest feelings exist, and they are all sedulously engaged, each in his respective sphere, in laboring to deserve the approbation of those by whom they have been selected to serve. No ground for your apprehensions, if the strictness of my principles did not of itself afford sufficient security.

“ The President spoke very affectionately of you to-day, as did Mr. Vaughan, whom I begin to like more and more.

“ Remember me kindly to the ladies. Keep a good look-out upon John, that he does not spend too much money. He has risen a good deal in my estimation by the manner in which he has attended to his business at Oswego. Truly yours,

“ M. VAN BUREN.

“ JAS. A. HAMILTON, Esq.”

PRESIDENT JACKSON TO JAMES A. HAMILTON.

“ WASHINGTON, September 11, 1829.

“ DEAR SIR: It gives me pleasure to acknowledge the receipt of your favor of the 3d instant, and to thank you for the friendly concern which you have expressed for my health.

“ It is my steady object to administer the Government *according to the laws*; and to advance the good of the country by a faithful discharge of my duty. And should Providence enable me to succeed, or, rather, to terminate my course far short of your favorable anticipations, I shall be amply rewarded for the cares and labors which it imposes upon me.

“ Your friend and obedient servant.”

M. VAN BUREN TO J. A. HAMILTON.

“ WASHINGTON, September 11, 1829.

“ DEAR SIR: Mr. B. Trist (whom I take pleasure in introducing to your kind attention) will deliver you the papers for Mr. Rhind. Do me the favor to send for him and deliver them to him. It cannot be necessary to urge upon you nor to ask you to impress upon Mr. Rhind the importance of keeping the whole matter an entire secret. He will not, I trust, make the slightest exception to this. It is also important that he should be off as soon as possible. It has not been thought necessary to make Mr. Rhind an advance towards his expenses, as provision is made for them, when he arrives, and as he was going out independent of his appointment.

“ In haste, your friend.”

M. VAN BUREN TO J. A. HAMILTON.

“ WASHINGTON, September 21, 1829.

“ MY DEAR SIR: You are right in respect to my wishes as to Mr. Rhind's de-

parture. I wish him, by all means, to go as soon as he can. The publication of his appointment as Consul to Odessa will furnish a cover. * * * * *

“Yours, in haste.”

M. VAN BUREN TO J. A. HAMILTON.

“WASHINGTON, September, 1829.

“MY DEAR SIR: It cannot be necessary to trouble the President with this affair. I will answer for Worth’s fidelity to his engagements.

“What is to be done with the indiscretion of our Editors? The last article in the *Courier and Enquirer* is abominable. First, they abuse Don Miguel incessantly, and without discretion, and when we are upon the point of acting, they endeavor to create the impression that what we may do will be done to annoy England, and that, at a moment when we are about commencing the most delicate and important negotiations with her. I told Mr. Rhind that if he hinted to Major Noah the subject entrusted to him, I should see it in the papers. The idle vanity of being thought to be in the secret in relation to public affairs has always been too strong for any considerations of discretion, with Noah. Although he has endeavored to draw public attention to the subject, I am confident Mr. Rhind cannot have disregarded my injunctions. Baron Krudner complains bitterly of the marked partiality of the *Courier and Enquirer*, and *Evening Post* in the publication of news from the East, and of their severe denunciations of Russia. Whence the necessity for this? Russia has always been the friend of the United States, and wishes now to cultivate the best relations with us, and may in a possible, not to say probable, result of the war in the East, be highly useful to us. I told him that we had nothing to do with the papers, could not control them if we would, and must not be held responsible for their acts; and I am strongly tempted to cause such a declaration to be made in the *Telegraph*. It is difficult to make any but the English understand the character of the Press in this Country, and its relation to the Government.

“I wish you would speak to Bennett, from whose prudence I expect much;—beg him to discard the miserable vanity of speculating in advance upon the special movements of the Government for the purpose of being supposed to be advised of them—to state foreign news fairly and frankly, without embarking in foreign feelings; doing justice to all and remarking with calmness and impartiality upon the credit that is due to the different accounts and probable results, without embarking on the side of either! We have friendly relations with all, and desire to maintain them.

“Although it is wiser to avoid following the account of English papers, there is no necessity for avowing, as was done in the *Enquirer*, * * * * *

“The President never was better. He wants more and better pens, and the price of them, so that he can pay, which, you know, is an affair of principle with him.

“Try a gold one—such were Mr. Jefferson’s.

“Yours, cordially.”

M. VAN BUREN TO J. A. HAMILTON.

“September 24, 1829.

“MY DEAR HAMILTON: I have been a little indisposed for a few days, but constantly at work, and am now ready for Van Ness, whom I expect here in a day or

two. I am obliged by your suggestions in relation to the expressions in the document submitted to your inspection. It was looked into at the time by Mr. Brent, Mr. N. Trist, and myself, and we concluded that either expression was allowable, and that such appeared to be the sense of others. Although no great judge in such matters, I like to see things right. Eaton has a mode of expression peculiar to himself, but I understand is generally found strictly correct when looked into. I have found it so, when I quarrelled with him for his peculiarities.

"I have the greatest confidence in our friend Huygens in all respects, but he is wrong in this case. Brent, at Lisbon, was instructed to establish an intercourse with the government in fact, however constituted. All that I had to do, was to be well advised of the facts,—that was done by writing to Brent, whose report repels all idea of a change, and shows that the reports about Don Miguel are in a great degree the result of combination and design on the part of his opponents. If you look at the English papers, you will find that they are evidently preparing the public mind for his resignation. They say we have no right to interfere with him. No other Power has shown a disposition to do so, and Portugal is quiet. What then are we to do? We must have intercourse with his government, and are we to act like children, pouting and saying, 'You have behaved naughty, and therefore we won't speak to you, except so far as is actually necessary.' Mr. Torlarde received instructions from his government to come home if, contrary to our known principles, his recognition was longer delayed—but he has behaved extremely well. The only grounds upon which we could further refrain must be the legitimacy of his title or his overthrow of the Constitution. The first would be madness, and, acting upon the last, we ought for the same reason to refuse diplomatic relations with Spain and France. I have told him I would settle the question early next week.

"You are right as to the inexpediency of publishing Mr. Rhind's appointment. It was done by mistake, but without much fault,—but I believe it will do no harm. They will talk about it a week or two, and then they will forget it. Everything will depend upon the State of the War when he reaches there. If the Russians are successful, our success is certain.

"I am much embarrassed about Poinsett.—My last accounts from Vera Cruz say that his house is protected by Mexican troops, and bring a very spirited and able address of his in replying to the resolution of the Mexican State Government instructing their members in Congress to move his expulsion. The vote in Congress was 23 to 19, which appears to be the state of parties in the popular branch. In the Senate the opposition have the majority, the time of their election not having expired."

THE EATON AFFAIR IN THE CABINET.

"I would rather pull a tooth than say a word to you upon the other subject, although you look at it with higher views. I think you have a little of McLane's fondness for gossip. Now, I have so strong an aversion to it, and that is so well known, that there is perhaps no one in the city who is not better advised upon the point than I am. I will state a few general facts: It appears that before the appointment of the Cabinet, General Jackson had been informed by his friend Dr. Ely, that he had been told by a Presbyterian clergyman of standing, that Mrs. Eaton had had an abortion produced of a child, of which Eaton was the father. This was pressed

upon him through various confidential channels, and he was so much paralyzed by it that he suffered it to come to Eaton's knowledge. Mrs. Eaton immediately went to Philadelphia and demanded the author, which was promised to be given in due time. After the President's return to Washington from the Rip-Raps, his clergyman, Dr. Campbell, called upon him, and told him that he was the Presbyterian clergyman referred to, and then told him a story that he said had been told him by a Dr. Somebody, who is now dead, which contained a relation of his having been sent for, the child being born before he arrived, &c., &c.—an extremely improbable tale—which, he said, he had communicated to Dr. Ely for good and pious purposes, and from friendly motives to General Jackson. The General, with his characteristic sagacity and promptness, urged him to give him the time when that took place, saying that this was the first specific allegation that had been made to him, and that although he could not see why the disclosure had been made to him, he was disposed, since such had been the case, to look into it; and with him, you know, to undertake it to do.

“He found that Timberlake had been a merchant here, and obtained his books, and found by them that he had been in Washington during the whole of the year 1821 (the period, he says, positively fixed upon by Mr. Campbell), and that of course there could have been no inducement for such a step, and the story was consequently false. He then sent for Mr. Campbell and told him he would satisfy him that he had done the woman injustice, and would then expect that, as a minister of the gospel, he would make her all the reparation in his power. It was not controverted but that his facts made it out, that such a thing could not have happened in 1821, but Campbell said the President had not understood him correctly—that it was in '22 or '23, I forget which. The President denied this, and said he could not be mistaken, for he had taken a memorandum of the date at the time. The conduct of Mr. Campbell excited him considerably, but not so as to induce him to say anything at which exception could be taken. There were two other allegations, viz., that Timberlake had cut his throat in consequence of suspicion of Eaton, and that Mrs. E. paid her — board in New York at Mrs. Keese's. Letters were furnished him from several officers who were with Timberlake, which repelled the idea that he had any such impressions, and he himself had received a letter from him on his last cruise, presenting him (General Jackson) with a Turkish pipe, which he (T.) said in his letter he sent through his (Timberlake's) friend, Major Eaton. This was a short time before his death. Dr. Ely had been to New York, and reported that that story was without foundation. In the meantime, Dr. Campbell addressed a letter to the General, which held out the idea that the General might bring his official influence to bear upon the matter to crush him, and requested its forbearance. This led to a correspondence between them, in which the General as usual got decidedly the advantage. Thus things stood when I received a summons to attend at his house in the evening on business, where I found the whole Cabinet (except Major Eaton), Dr. Ely and Campbell. The old gentleman then, through Major Donelson, read, first, his correspondence with Mr. Campbell, second, a protocol of the conversation between Major Donelson (to whom Campbell had made the first communication) and Campbell—the letters from the officers, &c. Dr. Ely made a full statement of his agency in the matter, and expressed his conviction of the falsity of the New York story, and testified loudly and emphatically to the purity and exemplary fairness of the General's conduct in the whole business.

The General wound the matter up by one of his eloquent speeches, in which he stated the manner in which he had been persecuted by confidential communications; the injustice he had done Major Eaton by writing to him; the refusal on the part of all those who had communications with him to stand forward and justify what they had said; his long acquaintance with Major Eaton; the ardor of his friendship for him, and his unlimited confidence in his honor and integrity; his entire conviction that Mrs. Eaton was a virtuous and persecuted woman;—declaring that his object in sending for us was to repel the insinuation that he wished to give the subject a political consequence; announcing his determination to wash his hands of it, and closing with a tolerably emphatic denunciation against any *confidential* communications upon the subject for the future. He said, that if any person had come forward and established, as he had asked them to do, anything dishonest against Eaton, he would have instantly cast him off, if he had been the last friend he had in the world; but that all the world knew, and, if they did not, they should, that he never abandoned his friends except for causes well established, &c.; and so, we broke up.

“He quit Mr. Campbell’s church because he said he had not acted like a Christian, and his preaching would be lost upon him. He now goes to Dr. Post’s, and the gossips say that he has been driven from pillar to post, regarding Campbell (of whom I think very lightly) as a pillar in the church. A quarrel between Eaton and Branch, from a supposition on the part of the former that B. had not used Mr. E. properly, was threatened. All the agency I have taken in the matter has been to prevent violence in that, and one other, respect. It has given rise to strong feelings in that quarter, which may or may not pass over. The President has, since that time, talked freely and confidentially with me upon the subject. He feels deeply for Eaton, but is in better health and spirits than I ever knew him—more bright, by far, than when you were here, and will not do a weak or imprudent thing of any description. Removals of Towson and others, sometimes reaching higher, are talked about; but you need have no apprehension that the wheels of Government will stop in consequence of it. It has had a tendency to check the intermeddling spirit of some, and, so far, has done good.

“Now you have the whole story.

“Your friend.”

CHARLES RHIND TO JAMES A. HAMILTON.

“NEW YORK, October 14, 1829.

“DEAR SIR: I beg you to accept my grateful acknowledgements for the very friendly manner in which you have been pleased to introduce me to Commodore Biddle.

“I shall send Mr. Offley’s letter to Mr. Van Buren by the mail of to-morrow, and if you will do me the favor to indorse the Bond (as Consul), and bring it with you to your office to-morrow morning, I will send both in one enclosure.

“I also ask the favor of you to address a note to Commodore Biddle quoting Mr. Van Buren’s letter so far as regards my expenses. I leave my own private affairs untouched, and shall proceed on my mission with the sole view of accomplishing it, leaving my commercial arrangements entirely out of the question. As Mr. Van Buren observes, my expenses only are to be paid, and thic I wish the Commodore to understand. The remuneration for services, I leave entirely to the President and Mr. Van

Buren, and that is a matter of no importance in my view of the subject,—my aim being entirely to obtain the vast commerce which will afford life and vigor to the shipping interest now so much depressed. The immense importance of this trade is not known, but if we succeed in making a treaty (of which I have no doubt), I venture to assert that no administration since the days of Washington will have effected an object of such vast importance; when developed, it cannot fail to draw applause from every quarter of the Union.

“I indulge the fond hope that before Congress adjourns, I shall return with a satisfactory treaty, opening to us this immense field for the enterprise of our citizens; and I assure you, it will be one of the most gratifying circumstances in my whole life, to be an humble instrument in effecting it. I shall not return without a treaty or *permission* to open the commerce of that sea—and as *I must return* to make my commercial arrangements, and arrange my private affairs, I shall use every effort to be here early in the spring.

“With great respect and esteem, I am, dear sir, your obedient servant.

“P. S. With the exception of my son and yourself, no one is aware of my movements. I shall not even take leave of my family, but embark silently.”

M. VAN BUREN TO JAMES A. HAMILTON.

“WASHINGTON, October 15, 1829.

“DEAR SIR: I hate to plague you, but you may as well die for an old sheep as a lamb, and I do not know where that reprobate son of mine is, but take it for granted he is on his way. If not, I wish you would give him a sound flogging for not writing to me. Now for business.

“I have just finished a despatch for Madrid, which I would give a crown to be able to show to you. Lewis, whom I begin to like very well, is coming to New York. For God’s sake, enable him to distinguish the honest men from the rogues.

“How is Eliza? She is a bad girl that she won’t write me. The President’s health really was never better, nor mine. * * * I have dined with Vaughan about seven times this winter. He behaves extremely well. My business, though unfinished, has become very easy and agreeable, and I am spending my time very pleasantly.

“Remember me to Mrs. H., and don’t forget to let Eliza spend the winter here.

“Yours truly,

“M. VAN BUREN.

“JAMES A. HAMILTON.”

PRESIDENT JACKSON’S MESSAGE, 1829.

In November, 1829, Van Buren, Lewis, and other friends of the President being embarrassed in relation to some parts of the proposed Message, and particularly such parts as related to the Bank of the United States, urged me to go to Washington in the hope that I might be useful.

From a letter now before me, addressed to a friend, written at the President’s house, Washington, Nov. 28, 1829, I quote :

On my arrival, yesterday, at half past 3 o’clock, I went to Van Buren’s,

and received a most pleasing reception; after dinner, I came to the President's house, where I had a little conversation with him, and an invitation to breakfast this morning; after breakfast the President entered upon all his matters; told me he wanted my time, and in order that I might give it to him with greater facility, desired me to stay with him, and designated a room which I am now occupying amid scraps and drafts of all kinds. I found that the draft of the message was the work of different hands. That which referred to the Indians, extended over several pages. The Bank of the United States was attacked at great length in a loose, newspaper, slashing style. I was at work until about four o'clock in the morning; during the night the President, who slept in an adjoining room, being awakened by my repairing my fire, came into my room in his night gown, and said, "My dear Colonel, Why are you up so late?" I replied, "I am at my work which I mean to finish before I sleep." He then called his mulatto servant, who slept on a rug in his room, to come and remain in my room to keep the fire going. I went to bed at five o'clock, and at eight, having dressed myself, I went into his room to inform him that the work was finished. He asked, "What have you said about the Bank?" I replied, "Very little." I then read what I had written. "The charter of the Bank of the United States expires in 1836, and its stockholders will most probably apply for a renewal of their privileges. In order to avoid the evils resulting from precipitancy in a measure involving such important principles, such deep pecuniary interests, I feel I cannot do justice to the parties interested too soon, to present it to the deliberate consideration of the legislature and the people. Both the constitutionality and the expediency of the law creating the bank are well questioned by a large portion of our fellow-citizens; and it must be admitted by all that it has failed in the great end of establishing a uniform and sound currency." When I stopped here, he said, "Do you think that is all I ought to say?" I answered, "I think you ought to say nothing at present about the bank."

He replied, "Oh! My friend, I am pledged against the bank, but if you think that is enough, so let it be." Giving him the message as I had arranged its various parts, and copied it, I left it with him, and returned to my room, dressed myself, and went over to Van Buren's to breakfast, taking with me the draft of what I had written in regard to the bank. When I came in, Van Buren said, "Well, Hamilton, what is done?" I replied, "the work is finished. I could not induce him to let me omit everything as to the bank, and here is what he agrees to." I then read the above paragraph, and said to him: "Van Buren, you are against the bank on the ground of its unconstitutionality." He said, "Oh! no, I believe with Mr. Madison that the contemporaneous recognition of the constitutional power to establish a bank by all the departments of the government, and with the concurrence of the people, has settled that question in favor of the power." See Mr. Madison's message of the 30th of January, 1815.

A letter to a friend, dated, President's house, Monday evening, Nov. 30, 1829, says:

"I have only time after a long day's work to write: I am almost well; and in order to be quite so, I abstain from all wine and nearly all food.

"The President's message now entirely engrosses us, and you will say it must have great interest, when you learn that I was at work until 12 o'clock last night, and, again, at 7 this morning, and from that time to this, without more interruption than breakfast and dinner. It will be quite interesting.

"J. A. HAMILTON."

I quote from a letter to a discreet friend:

PRESIDENT'S HOUSE, 3 o'clock P. M., Dec. 3, 1829.

"I gave the President the hour for a confidential conversation which he requested last night, and I now relate to you what occurred, in order that it may be preserved in this form. After talking about the message, the revision of which I supposed I had completed, which occupied me from 10 to 4 o'clock in the morning, and also touching upon the difficulties in the cabinet, growing out of a certain delicate matter, he said, 'Col. Hamilton, I named to you that I wished to have a confidential conversation with you: what I am now going to say, I never breathed to any human being. You must know that the public mind is turned to Van Buren as the President of the United States, and I am afraid that his being Secretary of State will be an objection to him, for everything will be done against him by Calhoun. Now when he leaves the Cabinet, which cannot be very soon, I have determined you shall (if you will) take his place. It cannot be very soon, but will be so.' I replied, 'General, in answer to your suggestion, I can only say that there is no situation in which you can place me that I am not willing to serve you.' 'Very well,' said he, 'so let it rest until the time arrives.' We then conversed upon sundry other matters. At present, I make no comment on this unexpected and singular suggestion, but I believe I understand it."

PRESIDENT JACKSON TO JAMES A. HAMILTON

"WASHINGTON, December 19, 1829.

"MY DEAR SIR: It is a source of much gratification to me that the message has been so generally well received both by my friends and a great portion of my political enemies. I have received from Virginia, North Carolina, Pennsylvania, New York, and Ohio, very flattering congratulations on this subject. I was aware the bank question would be disapproved by all the sordid and interested who prize self-interest more than the perpetuity of our liberty, and the blessings of a free republican government. * * * The confidence reposed by my country dictated to my conscience that now was the proper time, and, although I disliked to act contrary to the opinion of so great a majority of my cabinet, I could not shrink from a duty so imperious to the safety and purity of our free institutions as I considered this to be. I have brought it before the people, and I have confidence that they will do their duty.

"I will thank you for your ideas on the details of my proposed National Bank. First, as a bank of deposit for the facility of the transfer of public moneys and the establishment of a sound and uniform currency, making, if you please, the Custom-house a branch to this National Bank, and attaching it to the Treasury Department.

The other of a mixed character which may fulfil all the purposes of a bank, and be free from the infringement of State rights and our Constitution. So soon as your leisure will permit, I will thank you for your views upon this important subject, that I may use them when it may become necessary in the way you have suggested. I am happy to hear that on your return you found your amiable family well, to whom I pray you to present me most respectfully.

“Sincerely your friend,

“ANDREW JACKSON.”

JAMES A. HAMILTON TO DUFF GREEN, ESQ.

“NEW YORK, December 19, 1829, 3 o'clock P. M.

“DEAR SIR: Your letter of the 16th instant is this moment received. The intimation that *I am to be charged* with a speculation, &c., surprises me; as much because I have not heard of or seen the article or paper to which you refer, as from its being wholly groundless. I never have been connected with the Bank in any way or manner whatever, and never made a purchase or engaged in a speculation in its stock, directly or through the intervention of any other persons.

“I arrived in this city late Tuesday evening, and the message was received early the next morning, and since my return I have been continually unwell and engaged in Court, which must be my excuse for not having attended to your particular business. As the Court adjourned to-day, I am now relieved, and will, as far as my health will permit, endeavor to ascertain whether the money can be borrowed or not. In haste, yours, &c.”

JAMES A. HAMILTON TO PRESIDENT ANDREW JACKSON.

“NEW YORK, December 22, 1829.

“MY DEAR SIR: I enclose a letter received by me from our friend General Green, and beg leave to call your attention to the last paragraph. This letter was received late on Saturday or Monday. I called upon the Editor of the *Daily Advertiser* to examine his files (for I had not heard of the paragraph referred to). I did so, and inquired of the Editor whether any allusion was intended to be made to me. He assured me unhesitatingly that he had no such intention, that I had not been mentioned or referred to as in the remotest degree connected with the speculations commented upon, and this he repeated to a friend of mine who interrogated him on the subject. Indeed the paragraph itself does not allude to any person whatever. In addition to this, I think it due to myself to declare in the most emphatic manner that I never had any connection with the Bank of the United States; that I never bought or sold or speculated in its stock directly or indirectly; and that I never afforded any information of any kind to any person whatever, in relation to the Bank with a view to speculate in the stock. I feel that it is due to myself thus to meet and put down the slightest intimation of such an abuse of the confidence you have honored me with in relation to this subject.”

DUFF GREEN TO JAMES A. HAMILTON.

“WASHINGTON, December 31, 1829.

“DEAR SIR: Yours of the 27th instant is before me. I, on the day before yes-

terday, had a conversation with the President and explained to him the whole matter. As I wrote to you a few days since, I coupled the fact that on the same day that the article from the *Daily* appeared in the *Journal*, I heard that a report was current in the streets that you had come here for the purpose of writing the President's message. I am glad to hear that the charge has not been made against you, and if you suspect any one else it is due to all others that I should say that the suspicion that the article was intended for you originated as I have stated.

"Yours, &c."

JAMES A. HAMILTON TO MONS. LE BARON DE SACKEN, &c., &c.

"WASHINGTON, November 25, 1830.

"DEAR SIR: I thank you for the service you have rendered me by permitting me to be correctly informed by the perusal of the instructions, &c., themselves, of the principles which govern the allied Sovereigns. I regret, however, that the restrictions under which I received that knowledge do not allow me so to use it as to enable me to disabuse the public mind here on so interesting a subject. You may have remarked that notwithstanding the frequent avowals of the Executive of the United States of his confidence in the friendship of the Imperial Government—the repeated manifestations that the people of the United States have received of that friendship, the public sentiment here is poisoned by the belief that his Imperial Majesty and his Allies are engaged in a crusade against all representative governments.

"With very great respect and regard, I remain, dear sir,

"Your obedient servant, &c."

ANDREW J. DONELSON, President's Private Secretary, TO JAMES A. HAMILTON.

"WASHINGTON CITY, November 28, 1831.

"DEAR SIR: Allow me to tender to you and Mrs. Hamilton my thanks for the hospitable attention extended to Mrs. Donelson and her party during her recent visit to your city. It would have afforded me much pleasure to have shared them, but as I could not without neglecting my business here, I trust that you will not allow my account as your debtor to be at all diminished. You may have heard before this reaches you of the illness of the President. He has been attacked with the common intermittent fever of this place, and has been obliged to submit to the ordinary remedies. They have not yet entirely broken the fever, but it is so much moderated that we look upon the patient as convalescent. The alarm of some of our friends may have prepared you for a less favorable account of this attack than this. Our family is otherwise in good health. Major Lewis and myself have both had attacks similar to those of the President, but less violent.

"With my best wishes, &c., I am, with great respect, yours."

The President, on 1st January, 1830, addressed to James A. Hamilton the following letter:

"MY DEAR SIR: Your letter of the 22d ultimo was received in due course of mail, and in reply I have to observe that I regret you should have thought it necessary to declare to me that you had no agency in speculating in the bank stock or making advantage of your knowledge of my opposition to a rechartering of the Bank

of the United States. You are surely aware of my exalted opinion of your virtue and honesty, and this must convince you that I think you incapable of any thing dishonorable, dishonest or unfair.

"The last paragraph of Gen. Green's letter surprised me, and I sought an interview with him to be informed on what he rested the assertion of Mr. Biddle's declaration with regard to me and my Cabinet being friendly to the recharter of the Bank. He gave me the name of his informant and reasons for his belief that it was true; for myself I cannot believe it; for Major Biddle acknowledged my frankness to him on this subject to Major Lewis and others. I can scarcely believe that he, for the sake of vile speculation, would state what he knew to be false. But the longer we live the more we will learn of mankind, and I fear its morale is not improving as fast as I could wish it. Believe me your friend,

"ANDREW JACKSON."

COL. WILLIAM B. LEWIS TO JAMES A. HAMILTON.

"WASHINGTON, January 4, 1830.

"MY DEAR SIR: Mr. Van Buren, I think, has much more to fear from his own than the friends of Mr. Calhoun. The publication in the *New York Courier* putting forth the claims of Mr. Van Buren as the successor of General Jackson, has produced a good deal of excitement here among a certain description of politicians, and I fear will do Mr. Van Buren no good. The editorial article alluded to, was certainly very indiscreet and *ill-timed*. It will be supposed by some of the General's real friends, who do not understand the present state of things, that it evidences a disposition, on the part of Mr. Van Buren, to cut loose from him, and set up for himself.

"Your friend, &c."

JAMES A. HAMILTON TO ANDREW JACKSON.

"NEW YORK, January 4, 1830.

"MY DEAR SIR: I have the pleasure to enclose a few hints on the subject of Banks or Offices of Deposit, to assist the fiscal operations of the Treasury, and to establish a uniform currency. It is not expected that such an adjunct to the Treasury Department will perform all the functions of a Bank, in its general acceptation. Indeed the principal end of such an institution, which is, by means of its credit, to extend the circulating medium of the country to the limit which the laws of commerce assign to it, is expressly denied to the managers of these Banks or Offices of Deposit. The issue of notes is confined to the actual deposits of Gold or Silver, or Bank-notes convertible into Gold or Silver, and at the standard value of those metals; whereas a Bank of discount limits or ought to limit its issues, not by the amount of its specie capital and deposits, but by the amount of circulation which the commercial operations of the community can absorb; and this can always be done without, or with a very small specie capital; provided the business of the Bank is confined, as it ought invariably to be, to discounting business paper, or in other words, notes or bills of exchange, created by commercial interchanges. The proposed Banks or Offices of Deposit, consequently, will not have the power of assisting the Government or individuals by loans or advances in any emergency, a defect which may be seriously felt by both, should the country be exposed to war, but which is incident to their organization, and cannot be avoided without running the

risk of far greater evils. For it will be admitted that it would be highly indiscreet to intrust the funds and the credit of the Government to the management of individuals, unless their industry, vigilance and caution should be called into action by motives of strong personal and pecuniary interest; such an interest as the Directors of a Bank, who are stockholders, are supposed always to have in the institutions committed to their management.

"As I do not mean to extend this letter to a dissertation upon Banking, I must return to the matter in hand. I have by marginal notes explained the reasons for the different provisions of the project I have formed, and shall be happy if what I have done, or any part of it, can be in the slightest degree useful to you in building upon it a better plan. I intend to send you shortly a plan of a Bank of Discount as well as Deposit; which will not be obnoxious to any constitutional objection, because it will be, like any other of its offices, exclusively under the direction and control of the Government. With truest attachment

"I remain your friend."

L.—A PROJECT TO CREATE OFFICES OF DEPOSIT IN AID OF THE FISCAL OPERATIONS OF THE GOVERNMENT, AND TO ESTABLISH A UNIFORM CURRENCY.

"1st. Offices of Deposit shall be established in the several places following, viz. : New York, Philadelphia, &c., &c. (selecting such places on the seaboard and the interior, as are most convenient for receiving the public revenues, and such other places as Congress may from time to time direct).

"2d. These Offices shall be under the direction of five Commissioners (one of whom is to be designated as President), to be appointed as Congress may direct for one year, and not to be appointed longer than for three years in succession.

"3d. The respective Commissioners for the time being shall have power to appoint, with the approbation of the Secretary of the Treasury, a Cashier and such other officers, clerks and servants under them, as shall be necessary for executing the business of their said office, and to allow them, with the assent of the Secretary of the Treasury, such compensation as shall be reasonable, for their respective services. And the Commissioners shall exercise such other powers for the well-governing and ordering of the said officers as shall be prescribed, fixed, and determined by the laws, regulations and ordinances of the said Office of Deposit.

"4th. The revenues of the Government of the United States shall be deposited in the said offices, and be held by the said Commissioners in trust for the said Government, or passed from time to time to the credit of the Treasurer of the United States, or such other officer as Congress may direct.

"5th. The said Commissioners of the said offices respectively shall furnish the Secretary of the Treasury from time to time, as often as he may require, not exceeding once a week, with statements of the amount of deposits made in their several offices, and also the amount of notes issued by them respectively; distinguishing the amount of deposits on public and private accounts, and the amount of specie and public stocks on hand: and the said Secretary shall have a right to inspect such general accounts of the books of the said office as shall relate to such statements, provided that this shall not be construed into a right in the Commissioners to give the names or amounts of individual deposits, or in the Secretary of the Treasury to inspect the accounts of any private individual or individuals with the said office.

"6th. The said Commissioners shall receive in deposit and hold in trust to the use of the person who may deposit the same, any sum of money of any individual, or individuals, or body corporate, and give the depositor credit for the same.

"7th. The said Commissioners of the respective offices shall at the said office re-deliver to the depositor, upon his check, the amount of such deposit in gold or silver coin, or in the notes of the said office payable on demand in like coin; deducting from the amount of said deposit $\frac{1}{8}$ of one per cent. for the safe keeping of the same.

"8th. Each depositor may, upon giving notice of his intention to leave in deposit the money deposited as aforesaid in the said office for the term of ninety days, receive a note payable at the end of that time, with interest at the rate of (3%) three per cent. per annum; and if the said note shall be presented for payment and paid, before it shall have become due, the interest thereon shall not, nor shall any part thereof be paid. The Commissioners shall be at liberty, upon the presentation of any such post note before it shall fall due, to pay the same or not as the interest or convenience of the said office may dictate. If any post note shall not be presented at the office wherefrom it was issued, when it falls due or within three days after, the interest on said note when thereafter the same shall be paid, shall not be computed for a longer time than up to the date it became payable.

"9th. The said Commissioners may issue notes upon deposit, payable on demand or payable at the end of ninety days on interest as is above stated; but no note shall be issued for a sum less than five dollars. All notes issued by the Commissioners of said offices respectively, shall be signed by the President and Cashier of such office, and shall be payable to the bearer at their offices respectively, in gold or silver coin; and the good faith and the property of the United States is hereby pledged for the due, punctual and true payment of the notes of said offices, and the repayment of all deposits made therein.

"The Commissioners of said offices respectively may, from time to time, under the direction, and with the assent, of the Secretary of the Treasury, invest in the public stocks of the United States, or of the several States, not more than () per cent. of the gross amount of the deposits made in the respective offices. The said stock to be held by the said Commissioners in trust to pay the amount of the said deposits; the notes issued thereon; and the interest to accrue on such notes as may be at interest, as is hereinbefore stated: and they shall receive the interest on dividends on said stock and reinvest the same in the public stocks, which stocks shall be held by the said Commissioners in trust as aforesaid.

"11th. The notes or bills of the said Commissioners, originally made payable on demand, or which shall be past due, and payable on demand, shall be receivable in all payments to the United States unless otherwise directed by Congress.

"12th. The said Commissioners, when required by the Secretary of the Treasury, shall give the necessary facilities for transferring the public funds from place to place within the United States or the Territories thereof, and for distributing the same in payment of the public creditors; and shall also do and perform the several and respective duties of the Commissioners of loans for the several States, or any one or more of them, when required by law.

"13th. As to counterfeiting notes, and as to frauds, adopt the 18th and 19th sections of Act to incorporate the subscribers to the Bank of the United States, passed April 10th, 1826 (see Ingersoll's Digest, edition of 1821, page 93), altering them so as to make them conform to this project.

II.—COLLECTION OF THE PUBLIC REVENUE.

“1st. All bonds, contracts or other agreements for the payment of money to the United States, as well as all money received by any of its officers or other persons, belonging to the United States, shall forthwith and without delay be deposited for collection or safe keeping in such one of the said offices as shall be most convenient to the said officer or other person who may take the said bonds, &c., or collect and receive the said moneys, and as may be designated for that purpose by the Secretary of the Treasury, the Postmaster-General, the Commissioners of the Land Office, or the agent of the Treasury.

“2d. The Collectors of the several ports of the United States shall daily and every day, as bonds are executed to secure the payment of duties of the United States, deposit the said bonds for collection in such one of the said offices of deposit as may be most convenient to the Custom House of said port, and shall be designated by the Secretary of the Treasury, and the said Collector so depositing the said bonds shall be charged with the amount of the same, and the said Collector shall also daily, and every day, deposit in the said office all sums of money received by him in payment of duties, or in deposit to secure the payment of duties; and the amount of all sums of money received by him for fees, fines, penalties, forfeitures or otherwise, and he shall be charged with the amount of the same.

“3d. The said Collector who shall be so charged with the said bonds, or with the amount of money deposited by him, shall be discharged from the amount of such of the said bonds as shall be paid, whenever he shall transfer the amount paid thereon to the credit of the Treasurer of the United States, and also from the amount of such of the said bonds as are not paid, whenever they are transferred to the account of the District Attorney of the United States in manner hereinafter mentioned: and the said Collector shall be also discharged from the amount of such of the said sums of money so deposited by and charged to him, as he shall disburse in the course of business or expenses of his office, in the manner hereinafter mentioned, or as he shall transfer to the credit of the Treasurer of the United States.

“4th. All payments by the said Collector shall be made upon his check, countersigned by the Cashier, and made payable to the order of the person receiving the same; and the said check shall on the back thereof contain a brief statement of the account for which the said check is given; whether for a return of deposit, or for payment of salaries, or other expenses, and upon all payments so made, except for a return of deposit; the said Collector shall take receipts in manner and form as is now required by the regulations of his office.

“5th. Whenever any such bond, or bonds, shall remain unpaid on the day it falls due, it shall be the duty of the said Commissioner, immediately after the said office shall be closed, to cause a copy of said bond or bonds to be sent to the office of the District Attorney of the United States for the said district, and to charge him with the same in account with the said office, and the said District Attorney shall forthwith put the said bond in suit, and prosecute the same with effect; and the said District Attorney shall be discharged from the amount of the said bonds so charged against him, or such part thereof as shall be paid; and he shall be discharged from such other part as shall not be paid, whenever he shall deposit in the said bank a certificate of the Clerk of the District Court in the district to which he is appointed, stating that a judgment has been recovered on such bonds, and that an execution has

been issued thereon against the property of the defendant or defendants against whom the said judgment is entered, together with the certificate of the Marshal of the said or any other district that he has received such execution from the said Attorney; or whenever a suit is instituted upon any of the said bonds, and the parties to said bonds, or their legal representatives, cannot be found, which shall be proved by a return of the Marshal of *non est inventus* to those writs of Capias issued three successive terms against the parties to the said bonds or to the legal representative of such of the said parties as are then dead; and when the certificate of the clerk of the said court to that effect is produced and deposited in the said office, the said District Attorney shall be paid by the Collector from whence the said bond was received, his costs in said suit, to be taxed by the Judge of the Court in which the same was instituted, whenever the said District Attorney shall be discharged from the amount of any bonds so charged to him, provided the said costs have not been paid by the defendants in the said suits.

“6th. The Marshal, who shall receive the said execution from the District Attorney, shall be charged with the amount directed to be levied thereupon, and shall be discharged from the same by payment into the said office of deposit the amount collected by him on the said execution or upon depositing in the said office of deposit, a certificate of the Clerk of the said court, and of the said District Attorney that the said executions have been returned unsatisfied.

“7th. All further proceedings for the purpose of recovering the amount due upon the said bond or judgments must be instituted upon a case submitted to the Agent of the Treasury and by his direction.

“8th. The receiver of moneys for the sale of lands must be required to make deposits, &c., &c. (not being sufficiently acquainted with the course of these proceedings, I cannot make any provisions in regard to them. The same in regard to post-masters).”

III.—DISBURSEMENT OF PUBLIC MONEY.

“1st. The regulations of the Treasury now existing in regard to the deposits, to the credit of the Treasurer, and of the several Post Offices in regard to deposits to the credit of the Postmaster-General, may be adopted and sanctioned by law, with such alterations as may be deemed salutary.

“2d. All moneys appropriated to the Treasury, and which may be drawn from it for the payment of the civil, miscellaneous, and diplomatic expenses, the Military Establishment, the Naval Establishment, and the Public Debt, shall, as the same or parts thereof may required, be carried in the respective offices of deposit most convenient to the *places* of such expenditure, when the same is within the United States, to the credit of the person or persons whose duty it may be to expend the same, and the said person or persons shall be charged with the several amounts so carried to their credit respectively.

“3d. The said person or persons shall not, on any pretence whatever, draw the said moneys from the said offices except when the same are required to be expended in the manner and for the purposes for which they have been carried to their credit, as aforesaid.

“4th. The said moneys shall only be drawn from the said offices, upon checks to the order of the person or persons entitled to receive the same, or his or their

agents, and upon the back of the said check there shall be a brief statement of the object to which the amount for which the said checks is drawn is applied. The form of the said checks shall be devised by the Secretary of the Treasury and furnished to the several disbursing officers of the Government at the respective offices of deposit in which they shall receive the credit aforesaid, and the said several sums so carried to their credit in the said office, and with which they are charged in account with the United States by the amount drawn on such checks, from the said office : provided, always, and it is here expressly declared, that the said disbursing officers and several Collectors of the Customs shall be held responsible, as they now are under the several Acts of Congress, for that purpose now in force, or which may be hereafter enacted, until their several accounts shall be audited and settled at the Department of the Treasury, in the same manner that they are now required and directed by law to be credited and settled, and to that end they shall be required to take and furnish to the accounting officers of the Treasury, their accounts and vouchers at the time, and in the manner and form required by law, and the regulations now in force or which may hereafter be adopted to that end. The Commissioners of said offices shall not be allowed, as such Commissioners, to purchase or hold real estate, except such as shall be requisite for their immediate accommodation in the transaction of business, and such only by and with the advice and consent of the Secretary of the Treasury. Nor shall they be allowed, directly or indirectly, to purchase or hold in their official or individual characters any stock of the United States, or either of the States, except as is hereinbefore directed ; nor shall the said Commissioners or any person or persons employed in their service deal or trade in Foreign Bills of Exchange, in buying and selling goods, wares, or merchandises or any commodities whatever, except Gold and Silver Coin and Bullion, and all or any person or persons by whom any order or direction for so dealing or trading shall have been given, and all and any person or persons as shall have been concerned as parties or agents therein, shall forfeit and lose treble the value of the goods, wares, merchandises and commodities in which such dealing and trading shall have been carried on, one half thereof to the use of the informer, and the other half to the use of the United States.

“ J. A. HAMILTON.”

JAMES A. HAMILTON TO MARTIN VAN BUREN.

“ NEW YORK, January 18, 1830.

“ MY DEAR SIR: Having understood, from various sources, that our commerce to the Black Sea and all other places that are supposed to be open to us by the Treaty of Adrianople, is very rapidly increasing, it has occurred to me to suggest to you the propriety of your reviewing your determination as to leaving a Commercial Treaty to be formed in St. Petersburg. Much time, perhaps a year, will elapse before anything can be done there, and the negotiation on the part of Russia may then be committed to a person not entertaining the liberal and modern views on these subjects now entertained by Krudner ; but, above all, it is much to be feared that if our Yankee enterprise has time to show itself and to enter into competition with the Russian navigators, such will be our superior success as to beget on their parts a disposition by protection-privileges to overcome us, and when that appetite is once indulged, you know it is never satisfied. Krudner, it is said, intends to obtain leave

of absence to return home. If this is so, he would very promptly settle with you a Treaty of the most liberal character, in order to take it with him; and you would thus avoid the danger of the many slips there are between the cup and the lip. If Russia pushes down to the south of Europe, as she seems to be disposed to do, and if, as it is said, she has the best relations with China, she will inevitably become a first-rate commercial power. It thus becomes of the utmost importance to us, as well as to the rest of the commercial world, that her policy in the outset should be founded on sound principles, and in no way could that be so well secured, as by inducing her now, while she is in her very infancy in commerce, to proclaim in a Treaty with us such liberal and enlightened views as we are disposed to act upon with all the world. I have reflected much on this subject, and am anxious that you should avail yourself of the advantages which must result from such an event. It would give me pleasure to hear from you whenever you have leisure to write to me.

“Yours, &c.”

MARTIN VAN BUREN TO JAMES A. HAMILTON.

“WASHINGTON, February 2, 1830.

“MY DEAR SIR: I thank you for your suggestions in regard to Russia. They shall not be lost sight of; but Krudner has as yet no instructions. We have had severe times here in relation to the old affair, and at one time I thought the *official* catastrophe would have been very striking. Appearances now indicate that things will soon wear a more placid aspect. I cannot be more particular, but will have much to say to you when I see you, which will, I hope, be soon.

“Believe me to be very truly yours, &c.”

LOUIS McLANE TO JAMES A. HAMILTON.

“LONDON, February 4, 1830.

“MY DEAR SIR: I received only on the 10th instant your letter of the 15th December, which you had doomed to a most unnecessarily circuitous route. I feel very grateful to the President for his kind intentions toward me; but I did not expect and could not have desired him in the instance you allude to, to go out of the *circuit* for a successor to the late Judge Washington. Ruinous as my stay here, upon my present salary, must be, I could not ask my removal at such a sacrifice, and I am quite content to look forward to the event in which you think a proper provision will be certain. I certainly think that in that event my State, which has never had a judge, would present a reasonable claim independently of the favorable view in which my friends are pleased to regard me personally. On that event I trust Van Buren will keep his eye. I am sorry I cannot give you some satisfactory account of my progress here, which is, however, assailed by too many difficulties to be rapid or flattering. I have already informed you of the expectations originally entertained with respect to the tariff; but I knew very well from the beginning that they could not be realized and might prove injurious. I early placed all that matter truly, fairly, and unreservedly on its proper ground, and I no longer feel any serious concern on that account as it respects the ministry. Our danger is (and which is made particularly imminent by Mallory's report) that the general opposition to the ministry may dexterously employ this as a means of assault, and so intimidate the ministry, and

prevent any arrangement with us. There can be no doubt that the spirit of opposition to the Duke's administration would as readily seize upon any measure in our favor as they would upon any thing else. I do not doubt, myself, that the present Ministry will continue, but at present their power is scarcely sufficient, at least in their own opinion, to permit them to make any serious change in their foreign relations. My negotiation is a subject of great and constant excitement, and you would be surprised at the interest with which every conference I hold with Ministers is watched. The difficulty I *most* apprehend, grows out of the state of the British Northern Possessions, *and in that there is great plausibility, if not force.* It is not expected to continue them merely the carriers of our produce to the British West India Islands. That was undoubtedly Mr. Canning's object, but they now allege that the present state of things has developed greater resources and demonstrated the capacity of the Canadas themselves to supply the Islands—that they do so already, with slight aid from their European voyages, and in two years more will do so altogether. Unfortunately, our commercial tables (which are palpably false, and ought never to be made to Congress again) give considerable encouragement to these expectations, by showing that our exports are short to all these places, to the amount of our previous exports to the British West India Islands. Now, what Ministers fear is, to go into Parliament, and, after an arrangement with us, encounter the opposition in the face of such a state of things. And strange as it may seem, at the head of the opposition on this particular topic would stand Mr. Huskisson—notwithstanding the other parts of his colonial system, which he gave as the consideration of a direct trade between the West India Islands and the United States, are in full operation, while that trade has been accidentally lost. We are now, however, in full and earnest discussion on all these points, and it will be no fault of mine if we fail. *The Message has produced an immense effect here. It has elevated the country, and placed the President and Secretary of State especially in the very highest rank in Europe of American statesmen.* In its tone towards this country, it has practised a manly generosity, which it would be unpardonable folly in Ministers not to sustain; and, as I have taken care to intimate to them, by some practical measure which would be no more than equivalent to the independence of our executive. God knows I always anticipated enough from certain collisions; and my apprehensions have by no means subsided. They will furnish the Vice-President a pretence for doing what he would not otherwise dare attempt. The Marquis Wellesley is not among the Premier's advisers (when at Washington, you thought he was), even remotely. For the present, take this *short* letter. I will write again by the next packet.

"Meantime, believe me, &c., &c.,

"L. McLANE."

JAMES A. HAMILTON TO PRESIDENT ANDREW JACKSON.

"NEW YORK, March 16, 1830.

"MY DEAR SIR: We have news from London as late as the 10th February, embracing the King's Speech and the debates thereon, a part of which, together with the former, I have the pleasure to enclose to you, as also the following extract on the subject of your Message from a private letter written by Messrs. Daniel Crommelin & Co., the bankers in Amsterdam who made the late loan to the Ohio Canal, addressed to Mr. T. W. Ludlow of this city. These gentlemen deservedly rank

first among their countrymen as to wealth and intelligence. 'The President's Message seems generally to have made a good impression on the European public, and it certainly is able, correct, and manly, and cannot but create cordial good-will with all that are well-disposed towards a country and a government whose first Magistrate comes forward with such sentiments. The Message is indicative also of the general prosperity of the country. We hope to see the Message during many years fraught, on the whole, in the spirit of the present one. We duly observe what you mention on the subject of the United States Bank. If that establishment should be dissolved, we suppose Government will have to make some arrangement to carry on its concerns. The Government evidently wants some such financial agent for manifold purposes.' These are the opinions of men uninfluenced by political considerations, and are therefore the more to be valued as evidence of the views of the honest and intelligent portion of mankind who have the deepest interest in good government.

"It is a singular thing to see Mr. Peel, in the House of Commons, quoting the opinions of an American President in order to sustain himself and his party with his own countrymen. You will observe that Wellington admits that their deep and general distress in some measure results from *foreign competition*—a most extraordinary admission of the effect of our Tariff System; and you will further observe that the King invokes his Parliament not to forget what is due to the inviolability of the public credit. This latter, and last paragraph of the speech proves that there is an extensive and growing disposition on the part of the people to relieve themselves from the public burthens, either by reducing the interest upon the debt or otherwise tampering with the public faith. I have intended to write to you at large in relation to the state of things across the water, which I consider as uncommonly interesting to us in very many ways, and indeed so much so that the attention of an American statesman cannot be diverted from them for a moment; but my fear of trespassing upon your time has deterred me. The excitement in France from plethora, and a spirit of liberty, and in England from starvation, cannot fail to produce important results. The Crown of Greece is the apple of discord between these Powers and the great Northern Bear.

"With the truest attachment, your friend, &c."

LOUIS McLANE TO JAMES A. HAMILTON.

"LONDON, March 22, 1830.

"MY DEAR SIR: I received yesterday your letter sent through Mr. Ogden. I can desire no safer mode of correspondence than that. My letters from him do not come through the mail, and I commit my most confidential communications to that channel. The difficulties in Washington do not surprise me. I predicted them to you early, and my wonder is that they are not more serious. I always felt that General Jackson had thrown away a vast portion of moral weight which he might have secured, and though I believed his unsullied patriotism, unquestionably good intentions, and his strong popularity, would stand the loss, I trembled for the future as it regarded his administration and his party. I am too remote to say how it can be cured, or whether there be any other remedy than the natural course of the disease. My great and secure confidence is in the sagacity of Van Buren in unison with the President. I believe the most probable combination or coalition of parties will be

that of Calhoun, McLean, and Webster. Clay must be *hors de combat*. Such a coalition is in many respects natural and easy. A provision for the respective leaders will be the only difficulty; but that will not be insuperable, if indeed it be greater than similar difficulties in any possible direction. Col. Hayne will not perceive his defeat is as great as accounts would make it. Imagining himself equal at least to Webster, he will not refuse to act, under other circumstances, on the same side, and there is nothing in the principles of the former that will be likely to keep them asunder. If I may venture to hazard an opinion at so great a distance from the scene, on a subject in which I feel so deep an interest, it would be to *oblige* the President to stand his hand once more; and seasonably, without further delay, to devise some means of concert for the future action and preservation of the party. Would to God I had remained in the Senate, and suffered some other man to pine and starve at this court in the midst of pomp and splendor!

"I am still ignorant of the fate of my negotiation. They will act badly, and without possible excuse, if, after so much delay, they decide against us. I adopted the suggestion of Ministers, and committed to paper some general considerations connected with the present state of the negotiations. I threw it in the form of a note, requiring an answer without longer delay, and I am now waiting their answer. I have abandoned all the abstract points of previous negotiations, and endeavored to meet practically the real objections thrown in my way. I feel that I have not been wanting in zeal and fidelity in the negotiation, and the pain I have endured under this responsibility will be very apt to secure me, in the end, the approbation of my own conscience, at least.

"In consequence of a letter I received yesterday from Washington, I had intended, when I commenced this letter, to write you frankly about our own affairs. My sheet is out, however; and this being my despatch day, I postpone it till the next packet.

"Meantime, believe me yours, &c.

"P. S. You will, I hope, excuse the slovenliness of this scrawl."

Memorandum. March 29, 1830.—I left New York early to-day for Washington, and arrived there, and at Mr. Van Buren's house, where I stopped, on the 31st, at about 3 o'clock P. M. I visited the President (Jackson) in the evening, who received me with the warmest cordiality. We passed an hour alone. During the time he related to me a variety of incidents connected with the course of Congress, and among others, speaking of the delay which had occurred in the Senate in passing upon his nominations, he told me that he had been advised to call his Cabinet together, and urge its members to use their influence with the members of the Senate to induce them to take up and confirm the nominations—to which I replied. He said: "No, *never*. I have done my duty, let the Senate do its duty; it shall never be said that I attempted by any measures to influence the deliberations of Congress; if they do not do their duty, the people must pass between us. The various measures recommended in my Message have been neglected. We shall see, my friend, more of this hereafter." I replied that it was to be feared the course of Congress had been influenced by considerations connected with the next election, and that to secure to himself a successful administration during four years he must consent to

serve one other term ; in that way alone will the anticipated divisions between his friends be prevented. He replied that he had much to say to me on that subject on a future occasion—that it was a subject of great difficulty ; he had determined to ascertain who were his friends.

We then conversed about the rejection of Lee and Decatur's nominations. As to the former, he said : " I deeply regret it on his account. He is in absolute want. He has talents and information sufficient for any station, and as to his former highly objectionable conduct, I reprobate it as much as any man, but still I am willing to believe, and have no doubt, that the man has repented ; and are we called upon to punish forever ? Is there nothing due to repentance ? There is a vindictive spirit in that course, which I cannot believe is justifiable. As to Decatur, I have been requested to give him some other place of less importance, which would not require the approval of the Senate, but that I have flatly refused ; if he is unworthy, I cannot well do for him more than I have already done." (The person here referred to was John P. Decatur.)

I then mentioned to him that Van Buren was in the other room with the ladies, and proposed that we should join him. He acquiesced, saying, " You have come to quarter with me ?" I said, " No, I am with Van Buren." He replied, " Then let me see as much of you as I can." We then joined the ladies.

PRESIDENT JACKSON TO JAMES A. HAMILTON.

WASHINGTON, May 3, 1830.

" MY DEAR SIR: Your letter of the 29th ultimo, marked private, reached me this morning ; I hasten to answer it. Mr. Forsyth has made no communication to me as yet ; should he, you shall at an early day be apprised thereof and with its contents.

" I find from your letter that you have not seen Mr. McDuffie's Report upon the U. S. Bank. I herewith send it to you ; I presume it to be, a joint effort, and the best that can be made in its support, and *it is feeble*. This is intended, no doubt, as the first shot ; it will pass without moving me.

" I will thank you for your ideas on this report when leisure will permit. Although intended to wound me, it will not injure me, but it will not go unanswered when a proper time arrives. Let me hear from you soon, and

" Believe me your friend,

" ANDREW JACKSON."

LOUIS McLANE TO JAMES A. HAMILTON.

LONDON, May 27, 1830.

" MY DEAR SIR: I received only Monday last your letter of the 16th ultimo, for which I make you my thanks.

" I need the approbation and confidence—which, in my heart, I feel that I deserve—of the President, in relation to my conduct here, to console me for the bad behavior with which I fear this Government will be ultimately chargeable. I have found my efforts wholly unavailable to force an answer to my proposition.

They constantly deny all unworthy motive, and I believe Lord Aberdeen is a man of truth and honor. But still they have allowed one session of Congress to pass over, and in this way have deprived us—unless Congress shall have acted provisionally—of the opportunity of countervailing measures (if they reject our overtures) until next winter. *I trust Congress will have acted.* I early expressed to Mr. Van Buren the necessity of doing so, and sent him my *exposition* of the question for the purpose of apprizing Congress of the real state of the case. I prepared that paper, on an official suggestion, to place my reasoning in the way of more ready and certain reference; and I framed it as containing an argument by which the Ministry might sustain an arrangement against the opposition in Parliament, and especially against Mr. Huskisson. They admit it to be able, and, themselves, found it as difficult of an answer as the opposition would do. Nevertheless, the tenor of the opposition remains, and the Canadian interests maintain their ground. I consider Mr. Huskisson one of our worst enemies, and as probably at the head of a class of politicians respectable in numbers and talent and influence, who are certainly jealous of our prosperity.

“Huskisson is unworthy the reputation he has as the advocate of free trade. He is the infatuated advocate of *British Navigation*, and he would to-morrow sink ours to the bottom of the ocean, if *he could*. I believe he thought the scale of duty imposed by the British Act of 1825 would indirectly, but effectually, exclude us from the direct trade with the West Indies; and finding this expectation disappointed in the short time the Act was in force, he urged the order in council of 1826, and is now bitterly opposed to any adjustment. *They never intended the Act of 1825 to be beneficial to us.* They mean to raise up the Canadas as our rivals. They have the double motive of profiting by their prosperity, and, by cherishing their jealousy of us, of precluding the possibility of their falling into our hands. It is in vain to deny the jealousy and apprehension of our power and prosperity, of many classes (and some of them of talent and power and influence) of the English population. When we have inspired the Government with respect, and a friendly disposition towards us, we have only put a smooth covering over the mouth of the volcano. The elements of eruption are beyond our reach, and continue to give out threatenings enough to awe the Ministry from any decisive and friendly course; if, indeed, they do not ere long burst forth. I long ago suggested the idea of a *Chargé d’Affaires* to Mr. Van Buren. Every day persuades me of the propriety of that suggestion, and I could, if I had space, advert to many considerations not to be disregarded. I hope I am incapable from interested motives of attaching too much importance to the personal consideration of its enabling the President to withdraw me without incurring the charge of an additional outfit. But I am fast approaching insolvency here, in the midst of discomfort, and without having it in my power to benefit my country, and shall be really unhappy when the negotiation shall be closed unfavorably, as there is too much reason to believe it will be. This Government will not touch any other point in our relations. The past Administration refused to do so; and the present are shamefully afraid of treading in a new path. I could be of infinitely more service to Van Buren, the President, and the country, if I were at home. Events will necessarily force Van Buren to rely on the strength of the administration. Calhoun’s impatience and resentful temper will do this, and therefore it is the more necessary to give the administration weight—I mean moral and intellectual weight, the only securities for public confi-

dence. Without these, it will *invite* opposition from all quarters, and become absolutely injurious. Besides, it is absolutely necessary that the next winter should open with a system of measures and *policy founded on the principles of Van Buren's toast*, calculated to *tranquilize* and *unite* the public mind, and hush the voice of faction and sectional disaffection. In this way General Jackson may yet acquire a renown equal to his best expectations, and, while he renders so patriotic a service to his country, will give strength and success to his party.

"If Calhoun and McLean coalesce, Webster will, nay must, be of the firm. He is not wider asunder from *both of them on grounds of public policy* than they are from each other. Besides, McLean must bring the East and West both into alliance with some of the South. This will be necessary to success, and they will not object to Calhoun if he can add a portion of the South, especially if the East can be cajoled with the hope of Protection. Where can Webster make as good terms? But, at any rate, they will all be opposed to the Administration, and this is a new motive barely to recommend that to the sound public opinion of the country. I think the Senate have acted unpardonably towards the President, and the party and the nation. I have been confounded at their course, and have regretted most deeply that I ever quit my seat. I might at least have prevented that evil. It is impossible that some evil spirit is not at work in that body, otherwise the *reckless course* of the *opposition* must have united the majority in spite of all men's dislike; but I confess I want the clue to some of the rejections.

"You would be amused to see how this Government writhes under the proposition that our trade, direct or indirect, is necessary to the West Indies; and that therefore to that extent we are entitled to have it direct *in common with other nations*. They are now in great commotion at the abdication of Leopold. I am not sure that this has not been induced by the expectation of the King's death, and Leopold's influence in that event. It may be a rallying-point with the opposition. The King's death, however, is an affair of weeks only; but no change will better us—rely on it, we are destined to no favors. But, adieu, and pardon this hasty letter."

MARTIN VAN BUREN TO JAMES A. HAMILTON.

"May 31, 1830.

"MY DEAR SIR: McLane has not yet got his answer, but I am confident he will succeed. If Lynch, on his return, complains of him, let me know, and I will explain the cause. I have despatches to-day from Rives and Rhind. Expect good things in all quarters, but say nothing. What think you of the President's Veto Message? We have had severe times for a few days, but the session closed very auspiciously. The President will go to the Hermitage about the middle of the month. I shall be detained again by my ministers until July. Randolph is to sail on the 15th July.

"My last letter from McLane is the 22d April. Lord Aberdeen said that the Ministry might be considered as upon the point of a decision.

"Very truly, yours, &c."

JAMES A. HAMILTON TO PRESIDENT ANDREW JACKSON. (Private).

"NEW YORK, June 3, 1830. Midnight.

"MY DEAR SIR: I have just completed the whole subject, except that which will treat of the first point made in the Report; and upon that I shall be very brief,

combating merely some of the arguments put forth in the Report,* and referring to those in opposition to the power which has heretofore been urged, and then I have done. I fear I have been already too diffusive and too caustic. The subject grew upon me as I advanced, and my feelings of disapprobation of the authors of the flimsy and unfair Report became more excited as those characteristics became more apparent. You will, having the whole before you, temper and expunge such parts as may require either.

“Mr. Van Buren informs me, by a letter I received to-day, that you would set out for the Hermitage in the course of this month. I trust you intend to take New York in your way. If you should not so intend, I should like to know when you leave Washington, in order that, if I can find time, I may run away to Washington to pass a single day and night with you. So many events of deep interest have occurred since I left you, that I feel the strongest desire to converse with you in the unreserved manner I have heretofore been permitted to do. With my most earnest prayers for your continued health and happiness, I remain your sincere friend, &c.”

PRESIDENT ANDREW JACKSON TO COL. JAMES A. HAMILTON. (Private.)

“WASHINGTON, June 3, 1830.

“MY DEAR SIR: Your letters of the 28th and 30th ultimo, with the remarks accompanying them, have been received, but the hurry and bustle incident to the adjournment of Congress have prevented me from answering until now.

“I have had no conversation with Mr. McDuffie on the subject of Banks; nor never did I contemplate such as in his imagination he has assumed, and recommended in his Report. I have often spoken of a National Bank chartered upon the principles of the checks and balances of our Federal Government, with a branch in each State, the capital apportioned agreeably to representation, and to be attached to and be made subject to the supervision of the Secretary of the Treasury, and an exposé of its condition be made annually, in his report to Congress, as part of the revenue; which might be a bank of deposit only, which I have always thought more consistent with our Government than that it should become a brokers' or banking establishment for discount and deposit. But if the Federal Government should have any thing to do in banking establishments, beyond that of a safe deposit for our revenue; which might give aid to our fiscal concerns in a state of war, then it should belong to the nation exclusively; all its emoluments to accrue to the nation, to the whole people, and not to a few moneyed capitalists to the exclusion of the many; and I have no doubt but it could be so guarded in the charter, that it would be less dangerous to the liberties of our country than the present hydra of corruption, so dangerous to our liberties by its corrupting influences everywhere, and not the least in the Congress of the Union. I showed you, when here, my ideas on a bank project, both of deposit (which I think the only national bank that the Government ought to be connected with) and one of discount and deposit, which, from the success of the State Bank of South Carolina, I have no doubt could be wielded profitably to our Government, and with less demoralizing effects upon our citizens than the bank that now exists. But a *national*, entirely *national* bank of deposit is all we ought to have: but I repeat, a national bank of discount and deposit may be

* Report made by Mr. McDuffie, which I was called upon to review.

established upon our revenue and national faith pledged, and carried on by salaried officers, as our revenue is now collected, with less injury to the morals of our citizens and to the destruction of our liberty, than the present hydra of corruption, and all the emoluments accrue to the nation as part of the revenue. And *I wish your ideas* of a plan of each when leisure presents itself.

"I have examined your remarks enclosed. I return them, that Mr. Calhoun's name may be stricken out. From a correspondence lately between him and myself, in which I was obliged to use the language of Cæsar, '*Et tu, Brute!*' it might be thought to arise from personal feeling, and arouse the sympathy of the people in his favor. You know an experienced general always keeps a strong reserve, and hereafter it may become necessary to pass in review the rise and progress of this hydra of corruption, when it will be proper to expose its founders and supporters by name. Then, and then only, can his name be brought with advantage and propriety before the nation. I return it for this correction, which, when made, and two following numbers forwarded with it, I will have them published in the *Telegraph*. This is the paper, for more reasons than one. I have attempted five times to write you this scrawl, and have been a dozen of times interrupted since I commenced it. You must receive it as it is. I have no time to correct it.

"Your friend, &c."

JAMES A. HAMILTON TO A FRIEND.

"WASHINGTON, June 15, 1830.

"I arrived here yesterday at 10 o'clock, A. M.—went immediately to see the President, who was looking for me, as I learned from Van Buren, with some anxiety. We immediately retired to his private room, first read over his correspondence with Calhoun (the latter admits that he was in favor of a hostile course as it respects the General in the Seminole business), and, next, to talk over Mrs. Eaton, &c. This matter is in greater extreme now than heretofore. Eaton or Donelson will, I fear, retire. Lastly, we conferred upon other general matters—the Messages (general and particular), the Light House bill, &c., &c. After spending some time thereon, I went to ride with Van Buren; returned to dine with the President, who insisted upon my remaining with him during the night, the greater part of which we passed in conversation about Ingham, Eaton, Branch, McLane—changes—the course to be pursued during the next session of Congress—its complexion—Mr. Calhoun—Van Buren, &c., &c. We retired very late. We are to meet again this evening, to confer more at large."

JAMES A. HAMILTON TO PRESIDENT JACKSON.

"NEW YORK, June 7, 1830.

"MY DEAR SIR: Your kind letter of the 3d instant was received to-day, together with Number 1, which I have altered in the manner you suggested, and in such other respects as were suggested to my mind on its perusal; and I have the honor to enclose it herewith. The last part was forwarded on Sunday. You cannot do any act that will be more gratifying to me than to return any of the other portions as you have done this, with your intimations for the purpose of revision and amendment, for you will thus evince your confidence in my desire to serve you. I hope at my earliest leisure to be enabled to put in the form of heads for a Bill,

such a scheme of a Bank of *Discount* and *Deposit* as you have suggested. At the same time I must differ from you in the opinion you have expressed that it ought to be exclusively in the hands of the Government and its paid officers. A bank of deposit may be safely so arranged, but it will want the ability in certain exigencies to aid the fiscal operations of the Government which a bank of discount and deposit would possess, while the latter could hardly be safely left to the direction of persons who were not interested in the faithful and cautious administration of its affairs. I have thought of a plan in which the credit and revenues of the Government would be the foundation, and with which individual interest could be united in such a way as to preserve a preponderance to the Government, and in which the direction would be so managed as that the Government would appoint the whole—one half of its own mere volition, uninfluenced by the interference of the individuals interested, and the other half to be appointed from a list of nominees chosen by the individuals interested; which should be submitted to the President for his selection; the President of the Institution to be appointed by Government, the Cashier by the President and Directors. The difficulties to be avoided on the one hand and the other are these: a bank, the capital of which should be furnished by the Government under the direction of paid officers, would be exposed, 1st, to the danger of having its funds loaned to irresponsible persons who might be of the family or friends of the directors, and thus wasted and destroyed; and next, that these directors, influenced by the power which created them, might use this money with reference to political influence, and thus endanger the purity of our institutions, as well as waste the capital. The only way I now see in which these evils can be avoided, is to secure the untiring watchfulness of individual interest, always better managers of pecuniary concerns simply, than Governments are; and so are private individuals better than corporations; to permit them to purchase a part of the capital thus furnished, for which the Government will be paid at par (and thus raise the means to discharge its debt, if that should not have already been done), and for which and no more it will ultimately be responsible. But it is quite clear that individuals will not so invest their funds unless they can participate in the management of the bank; for they will naturally say, a bank exclusively under the direction of persons appointed by Government may go on very well in time of peace, but in war, when the Government wants means, these directors will lend the whole capital and credit and all to it. I would, therefore, to secure the confidence of the Government and individuals, form a direction in the manner I have stated, and I would superadd that no individual loan should be made without a concurrence of two out of three of the public directors; or to the Government, without the sanction of two out of three of the private directors. I throw out these suggestions for your consideration just as they occur to me. With all this I would connect so much of that part of the plan of a bank of deposit, which I sent to you, as would secure the faithful disbursement and safe-keeping of the public revenues. I had intended to have thrown out some hints of a plan of a bank, but my time is so little my own, as to compel me to defer them to a future day. With the truest attachment, your friend, &c."

JAMES A. HAMILTON TO LOUIS McLANE. (Private—strictly confidential.)

"NEW YORK, June 27, 1830.

"MY DEAR SIR: I passed two days with the President immediately preceding

the day of his departure for the Hermitage, by his invitation. The veto—the Eaton business, which is at the highest point of excitement—a difference with Calhoun—were subjects of frequent conversation between us, and will be attended with the most important effects. As I am not at liberty, if I had time or inclination, to go over the whole ground, I will merely communicate as much of what is determined upon as is particularly interesting to you. You may have learned, from my former letters, or from Van Buren, that the President had been urged by a large number of the Pennsylvania Delegation to remove Ingham, and that he had been advised by Van Buren, and other friends, not to do so. At my last visit I ascertained that the President, for various causes, had lost confidence in Ingham, and that sooner or later a rupture would take place. I therefore made up my mind to advise a change. I told Van Buren and Lewis that I intended to do so, and my reasons for the determination, in which the latter immediately, and the former hesitatingly, acquiesced. At our next interview I told the President plainly that it was impossible for him to get along with Ingham; that a change ought to be made; and that, in my opinion, the only question was as to the time and manner of effecting it. I then went into an examination of their relations—the reasons why Ingham could not cordially support the President, and the grounds there were to fear a want of unanimity and cordiality in the Cabinet. He listened with pleasing attention; told me he fully concurred with me, and said, with his usual promptitude, that as soon as your negotiation was successfully terminated, you would return, when he would offer your place to Ingham. And this, my good friend, was at length fully and entirely settled. You are not to understand that I was so to inform you, nor would I have done so, but that, in conversation with Van Buren after he had heard the same determination from the President, he told me *he* intended to write to you on the subject. You must, therefore, consider this information as strictly confidential. I presume, should the King be alive, that you will have closed the matter by this time. From your last letter, received by Van Buren, I infer that the Duke of Wellington's hesitation has two objects; one, to gain time, the other, to obtain that assurance of an acquiescence on our part, which the late act of Congress in regard to the colonial trade will give him. After the Treasury, the Attorney-General must be changed. I regret to say that I fear either Donelson or Eaton must remain in Tennessee. Most probably, the latter will prevail, although the former would be the most serious loss. He is a high-minded man, of much knowledge and talents, with discretion above all praise; but has been strangely involved by his wife and Calhoun in the Eaton business. Send me the testimony, etc., taken by a Committee of the Commons on the subject of the Scottish Banks in 1826; a copy of the act establishing the Bank of England; Drummond's Treatise on Currency, and any other good works on Banking. I pray you not to delay this commission, and to inform me in what manner I am to repay any expense it may expose you to.

“Yours, &c.”

MARTIN VAN BUREN TO JAMES A. HAMILTON.

“WASHINGTON, July 5, 1830.

“DEAR SIR: The enclosed is, in substance, the same with a letter of the same date to me. I have sent him new instructions upon the subject of time to be allowed to the British Government for an answer, so that it be in season for the present session. He

is quite impatient, and sees the matter in a different light on different days. I hope it will go well in the end. I should like to talk to you about private affairs here, to gratify curiosity, but cannot write them. The mail is too insecure, and it is of no real importance. I would like, moreover, to check your fondness for gossip instead of feeding it. Things are no better than when you were here. The old Chief's zeal for his friend increases with the pressure, and disposition not to meddle in the matter, on the part of those not already committed, is growing every day. You will see Eaton's card in to-day's *Telegraph*. You saw the violent attack in that paper upon Baldwin. The President sends him (Baldwin) in as Judge of the Supreme Court to-day. Say nothing of this as coming from me. It is a step which will create no inconsiderable sensation.

"Yours truly, &c."

PRESIDENT ANDREW JACKSON TO COL. JAMES A. HAMILTON.

"HERMITAGE, July 12, 1830.

"MY DEAR COL. : I have just received yours of the 27th of June last, accompanying Mr. Malibran's * petition, which I have herewith enclosed and referred to you for your report of the truth of the facts stated in his petition.

"I reached this place on the 6th inst. ; found my farm in good order, and my family in good health, my crop suffering for the want of rain. I have been constantly in a crowd since I left the city, although I have declined all public dinners, and, really, I wish I could return to it in an air-balloon, to avoid the great fatigue I have encountered on my way hither. I have every reason to believe that my veto will be sustained by a large majority of the people of the United States. Be this as it may, one thing I do know, that the faithful discharge of my constitutional duties pointed to the course I adopted, and I pursued it without inquiring who would or might condemn or approve the measure. I am always happy to hear of Major Eaton's increasing popularity and prosperity. I have long known him, and a more virtuous, honest man does not exist. He is worthy of confidence, and will never violate it. I have agreed to meet my fellow-citizens on to-morrow in Nashville, to give them a shake by the hand and friendly greeting.

"Major Eaton and his lady have not reached me. What delays him, I have not heard. Until he arrives I cannot commence my arrangements with the Indians—a subject I have much at heart ; and as soon as it is acted upon, I will hasten back to the city to attend to my duty there.

"With my respects to your lady and family, believe me

"Your friend, &c."

JAMES A. HAMILTON TO PRESIDENT ANDREW JACKSON.

"NEW YORK, July 23, 1830.

"MY DEAR SIR: I congratulate you upon your arrival at your peaceful abode, where I hope you will enjoy that tranquillity which is denied to you elsewhere. I intend to send to you, with this letter, a debate which occurred in the House of

* The husband of the famous vocalist. He was on the gaol limits. She had returned to Europe. He was discharged, immediately went to France, where he found she was married to another man. Her maiden name was Garcia.

Commons of a character deeply interesting to us. The impudent assumption of a right asserted on the floor of that House to extend their right to interfere to preserve a balance of power in this quarter of the globe, is unequalled. That nation has extended its hands to every quarter of the world for the purpose of creating a colonial dependence upon her power. She now contains more than eighty millions of souls, distributed throughout every continent and sea, she herself not amounting to more than twelve millions; and yet presumes to create alarm at a disposition in our Government to extend its control over a contiguous territory which is almost without population. And to what end? in order that this territory may be cultivated by a hardy race of freemen, who will enjoy all the blessings of a free and liberal government; in the direction of which they will participate in common with every other member of the nation. From all I learn, I very much fear that our negotiation will not be successful, unless the late Act of Congress should, by depriving the Duke of all pretence for refusal, obtain that from their sense of shame which their sense of justice could not induce.

“Yours truly, &c.”

LOUIS McLANE TO JAMES A. HAMILTON.

“LONDON, August 19, 1830.

“MY DEAR SIR: My despatches by this packet will announce the gratifying success of my negotiation. This Government finally assents to restore us the direct trade with the colonies upon the terms of my proposition. And an alteration of the present schedule, though intimated as probably to be made hereafter, is no part of the arrangement, and cannot take place for some time. When it does happen, it will, on the whole, do us no material injury. The President’s Proclamation will be the first step. The revocation of the British order in Council of 1827, the abolition of the discriminating duties on American vessels in the colonial ports, and the concession to us of the advantages of the Act of Parliament of 5th July, 1825, will follow. This success needs no comment from me. It will speak for itself; and remembering all I have suffered, all I have risked, and looking to the consequences to my friends and country in future, I feel less of exultation than gratitude for the result. But Cambreling’s law—I call it his, for he drafted it—may mar the lustre of this victory. You must prevent it. It had liked to have ruined every thing. We were saved by the honorable frankness with which our Government had uniformly borne themselves towards this. They reject the *unfavorable construction* of which they fear the law is susceptible, and adopt that which they hope and believe it was intended to receive. I think their fears are scarcely plausible, though but in one clause; and that is the one in the 1st Section, in the following words: ‘that the vessels of the United States may import into the said Colonial Possessions from the United States any *article or articles* which could be imported in a *British Vessel into the said Possessions from the United States.*’ Now, the Act of Parliament of 5th July, 1825, opening this trade, expressly confines the articles to be imported in vessels of the United States to the *produce of the United States.* Their Navigation Act of the same date makes the same express limitation. And even our Commercial Convention with Great Britain limits the trade in vessels of the United States to the European ports to *produce of the United States.* My instructions agree to comply with the conditions of the Act of 1825, and to accept the advantages of *that Act.*”

My proposition to this Government is in the very words of my instructions; but if Mr. Cambreling's bill means to insist upon the right of *American Vessels* to import into the Colonies other than *American* produce, it is not a compliance with the Act of 1825. It asks what that Act never offered—what Great Britain does not give in her trade with any of her ports to any nation in the world, and never will to us or any one else. The truth is, the law was drafted in a hurry, without a sufficient understanding of all the complicities of the trade. But take care that the technicalities of the Attorney-General do no harm. Take the real good sense of the subject; be satisfied that the main scope of the law intends us to execute an arrangement consistent with the instructions; and then construe this clause in subservience to the great end and design of the Act.

"I have no time for any more. My public despatches and letter to Van Buren will contain my arguments on this law. I think you or Cambreling had better go off to Washington, or perhaps both—though my public despatches, I think, will do every thing. You must not let the stir about the French Revolution deprive the Administration of the advantages of this arrangement.

"Yours, &c."

MARTIN VAN BUREN TO JAMES A. HAMILTON.

"WASHINGTON, September 10, 1830.

"MY DEAR SIR: Give yourself no uneasiness about the conduct of * * * *. It does not belong to my notions of justice to make one man answerable for the follies of another. I know you well, and that is enough. Between us there never can be any difficulty, except through gross misunderstanding; for I know that you cannot intentionally do wrong, and I am conscious that I do not wish to do so. I reproached myself for having shown you the letter, lest it might mortify you. Once for all, never let such an apprehension disturb you. * * * Washington looks well, and the weather is very pleasant. If you see Mr. Rhind, which you will do soon, if he is not already with you, caution him against giving publicity to the dispute with his colleagues. From your letter I supposed, or feared, he might go directly to Major Noah, and I therefore cautioned the latter upon the subject.

"Very truly, yours, &c."

The Collector, Swartwout, was so entirely ignorant of the laws which regulated his duty, and of the course of the business of his office, that he required the District Attorney's services in resolving questions and difficulties from day to day—so much so, that I was requested to come every morning to the Custom House to aid him in the administration of his duties.

One morning, when sitting near his table within the railing which excluded the people who came to see him on business, awaiting Swartwout's arrival, the Cashier, Mr. Henry Ogden, placed on the table a check on the bank for five thousand (5000) dollars, drawn payable to the order of Samuel Swartwout, Collector. When the Collector came in, taking his accustomed seat at his table, he read the check, endorsed it, and looking around the circle of persons standing outside the rail, went over to a gentleman I knew as well as a brother, and

delivered that check to him without taking therefor any receipt or voucher of any kind, or any paper which indicated that the check was paid in connection with the business of his office.

I knew the gentleman was a speculator with very slender means, and that he had no commercial business whatever (indeed, Swartwout, after his failure, told me he had speculated in real estate with that gentleman). Nothing was said at the time on the subject. I was convinced that this was an appropriation of the public money to his private use.

After going through with the business on which I came, returning to my office, I turned this event anxiously in my mind—was satisfied that it was a great wrong—and asked myself what my duty as a public officer and a personal friend of the President required me to do. I concluded that as a public officer I was bound to take care of the public interests, and that it was my duty to communicate what I had seen and my opinions to President Jackson. I did so immediately, and at the same time suggested that I could devise a scheme which would check such a course, or expose its detection at the Treasury Department. The President acknowledged the receipt of my letter, approved of what I had done, and informed me that he had sent my letter to the Secretary of the Treasury.

Shortly afterwards I received a letter from the Secretary, asking me to give him the scheme which I believed would prevent the misappropriation of the public money. I did so, and nothing further was done.

If the President or Secretary had instituted an inquiry into the facts, as I believed would have been done, Swartwout would have been removed or admonished, and his defalcation, which amounted to over a million, would have been arrested.

In 1830, I received a letter from my friend, the Hon. Edward Livingston, dated Montgomery Place, 22d September, in which he said :

“I submit to you, that it might promote the public interests if you would prepare a Memorial on the *German Trade*, and submit the same to the President. No one could do it so well, and I feel confident, on examining the subject, you will think it sufficiently important to occupy your attention. The present seems a propitious time for pushing our interests in that quarter.

“I am, my dear sir, with high regard, your friend and humble servant.”

I entered upon this great work with alacrity, because I believed, after examining the subject, I could promote the public interest, and probably be useful to the President. I found, the more I examined and thought upon it, that it involved grave considerations connected with our diplomatic policy, as well as our commercial interests. It was a work of great labor, particularly in tracing out the statistics of the German nations. I finished the Memoir in a little over a month, and sent it to the President, with the following letter :

“NEW YORK, November 9, 1830.

“TO ANDREW JACKSON, PRESIDENT.

“MY DEAR SIR: I have the pleasure to enclose to you herewith a Memoir on the subject of our diplomatic intercourse and commerce with certain parts of Europe; embracing also some reflections upon the present condition of the same portion of the world. This work was begun and finished during those engagements in the Courts of the United States which so much occupied my time during the last month, and is therefore less perfect than I trust it would have been under other circumstances. Permit me to ask you to consider it as intended for your indulgent eye alone.

“All extended views as to what will be the course of events in Europe, might be referred rather to a spirit of prophecy, than to result from a just course of deduction from the history of any previous period of the world; there is none analogous to it. I therefore do not pretend to speak with confidence in any respect, except that it is a dictate of wisdom on our part to be prepared for the worst—a general war. Heretofore, in such a state of things, we proclaimed a strict neutrality, and endeavored honestly to maintain it; but being unable to place the country in a situation to enforce our neutral rights, we were compelled to submit to the aggressions of all the belligerents—from England and France even to those of Denmark and Naples—and ultimately, our resources being considerably diminished, we were by these very aggressions drawn into war. Let such recent experience teach us, as soon as it is ascertained that a general war must ensue, to declare to the belligerents what our course will be, and to prove to them, by the energy of our preparations, that we mean to protect our rights as neutrals—if necessary, by force.

“It is not at all improbable that England may, for a length of time, keep out of the contest, and thus by her existing situation she may be called to cooperate with us in sustaining the same rights. It would be well, if this should be so, to endeavor, while she is so circumstanced, to have some understanding with her as to what the rights of neutrals are; although it is not probable she will suffer herself to be committed on the subject, inasmuch as she has heretofore treated neutral rights as depending wholly upon belligerent will and power.

“If hostilities should be rendered more certain before the meeting of Congress, might you not hint at the probable necessity for such preparation, as affording an additional reason for your refusal to concur in expenditures for internal improvements?

“Pardon me for imposing upon you the necessity for reading this long letter and accompanying Memoir, and believe me to remain, with the truest attachment,

“Your friend and servant,

JAMES A. HAMILTON.”

THE MEMOIR.

“A rigid system of economy, called for by its necessities, induced the Government of the United States at its outset, and also at the termination of the late war, to circumscribe, as much as possible, its expenditures, and particularly those required by foreign intercourse.

“A different state of things, however, now exists. Almost entirely relieved from the incumbrance of debt, our revenues are so abundant that the Government wants all excuse for hesitating, was the policy ever questionable, to take every chance of

advantage to our country by extending our representation to foreign Courts to the extremest point of prudence. Indeed, recent events in Europe no longer allow us to make this a question of expense or probable advantage. We have no right to hold back in the great struggle for the political regeneration of the world. Having given the first example of a government founded on clear and correct views of the rights of man, the first impulse to the power of the people in obedience to that sublime maxim announced by Hamilton, 'The fabric of American empire ought to rest on the solid basis of *the consent of the people*. The stream of *national power* ought to flow from that pure, original fountain of all legitimate authority.' We cannot, under an enlightened and just sense of our duty or our safety, hesitate in doing all that may be in our power to extend, enforce, and perpetuate those principles which are not inconsistent with the three great maxims of our government: First—*Not to interfere with the internal affairs of other nations*. Second—*To avoid entangling alliances with all*. And last—*To preserve a strict neutrality*.

"By extending our representation to foreign states, we take the best means, 1st, of securing to ourselves new and useful commercial enterprises, and 2d, the extension to an unlimited extent of those political truths which are the foundation of our system, and the only true basis of all governments.

"In discussing this subject, I intend to point out, first, the vast population and extent of country; their character and resources, to which we are at present unknown, and the reasons which render it probable our increased commercial intercourse would be the consequence of the policy suggested; and next, the grounds for the opinion that an extended diplomatic and commercial intercourse would necessarily draw after it a more sure and general knowledge of the principles of our government, and particularly, that it is our duty to ourselves to extend those principles by all fair means, so long as any of the Powers which formed the Holy Alliance entertain the designs expressed by the two following engagements of the Congress of Vienna of 1822:

"Article 1.—The high contracting parties, well convinced that the system of representative government is as incompatible with the monarchical principles as the maxim of "the sovereignty of the people" is opposed to the principle of Divine right, engage in the most solemn manner to employ all their means and unite all their efforts to put an end to this system of government wherever it is known to exist in the states of Europe, and to prevent it from being introduced into those states where it is not known.

"Article 2.—It cannot be disputed that the freedom of the press is the most efficacious means employed by the pretended defenders of the rights of nations to injure those of princes; the high contracting parties reciprocally promise to adopt every possible measure for its suppression, not only in their own states, but in all others in Europe.'

"The recent events in Europe give increased interest to this branch of the discussion, as will appear hereafter.

"Our diplomatic department, as to Europe, is now nearly on the same scale on which it was first established; if one or two missions have been added, others have been withdrawn; yet the population, wealth, extent of empire, power and political importance of the nation have nearly quadrupled in that period. Although we may be insensible of the change, and of the additional duties it involves, we may be assured that other nations are not. Among these some are rivals (I am now speak-

ing only of commercial importance), others have no interest but such as may be promoted by a combination with ours. The first of these must be watched, the last conciliated and united by a consolidation of mutual commercial intercourse. The establishment of a vigilant diplomatic agency is necessary in both instances: with our rivals, to discover and prevent intrigues to our prejudice; with the others, to form treaties of commerce, to watch over their operations, to suggest to our own Government, and negotiate with those to whom the agents are sent, all such changes as the mutual interest of the parties may require. I say *mutual* interests, because that is the only sure and permanent basis on which such treaties ought to be placed. No other can endure for any length of time, and in its breach evils are produced infinitely overbalancing any profit that may have arisen from any stipulation intended to secure to either party exclusive advantages.

“We may draw lessons of practical advantage from the course of other nations, without the necessity of following their example to a pernicious extent.

“Great Britain, our most formidable and perhaps only rival in commerce, notwithstanding the propensity its Government has always had for war, is now forced by the pressure of her debt, and the discontents of an important member of her territory, to pursue a pacific policy, and to exert all her energies to the extension of her commercial and shipping interests. Her agents are everywhere. No sooner does a commotion arise in any part of the world that can produce any political or other change, than she is apprised of its beginning, and her diplomacy watches its progress, ready to seize any opportunity it may offer for extending her exchanges and employing her shipping. The change of circumstances in any nation of the world which affords a new market for her manufactures, or a cheap supply of material for their fabrication, is immediately communicated by intelligent ministers, and measures are as immediately taken to secure the advantage, while her constant endeavor in all cases is to exclude us, who, with reason, she considers as her concurrent and most to be feared rival. In reply, it is urged that the Government can only be required to protect our commerce, and to find new channels for it, and that the rest may be safely entrusted to the vigilance and energy of individual enterprise. The answer to this excuse for a feeble and parsimonious spirit is, that as long as our intelligent, liberal, and industrious rival exercises her influence in foreign countries to repress the energies of our people, and to exclude them from a participation in advantages which their enterprise would seek, commerce is not left to seek the various and abundant sources into which our citizens would direct it, but that a wise and paternal Government, particularly one which draws all its revenues from impost, is bound liberally to expend its means in encouraging and supporting its citizens in so unequal a contest. The situation of the whole world affords ample scope for the exercise of a disposition on our part to foster and extend our commerce by the means which I am urging, and to our rival to check and embarrass it. Spain, with a weak monarch, inattentive to the interests of his subjects, but graspingly ready to promote his own, affords an opportunity for securing monopolies in trade that the sagacity of the British will not neglect; while we, intent only upon our claims for indemnities for the past, exhaust the efforts of our own, and excite the hostility of the diplomatists of this power in endeavors to correct the past instead of taking care of the future. The course of our Government towards Spain, as well in regard to the Floridas as South America, has been such as necessarily to excite a spirit of distrust and hostility towards the United States, which require a soothing and conciliatory policy. Its people are

without capital or enterprise, and should they by a revolutionary struggle mitigate their present situation we ought to be ready to take advantage of the sympathies which that change would create. The commerce of Cuba is vastly important to us. We already enjoy more than one half of the carrying trade of that Island. Our intercourse has the advantage too of being almost coastwise. Our rival has looked at this state of things with keen regret. Spain must feel or ought to be convinced that we have no other wish than that this province and that of Porto Rico should remain dependent, and that to our active interference it was, and must hereafter be, owing, that she still retains them. I have barely hinted at a subject deserving great consideration, and which requires an indulgent, intelligent, and industrious course of policy.

“A great commercial change is about to take place between Portugal and England. The vassalage of the former to the latter is interrupted, perhaps destroyed. The Methuen Treaty concluded in 1703 between these Powers, by which the wines of the former were stipulated to be admitted at one third less duty than those of France, and the woollens of England were never to be prohibited, has by the construction of the Treaty of 1810, which expired in 1825, been determined to be subject to revision by either party. The manufactory of the Oporto Company greatly diminished the advantages which Great Britain expected to derive from the Methuen Treaty, and in the new arrangements the unsettled state of the succession will afford advantages which, perhaps, may in some sort be counteracted by our early recognition of Don Miguel's title to the Crown, should it be established. Our flour and fish are certainly, and our lumber is almost, excluded from Portugal and her dependencies. Much might be done for our mutual advantage by an industrious, intelligent, and skillful representative of the fourth class at this court. Circumstances of a peculiar character connected with the course of the Diplomatic Corps on the change of government in that country, would seem to render the exertions of our present representative, of whatever order his qualifications may be, most probably ineffectual.

“The commercial changes in France during a few years past, as those very recently of a political character, present to the mind of an intelligent observer the most interesting considerations. The last topic, which is strictly political, will be reserved for its proper place—the second division of our subject. The former, not implying any change or extension of our policy, will be merely glanced at.

“The Government of France before the Revolution of 1790, like all other despotic governments, was necessarily averse to an extended commerce; but within the last fifteen years we have seen even this country yielding some of its antiquated prejudices, and allowing this employment to be deemed, if not an honorable distinction, at least not a degrading one, in her intercourse with us approaching equality and liberal views, which will now be more extended, inasmuch as the revolution which has so recently occurred will necessarily throw into the councils of France more profound wisdom and a closer attention to the interests of the community generally. We may therefore hope her monopolies may be destroyed; but to realize the hope, much, it must be conceded, may be accomplished by the earnest and intelligent efforts of an excellent representative at that court. That Great Britain, should she then not be at war, will, with her accustomed acuteness and vigilance, endeavor to turn these changes to her advantage, is made apparent, when we recollect that a commercial treaty between the two countries was recently spoken of in Parliament as a probable, or, at least, a desirable event.

“With Denmark and Sweden we have treaties. Between us, Russia, and the Netherlands, there are reciprocal enactments which will probably secure to us a reciprocity of commercial advantages, and with them, as well as with the other powers, our intercourse is kept up by able diplomatic agents; but there are in the European communities many important Powers, with some of whom we have no treaties, and with none of them have we any diplomatic intercourse. I speak of Turkey, Greece, the States of Germany, and Italy. With Turkey, Prussia, Austria, and the Hesse Towns, we have treaties, but have sent them no Ministers. With the other states we have no treaties.

“A slight examination of our condition with that of Turkey and of the geographical situation of the other states I have mentioned, their populations, their products, and their consumptions, will enable us to determine whether, in a commercial point of view, their importance has not been overlooked, and whether a diplomatic intercourse with them is not as necessary as with most of the other Powers with whom it has been usefully maintained. The Turkish Empire in Europe has a population of about five millions, in Asia of about ten millions, making together fifteen millions of people; the State of Greece about two millions.

“The Austrian Empire covers more than 190,000 square miles, and has a population of thirty millions; the Prussian Monarchy has 80,000 square miles, and a population of twelve millions.

“The German Confederation, consisting of thirty-six different Kingdoms, Principalities and States, contains thirteen millions, and the Swiss Confederacy about two millions. Thus the last four states comprise fifty-nine millions of the most industrious people on earth, inhabiting the richest part of Europe, situated in its very centre, extending from the Mediterranean to the North Sea, abounding with articles both of product and manufacture of which we are consumers, and affording a market for many of our most saleable productions and of others of which we may become the carriers, and yet to whom we send no diplomatic agent whatever.

“The Emperor of Austria, it is true, is no longer the head of the Germanic Empire, but his influence is perhaps greater than when he enjoyed that title. The neglect of the United States to send a Minister to his court, which once claimed precedence over all other potentates and had those claims allowed, while many of the third-rate Powers receive that mark of attention, possibly may have had an unfavorable effect; but this impression, it is supposed, may be removed.

“Each of the thirty-six Powers composing the Germanic Confederation from the Kingdom of Bavaria, which contains nearly four millions of inhabitants, to the Lordship of Knifhausen, which has not quite three thousand, has the independent power of making treaties of commerce. The consequence is so much confusion and vexation in the importation and transit of foreign commodities, that some of the Powers have had recourse to sub-confederations for the regulation of their future intercourse, and establishing a uniformity of duties with other Powers.

“In 1828, Bavaria and Wurtemberg made a commercial treaty of this nature. Saxony, Hesse-Cassel, Hanover, and Brunswick, another. Bavaria, Hesse-Darmstadt, and Baden entered into a treaty principally for regulating the duties on commodities received by the Rhine, and latterly, Hanover, the Electorate of Hesse, Aldenburgh, and Brunswick, by a treaty the 18th May last, have established a perfect freedom of trade between their several states, and this treaty, it is supposed, will

be acceded to by the other members of the Germanic Confederation. These four sub-confederacies comprehend eleven out of the thirteen millions people contained in the whole Confederation, so that commercial arrangements with these would supercede the necessity of separate negotiations with all the thirty-six independent powers; and we ought thus to prepare the way for the introduction, upon the best terms, of our products, and the foreign commodities which might be carried in our ships into the interior of Germany, from whence they are at present excluded by the high duties and vexatious fiscal operations of the numerous states through which they have to pass.

"It is to be remarked that the articles of import from Germany and Austria are such as do not at all interfere with our domestic manufactures. They are principally wines, fine wood, laces, spelter (an article much used in our China trade), embroidered muslins, linens, toys, musical instruments, silk, &c., and if I may be allowed the expression, a hardy, industrious, sober, and virtuous people, who make good citizens; while we could supply them with cotton, rice, tobacco, salt-fish, deer-skins, seal-skins, the product of our own soil or industry, and tea, sugar, raw and manufactured coffee, dye-stuffs, &c., the proceeds of our commerce with others.

"It is to be remarked that none of these Powers,—and the same remark may be extended to Turkey and Greece,—can entertain the least jealousy of our growth; nor have either of them any shipping or commercial interests to interfere with ours. Greece will, hereafter, be extensively maritime, and therefore it becomes important that we should endeavor at once to impress upon her councils that simple, equitable, and enlightened system of just reciprocity under which our commerce has flourished in so unexampled a manner. In short, no two parts of the world seem so well fitted by natural wants, and the absence of all causes of competition, for a close commercial connection with each other.

"There are three routes by which the interior of Germany is supplied with foreign commodities: 1st, by the Rhine, through the Netherlands; 2d, by Hamburg and Bremen to Hanover, Brunswick, Hesse-Cassel, Hesse-Darmstadt, Baden, Bavaria, Wurtemberg, and Switzerland; 3d, from Havre by Ments to Frankfort or by Strasburg to the south of Germany and Switzerland. The latter has almost ceased to be a route of import, but is the most used to export.

"All these routes, according to a distinguished American writer, who has travelled through the country, have the disadvantage of great vexation and delay; * but it is said that since the period at which he wrote, and perhaps owing to the Confederacies which have been mentioned, the transit duties have become more moderate. So sensible have the French now become of the increasing importance of the German trade, that a scheme is actually on foot to make a railway through Paris to Frankfort.

* In the most populous parts of Germany the merchant is met at every few leagues with a fresh line of Custom Houses. Let him travel by land or water, every second or third day brings him into a new sovereignty, which must be acknowledged by the payment of new tolls and duties. No lawful and honest trade can flourish under such oppression, and the necessary consequence of it is an extensive contraband traffic, the decline of industry, and the general impoverishment of the country. The minor states are now deliberating together, by deputations, on this subject, and are endeavoring to digest a plan for the abolition of all duties upon internal commerce. The liberal governments in the south of Germany are understood to be at the head of this attempt, and their object is, if possible, to clear the way of these pernicious barriers by land and water from Switzerland to the Ocean. The vast benefit that would result from this to every individual and every nation affected by it, is obvious at a glance. *Europe. By a Citizen of the United States. Page 214.*

“By the table A in the appendix, it appears that the total of the population of that part of Europe with which the United States have no diplomatic intercourse, is about ninety-four millions, and that the population of the countries in Europe with which the United States have diplomatic intercourse, is one hundred and forty-three millions five hundred thousand. Here are eight Powers whose aggregate population is in round numbers one hundred and forty-three and a half millions, or on an average a Minister to every eighteen millions of inhabitants, while to more than fifty other Powers, consisting of a population of about ninety-four millions, we send none.

“It is worth considering what would be the effect of introducing any one of our commodities for the consumption of any considerable portion of these ninety-four millions of inhabitants, or of securing to our shipping the carrying trade for them. A single pound of any commodity carried for each would give employment to forty-seven thousand tons of shipping; a pound of any of our valuable exports, tobacco, rice, cotton, &c. consumed by each would amount to many millions; and the duties upon the return cargoes, or upon such articles of reinvestment in some shape or other, would more than repay to the Government the whole present as well as the extended foreign intercourse as proposed.

“To Great Britain and Ireland we send cotton to the value of fifteen millions six hundred thousand dollars; tobacco to the value of one million eight hundred thousand; flaxseed to the value of one hundred and fifty thousand dollars; indigo to the amount of about half a million of dollars; making a total of these articles alone of very nearly one dollar for each person.

“To the Netherlands we send, in cotton and tobacco alone, to the value of a million of dollars, and in other articles of domestic produce eight hundred thousand dollars more; making an average of about thirty cents for each inhabitant.

“To France our exports of domestic produce are near eight millions, or about twenty-five cents for each inhabitant.

“At present our exports of domestic produce to the eighty-seven millions of inhabitants belonging to that part of Europe with which we have no diplomatic intercourse, exclusive of Turkey and Greece, may be estimated as follows:

By Trieste and Venice.....	\$119,000
To Italy generally.....	279,000
To Denmark we send \$150,000 (one third of this is supposed to be sent to the interior).....	50,000
To the Hanse Towns.....	1,800,000
Of the \$1,800,000 sent to the Netherlands, it may be supposed (and this is a large allowance), that one third goes to the interior.....	600,000
Making an aggregate of.....	\$2,248,000

which is equal to about two cents and one half of a cent for each inhabitant. Admitting, therefore, that by a diplomatic intercourse we should find the means of increasing our exports so as to make them equal to those of France, the lowest in the scale, we should have an additional market for about twenty millions of dollars more than we now export; but the trade with France employs about seventy-five tons of American shipping, and consequently in the same proportion the countries in

question would employ two hundred thousand tons. This may be said to be a calculation founded upon correct data, but that the deductions are false, if it is intended by it to show that by establishing a diplomatic intercourse with these countries such an increase of our commerce would necessarily follow. In reply, I admit that it is not pretended that the residence of Ministers in these countries would create this commerce; but it will not be denied that it would promote it; else why are Ministers sent to other countries in Europe? else why was the Government desirous, even at the hazard of a much greater expense than has been incurred, to form a commercial treaty with the Porte? It cannot be said that by the treaty last referred to, we can create an extended commerce with the dominions of the Porte in Europe and Asia, or with that part of Russia which is situated on the Black Sea, and yet it cannot be denied that this arrangement, if it is followed up by proper measures, will tend to promote a vast increase of our commerce, and give increased employment to our shipping, and that without a mission the object of this treaty will be frustrated.

"I am led, by these facts and considerations, to believe, and strongly to urge, the propriety of extending our diplomatic intercourse by sending a Minister to Turkey, another to Prussia, another to Austria, a Chargé d'Affaires to Naples, and, at present, an agent for the purpose of inquiry to Greece; but as soon as that Government is arranged, a Chargé d'Affaires.

"The Minister to Austria ought to be accredited to and charged with power to form treaties with the several Powers composing the German Confederacy.

"I have hitherto merely endeavored to show the commercial advantages that would result from this arrangement, and, as connected with this view, it may be proper to state the probable expense of this increased intercourse. It may be said that the average period of the residence of our Ministers and Chargés abroad is about three years; it might be at least four, and that the annual expense of a Minister, dividing his outfit into three parts, and adding one third of it to his salary as an annual expense, together with contingencies estimated at one thousand dollars per annum, and one third of two thousand five hundred dollars, the allowance for his return, would make the whole annual expense of each Minister not less than \$13,884, and to a Chargé, one half, \$6,917, making the increased expense of three Ministers and a Chargé d'Affaires amount in round numbers to \$48,000 per annum. It may be said without the fear of contradiction, that it is impossible this expense should not be more than compensated to the Government by the extension of our commerce in consequence of this extension of our diplomatic intercourse; but there are other views, which, as to the saving of expense, put the matter in even a clearer point of view. As our commerce is extended by its own energy, or the care of the Government, it must be proportionately exposed to aggressions which produce protracted and irritating negotiation, reprisal, or war. These wrongs will most probably be perpetrated by those people near whose governments we have no representative; and it may here be remarked, that the people of Greece, habitually mariners, and more recently freebooters (the consequence of a protracted and barbarous warfare), will require us to prove to them, by an imposing display of our naval force, that while we desire to cultivate peace with all nations, we suffer unrequited aggressions from none; or, should it be otherwise, they will be readily repressed and atoned for by the prompt interference of our Minister, and thus, in either case, the Government would be saved much expense, and we should not be exposed to those irritations which so often occasion a deep-rooted hostility; and the national honor would be unsullied.

“Preliminarily to the discussion of the second and most important part of our subject, it is proper, in order to arrive at correct results, to advert to the political situation of Europe. The states of Russia, Prussia, Austria—including Italy—the German Confederation, Sweden and Denmark, are, with some unimportant exceptions, unmixed despotisms, whose ill-fated population are destined, for a period at least, to endure all the evils of rigorous and unmitigated slavery. In these countries, unfortunately, the proudest aristocracy, between whom there is a common interest resulting from common dangers, have no choice in the present condition of popular feeling but to rivet their powers more securely, or to change places with their slaves. In the Netherlands and in England there is a basis of theoretical representation and a partial acknowledgment of the sacred principles of freedom; but all these systems are sustained by such evident and unlimited abuses of power practised by the privileged classes, upon whom the existence of royalty depends—they are so burthensome to the people, owing to excessive taxation and extravagance, that, although they claim, in comparison with the others, to be free, yet as to the United States and France, under the new order of things, they may be classed with the others. It is equally out of the power of all of them to yield more than they have already done to the people without endangering their respective fabrics of government. We are therefore permitted in this view of the subject to assert, that all the principalities and powers of Europe must be collaborators with the former openly, and the two latter, or perhaps Great Britain, covertly, in the difficult work of repressing political opinion.

“After the great Powers at the Congress of Vienna had partitioned Europe, dismembering Belgium from France, and joining her in an unnatural alliance with Holland; taking Freudland from Sweden to add to the overgrown strength of Russia, and thus depriving the virtuous and peaceful Danes of Norway in order to compensate Sweden; the Emperors of Russia and Austria with the King of Prussia formed the ‘Holy Alliance,’ to which the other Powers were invited, and many of them did accede. Thus formed, this misnamed association engaged at Verona ‘in the most solemn manner to employ all their means and to unite all their efforts to put an end to this (representative) system of government wherever it is known to exist in the states of Europe, and to prevent it from being introduced into those states where it is not known.’ At Tropau and Laybach they asserted in unqualified terms the right, on general principles, of putting down revolution whenever it should display itself in other independent nations. The attempted revolution of Naples was approved by the king, who could not be brought even at Laybach to express a different opinion. And yet the Allies then set forth the following pretensions: ‘If,’ say they, ‘in a case of revolution the king disapproves the proceedings, we claim the right of interfering in his defence. If the king approves, then, however completely he may be out of danger, he must be considered as acting under compulsion, and the right of interference remains.’ These declarations were not empty menaces. Austria, backed by the Cossacks of Russia, marched her armies into Italy, suppressed this ill-concerted and feeble effort of the people of Naples, and made them the most abject slaves in all Europe. If I well recollect, there is but one newspaper published in all the Austrian-Italian states, and that is under the strictest censorship. None are allowed to be introduced, and the people dare not express their opinions of public measures in any form.

“The duty of fulfilling these engagements when a revolution was attempted in

Spain, devolved on France; and her formidable army, commanded by the Dauphin, restored the feeble Ferdinand to unlimited authority, and the inquisition to its power of executing its secret and unerring vengeance upon all who dared to serve their country by reforming the abuses of the Government.

“In addition to this most conclusive evidence on the part of the ‘Holy Alliance’ of what they, the Holy Alliance, determined and dared to do, it is worthy of remark, as strongly illustrative of their power, that when the invasion of Naples by the Austrians was under consideration in the British Parliament, the Ministry, in defending their passive policy, pretended ‘to maintain that the proceedings of Austria *might be justified on the ground of the danger to her dominions in Italy from the establishment of a liberal government at Naples.*’ As well might England be justified in attempting to put down the liberal government of the United States as dangerous to her dominions on this continent. The iniquitous assumption is too absurd to require to be refuted. It has resulted from a consciousness of moral weakness and the possession of military force. And they have possessed the latter to a degree in which the present state of affairs at home has even intimidated England.

“The successful effort of the people of France to resist oppression and to establish a government for themselves must, as well in obedience to those solemn engagements as to the dictates of self-defence on the part of those who rule by ‘*Divine Right*’ to repress those kindling principles upon which representative governments depend, whose light, unless extinguished by force, must ultimately extend throughout Europe,—this effort, I say, must by its power shake to the centre every throne, however deeply rooted or strongly cemented by time and the blood of its subjects.

“The power of repression, to be successful, must be extended beyond the effort to preserve order. In Spain, in Italy, in the Netherlands, in Austria and Prussia, it must be pushed even to the restoration of the government as it was in France. A Republic, whether its chief be a President or a *Citizen-King*, cannot exist in France without kindling the same spirit of freedom in the breasts of those who are near them and inducing them to make continual efforts at revolt. The time is believed to have arrived when the pure and holy spirit of liberty has gone forth; his trump has sounded, calling the enslaved of Europe to be free; and they must obey his voice, as implicitly as will the spirits of the dead obey the call of the Archangel on the last day to judgment. From these considerations, it is believed that the peace of Europe cannot be preserved. It is, however, said by those who entertain a different opinion, that the Sovereigns have a middle course; that they may satisfy their people and maintain their power by making partial surrenders. I answer, that temporizing, under existing circumstances, will not do. To yield, particularly to the clamors of an enlightened people, as are those of the West of Europe, is to give up all. The contest in France was not commenced or carried on to avoid an impending or to be realized from a pressing evil; it was a contest for great principles, for the right of self-government; and so will it be elsewhere. It is a contest for rights which the Allies correctly declare to be as incompatible with the monarchical principle as the maxim of the sovereignty of the people is opposed to the principles of Divine Right. Reason renders it quite clear that thus to purchase forbearance from the people would be deemed an admission of their power which would give increased energy to the tone as well as latitude to their demands. Experience proves it to be equally certain that in their first efforts to be free (as was the case with the people of France in the first revolution), a people unaccustomed to

self-government will not stop at the boundary between just, salutary restraint and disgusting licentiousness. But if it be admitted that on the whole it would be more wise to yield than to resist, let us see whether that is the course the powers of Europe will probably adopt. Princes do not derive wisdom from their own or the experience of others. The admonitions of the last thirty years have been unavailing to them. The present period of a peace of unexampled duration has not been improved to soften the rigors of their systems. It is true the King of Prussia has, from time to time, held out to his subjects the most flattering expectations; he has even gone so far as to appoint a commission to report the plan of a constitutional government; but at the same time, as we have seen, he entered into the most solemn engagements with his allies to put down all the representative systems in Europe, and to prevent all others from being formed. The Emperor of Austria urged the German union to form representative governments, but denied to his own people the slightest participation in such advantages, and has bound his Italian dominions in the most abject slavery. The King of the Netherlands, not less inconsistent than the two former monarchs, although he granted to his people, as a boon, a representative government, at the same time secured the irresponsibility of himself or his ministers, and as the best means of making that exemption effectual, has endeavored to extend it even to public opinion by destroying the freedom of the press. His people are weighed down by exactions. With a population of about six millions, his public debt amounts to not less than seven hundred millions of dollars.

“The King of France, as an act of grace, granted to his subjects the charter of 1815, and he and his successors have from that time made unceasing efforts to destroy it.

“There are no sympathies between princes and their subjects; the former know nothing of the power or the sufferings of the latter. Accustomed to implicit obedience, relying upon the force they have always at command and upon the advice of deeply interested counsellors, they generally seek the shortest and to them the most obvious and accustomed route to obtain their end. The points of their swords will be relied upon to give the law to their subjects without discussion, compromise, or qualification. In this contest France, however much she may wish to avoid it, must be a party; she well understands that it is better to fight for the right of self-government in Belgium, the arena of Europe, having that warlike people and the invincible Spaniard and even the degraded Italian for her allies, than single-handed at the gates of Paris.

“From these general considerations I am convinced there must be a war in Europe involving the most interesting issue to all mankind. I also believe it will not be immediate, unless it is accidental, because the Allies will most probably first attempt to sow dissension in France; and in the event of civil war, to take part with the adherents of the Duke of Bordeaux or the Duke of Reichstadt, as events may require. The conduct of the banished monarch while on his return to France and of his friends in withdrawing from the Chamber of Deputies and the House of Peers, was dictated by a firm reliance upon the support of that alliance of which he was a distinguished member. The prompt acknowledgment by England and even by the other Powers ought not to induce us to hesitate in this belief; by any other cause they will unite all France against a common enemy, and thus diminish the chance of these dissensions to which I have referred. They would likewise be called, by

an immediate war, from that watchfulness which their situation at home at this moment particularly demands. To delay the contest is therefore their intent, as it will be their policy. Our system always has been, but is now more particularly, an object of deep and settled hatred to the Powers of Europe. It is now adverted to as the source of this accumulation of evils. Our course on this occasion, at the very outset of the first communication of the Executive to Congress, will be looked to with the deepest interest by both parties, while it will be watched with a marked jealousy by one. Under these circumstances it would be wise—nay, it is indispensably necessary—that we should in the event of a war, in order to give effect to our determination to preserve a rigid neutrality, extend our diplomatic relations to all the parties to the contests, and to enlarge our navy, not only that the belligerents may be directly informed of our pacific policy, but that they may be aware of our determination and our ability to enforce our rights as neutrals; and by thus being enabled upon the first aggression to make the most prompt, decided, but temperate remonstrances, we will probably prevent a repetition of offences, and much greater evils, or at all events it will deprive the other combatants of the excuse for similar excesses resulting from an appearance of tame or pusillanimous acquiescence on our part.

“If there should not be an immediate conflict, missions at this moment to the courts actuated by the feelings to which I have referred will tend to allay their jealousies and soothe their irritations, and at the same time have the effect of forcing our country and its institutions into the notice thus of all classes; of inducing the intelligent and well-informed to examine the principles upon which our government is founded, and thus to make comparisons between them and the burthensome mass of absurdities to which they are subjected. Thus will the people of these countries become enamored of liberty and capable of maintaining it. Represented by our benign and beautiful system, she appears to mankind in the most fascinating form; whereas, by the outrages of the French Rebellion of 1790 against all that was wise and good, she is represented as a disgusting harlot intoxicated with the blood and corruptions of her followers. The unostentatious and citizen-like appearance of a foreign Minister would then be an object of general and intense curiosity. The appearance, manner, conversation, and character of Dr. Franklin, and of Mr. Jefferson after him, in France, is understood to have produced much of that enthusiasm and love of liberty which, before the revolution, pervaded a certain class of men in that country.

“It seems now to be admitted, as civilization advances just views of government follow after it; in other words, as men learn to reason rightly they discover that government is for, and ought to be established by, the many and not the few. Nothing has diffused the lights of civilization equally with commercial intercourse. The history of the world attests the truth of this remark, and no country affords a more illustrious example of its advantages in this respect than does that of England when she emerged from the bondage of the feudal system. Her haughty Barons, who successfully resisted the power of the Crown through the force of their vassals, yielded to its mighty influence, and at length sought its aid to limit the power of the Crown. If therefore by the extended diplomacy of our country we can extend our commerce, we shall be instrumental in some degree in loosening the chains of those who are still held in ignorance and bondage, and we will thus form alliances between free principles and a portion at least of the people of every one of the arbitrary

governments of Europe, which will be useful without being at all embarrassing to us.

“ October, 1830.

JAMES A. HAMILTON.”

MARTIN VAN BUREN TO JAMES A. HAMILTON.

“ WASHINGTON, September 10, 1830.

“ MY DEAR SIR: I have a curious request to make of you. I talked over with you, going to Ballston, the subject of internal improvements by Congress, and what might with advantage be said by me, and in a manner which was quite satisfactory to myself and it appeared to be so to you. I made no memorandum, and am confident some things have escaped me to which I then attached importance. Write me your recollections, and if they do not hit upon the same ideas, they cannot, nevertheless, fail to be useful.

“ Believe me to be

“ Yours truly, &c.”

On the receipt of this letter I hastily prepared a statement of the conversation referred to. It embraced two important subjects: one, Internal Improvements; the other, Impressment.

MARTIN VAN BUREN TO JAMES A. HAMILTON.

“ WASHINGTON, September 30, 1830.

“ DEAR SIR: Give yourself no uneasiness about the enclosed. I had picked up my lost ideas before I received your recollections, and put them into a form with which I am highly delighted. You will be surprised to find how much you had retained of our conversation.

“ In haste, your friend, &c.”

PRESIDENT ANDREW JACKSON TO COL. JAMES A. HAMILTON.

“ WASHINGTON, October 5, 1830.

“ MY DEAR SIR: Your letter, with the slippers presented, was received two days ago, but we have been so busied with the despatches opening the West India trade, some little difficulty having arisen in the mind of the Secretary of the Treasury on the subject of the instructions to be issued to the Collectors, that no leisure was presented to me until now. We arranged this last evening, and I hope our return despatch will reach New York in time for the packet of the 8th.

“ I sincerely thank you for the solicitude you take with regard to my health, and have the pleasure to inform you that it has improved, although a little checked by a bad cold taken since my return to this city. It would afford us great pleasure to see you here. I have much to say to you, and some letters to show you that might afford you some amusement, which would not be proper to submit in a letter. Major Donelson, Lewis, and myson all join in their respects to you,

“ And believe me,

“ Sincerely your friend, &c.”

LOUIS McLANE TO JAMES A. HAMILTON.

"LONDON, October 6, 1830.

"MY DEAR SIR: I have just returned from a visit to Paris, but have not a moment to write a long letter even to V. B., and therefore must put off until the next packet a letter of more detailed information to you. I write now a single line in consequence of your letter of the 23d August, which I found here waiting my return. In that letter you observe, 'I wrote you a long confidential letter on the 27th June last, informing you of divers interesting matters, but particularly of certain proposed changes here in which you are particularly as well as generally interested. Your arrival will be looked for about the middle of next month.' *Now I never received such a letter.* I received in May last a letter from you dated the 16th April, which was long and confidential, and corresponding in all other respects with the above description, which I answered by the next packet; but I have received no letter of June nor any other letter of any other date on any subject whatsoever from you between the 16th April and that of the 23d August, which I am now answering. Of course, I am ignorant of the object of your letter of the 27th June, and of course you will receive no answer to it. You speak of having no fears of the small Western States who will return Senators; what then are we to think of the accounts in the *Intelligencer*, of dates later than your letter, taking from us not Kentucky only, but *Illinois, Indiana, Louisiana, and Missouri?* Can it be possible that the Editors have been so profligate as to parade this false intelligence to affect the elections in Maryland and Delaware? It may be so, and I hope that this is the explanation; but then, even these accounts, together with the exaggerated state of affairs in South Carolina, have an unfavorable influence here, in weakening confidence in the strength and permanence of the administration. Van Buren, and you, and Cambreling, should have foreseen this, and if the accounts in the *Intelligencer* be false, have kept me well informed of the real state of things. You have all left this Legation too dependent upon newspapers, which that youthful agent, Mr. Brent, professes to put up twice a month. France is not yet settled, though if peace continue in Europe, I think she will go on and establish her government. But a European war is scarcely to be avoided. Everywhere the elements of discord and rupture are active and potent. This government will exert every nerve and make almost any sacrifice to preserve peace, and will not interfere if she can help it. I believe nothing short of an attempt to unite Belgium with France, or in some other way to extend the territorial limits of France, will draw Great Britain into the war. But of all these things, in detail more in my next. Meantime, let me into the secrets and doings at home, and

"Believe me,

"Very truly yours, &c.

"You should make some inquiries about your letter of the 27th of June.

"P. S. Randolph is at present in London, having quit St. Petersburg in consequence of bad health. He says Juba had the black vomit at St. Petersburg. He has sent him to the U. S. with all his trumpery, but means to travel himself in the south of Europe, first buying in London a leaden coffin in case of accident. In health, he is a good deal shattered, and looks badly." *

* Randolph was appointed Envoy Extraordinary and Minister Plenipotentiary to Russia. Shortly after his arrival, he was presented, and made himself very ridiculous. The presentation is in the Throne-Room of the Winter Palace. Their Majesties the Em-

MARTIN VAN BUREN TO JAMES A. HAMILTON.

"WASHINGTON, October 13, 1830.

"MY DEAR SIR: I am so deeply laden down with business (more so than ever, if possible), that I have only time to say a word. The General Van Sholten is here, and will make his speech to-morrow. His papers are quite informal, but we will send him away, at least personally pleased. Although we have enough in all conscience to meet Congress with, I should not be surprised if before they meet we receive valuable additions. The negotiations in France and Spain—the sluggish Spain—keep me busy. You see in the extract from the Boston paper, republished in the *Intelligencer* of to-day, that it is admitted that the Act of 1823 lost us the trade. This is giving up the question, as it is well known that Mr. Adams drew up that Act; that its provisions were covered over by the lapse of the word *elsewhere*; so much so that the British Government even felt it necessary to ask for explanations as to its meaning, but he insisted upon it for years, and gave it up when it was too late. What do they mean? Is it to get Mr. Clay out of the scrape, and throw all the blame upon Mr. Adams? * * * * *

"Mirabeau said of the Bourbons, 'that they always came too late to do good.' How applicable to the Adamases! Yours truly, &c."

JAMES A. HAMILTON TO PRESIDENT JACKSON.

"NEW YORK, October 16, 1830.

"MY DEAR SIR: I had the pleasure to receive your letters of the 5th and 8th instant, informing me of your safe arrival and improved health.

"Your success in adjusting that difficult matter, the West India Trade, is very properly appreciated here by all ranks and parties, except the factious cavilers, who deceive themselves in their efforts to delude the people. We daily see in the *Post* the evidence, and receive information from those further East, which assure us that it will give greatly increased activity to our commerce.

"Among the measures of congratulation to you, the increase of our impost rev-

peror and Empress leave the Throne, those who are to be presented forming a semicircle in front of the Throne, on the left the ambassador of highest rank, and the others in succession. I speak of the arrangements when I was presented in the winter of 1841-42. The Emperor, attended by a Chamberlain, begins at the left and goes along the whole line, the names of the different persons to be presented being announced to him in turn. After the Emperor, the Empress follows, in full court dress, a page holding up her train; a Chamberlain accompanies her, announcing each person in turn as she approaches him. She holds out the back of her hand to be kissed; the person presented takes her hand in his. The Courtiers are arranged on each side of the Throne according to their rank, male and female. They form a semicircle facing those who are to be presented.

When Her Majesty approached John Randolph, American Minister Plenipotentiary, intending to be most profoundly respectful he went down on *one* knee. He had on leather hunting gloves, rather tight, and while she was holding out her hand, he was tugging away at the glove to get it off, but in vain. He was a very thin, awkward man, and was said to look like a forked radish. This awkward circumstance continued so long that all the lookers-on burst out into a laugh. Her Majesty with great condescension put her hand down to him and he kissed it. This rendered him so ridiculous that he did not remain long at his post. When he was to be presented in London, McLane told me he insisted upon going in the presence of Majesty in so outrageous a manner that his entrance was resisted by the attendants.

He was a man of great purity, a finished scholar of decided talents and much experience, but erratic in the extreme, and of an imperious temper.

enues is not to be overlooked. This will not only afford the means, more rapidly than was anticipated, of absorbing the public debt, but it tends to show that the protective system has not been productive of the evils to our commerce which were so confidently anticipated by its opponents.

"The recent events in Europe are full of interest here, as well as on the other side of the water. Ought we not to look to a general war as an event at least so probable, as to prepare the outlines of a system suited to such a state of things? But more of this when we meet, which pleasure, I regret to say, appears likely to be deferred until after the 5th or 6th of the next month, owing to the continued sessions of the U. S. Courts in this district.

"With my best wishes I remain, dear sir, your friend, &c."

MARTIN VAN BUREN TO JAMES A. HAMILTON.

"WASHINGTON, October 17, 1830.

"MY DEAR SIR: * * * * You see that Eaton has succeeded in negotiating a treaty with the Choctaws. This is an important matter, and breaks the force of the Indian question. The Choctaws and Chickasaws are the most formidable tribes, and the rest must follow, of course. The General is much pleased with this matter. We really go on swimmingly.

Yours truly, &c."

P. VAN SHOLTEN TO JAMES A. HAMILTON.

"WASHINGTON, October 30, 1830.

"MY DEAR SIR: Your very friendly and welcome letter reached me yesterday, and gave me great pleasure, as a proof of the continuation of your friendship for me, to which I consider myself indebted, not only for the most agreeable hours I have passed with you and your family, but also for the flattering reception and facility of intercourse which I have met with here. Your kind intentions of writing to me for some time past have, I assure you, been reciprocated by me. In the execution, however, I certainly stand as the debtor, and trust to your indulgence for my acquittal, having been so occupied and so sick since my arrival, as to have deferred the pleasure of communicating with you until your personal appearance here, of which, according to the report, I have been in daily expectation.

"I have just given in my note, in form of an ultimatum, for the private perusal of Mr. Van Buren, and wish particularly that you could have seen it while in the rough."

PRESIDENT JACKSON'S MESSAGE, 1830.

J. A. HAMILTON TO A FRIEND.

"WASHINGTON, 5 o'clock, P. M., Nov. 21, 1830.

"I arrived here this afternoon; found Van Buren busily engaged with matters relating to the approaching meeting of Congress, in which I was immediately enlisted, and so continued until dinner. I understand the President has got all the materials for his Message now before him; how far it has progressed I do not know."

A LETTER TO THE SAME.

"PRESIDENT'S HOUSE, November 24, 1830.

"I have no power to write more than to say I was all of yesterday, and until 3

o'clock in the morning, engaged at the old work (preparing the Message), and again to-day; and so I shall be continued on the rack until I depart, which I hoped would have been on the 1st or 2d proximo; but, as I learn to-day that the Cabinet meeting as to the Message is not to be held until Saturday, I fear I cannot get away so soon.

"I am now preparing the *picture*, which will be so much daubed by the different efforts at improvement, as probably to obliterate all I now do; and then I shall have to work as hard again to restore the original or finish the substitute."

A LETTER TO THE SAME.

"PRESIDENT'S HOUSE, November 28, 1830.

"The Cabinet Council of yesterday went off well; there was very little daubing, and consequently but little reparation to be made. The Message will be a strong one, touching four or five most interesting points, on all of which the President is very explicit. The suggestions as to the Bank I do not approve; his plan is impracticable; I made efforts to amend and omit—neither would do. I write this to you that I may be on paper in that view. All is going on well.

"I have received great attention here, and am altogether gratified by my visit. The refractory members of the Cabinet have become tame; nay more, absolutely subdued."

TO THE SAME.

"WASHINGTON, November 30, 1830.

"As to the Message, the preliminary work is completed, and the reparation, after the Cabinet have passed upon it, is very excessive. I shall leave here on Tuesday.

"The Plan' is, I fear, not as well thought of by Van Buren as it was; he intimates an indisposition to be Vice-President, and *some safe* man is spoken of. This may be real, or to divert public attention. I have expressed a most decided opinion against its expediency. The difficulties in the Cabinet are drawing to a crisis, and one removal at least must be made (Ingham) ere long."

A LETTER TO THE SAME.

"PRESIDENT'S HOUSE, November, 1830.

"I am a prisoner in the house, condemned to unceasing labor. Last night I did not get to bed until between two and three o'clock, and to sleep only half my usual time. To-night my vigils will be more extended, for, by to-morrow evening, I hope to complete my preliminary labors. The President's kindness and confidence exceeds even what was before evinced. I therefore feel so much pleasure in serving him, that my labors are light as a lady's task. When the heart prompts us, there is no limit to our exertions. I think the Message will be better than the last one. To-morrow Mr. Vaughan gives me a dinner.

"Van Sholten (Danish Minister) will return to New York probably with me, on his way to St. Croix, whither he is to be conveyed in a public ship. The rejection of his propositions will be given in such mellowed terms as to take from it its sting."

LOUIS McLANE TO JAMES A. HAMILTON.

“LONDON, December 16, 1830.

“MY DEAR SIR: I have no time for a long letter. But I am apprehensive, from the fact that I have never received your letter of July, which in another you stated you had written, that some of mine also have miscarried, and that these are accidents peculiarly attending our correspondence. Will you do me the favor, therefore, to say whether you received a long letter from me by the packet which took out the result of my negotiation, and also a letter dated, I believe, the 6th of October, in which I informed you that I had never received your letter of July, stated by you to be confidential?

“The revolution in Poland will give a new turn to affairs in Europe, but it is impossible now to foresee its effects.

“I fear the elections are not as favorable as we could desire, and that our old chief is carrying too much weight.

“Believe me to be, &c.”

CHAPTER VII.

FROM JANUARY, 1831, TO JANUARY, 1834.

Foreign affairs—Vindication against Mr. Calhoun's charges—Mr. Rhind and the horses presented by the Sublime Porte—The negotiations with the Sublime Porte—Resignation of Mr. Van Buren—Changes in the Cabinet—The jewels stolen from the Princess of Orange—Their recovery—The nullification movement—Gibbs the pirate—The United States Bank—Resignation.

JAMES A. HAMILTON TO MARTIN VAN BUREN.

“NEW YORK, January 10, 1831.

“MY DEAR SIR: I wish you would send me a copy of the English and Danish correspondence.

“When the Rev. John McVickar was in London, he endeavored to obtain copies of reports, &c., printed by order of Parliament, and in doing so received great assistance from Lord Lyndurst, Mr. Herries, and other distinguished gentlemen. In the course of his intercourse with the gentlemen named, he suggested the propriety of interchanges of such papers by our two governments. The intimation was well received, and he was assured that, if such a step was proposed, it would be adopted and acted upon by them in the most liberal manner. I therefore beg leave to suggest that you write a note to Mr. Vaughan, informing him that you have given orders that he be furnished with all Reports *not* of a confidential nature, that are printed for the use of the two Houses of Congress, that he may be enabled to furnish his government with such of them as are deemed useful. He will, without any intimation from you, naturally, or rather necessarily, induce the same proceeding on their part; and if he does not, by sending a copy of your note to McLane, the matter will be brought to the notice of the British Government. The information thus obtained would be highly useful to us in so many points of view, as really to make it an object of national concern.

“With great regard, your friend, &c.”

COMMANDER NAVY YARD, Brooklyn, to JAMES A. HAMILTON, Esq., District Attorney of the Southern District of New York.

“U. S. NAVY YARD, NEW YORK, }
“January 22, 1831. } ”

“SIR: I had the honor this morning to receive your communication of yesterday's

date, and in reply to state, that the Vincennes is not detained on account of not receiving funds, although the amount required has not been remitted, owing probably to the state of the roads.

"If the necessary funds should not arrive in time, and the Navy Agent should decline furnishing the amount upon the necessary requisition approved by me, I will then avail myself of your kind offer to furnish the necessary funds.

"The Vincennes is entirely ready for sea, so far as depends upon myself or Captain Shubrick, and she will proceed on the first favorable opportunity, because I do not feel authorized to detain her under the circumstances in which Governor Van Sholten is placed, although I have been informed by the Navy Commissioners that they had instructed Commodore Stewart and Mr. Humphreys to proceed to this place and survey the Vincennes, previous to her proceeding to sea. These gentlemen have not yet arrived. I have the honor to be, very respectfully Sir,

"Your most obedient servant."

LOUIS McLANE, MINISTER, &C., TO JAMES A. HAMILTON.

"LONDON, January 30, 1831.

"MY DEAR SIR: I am far from thinking that the danger of a general war in Europe has subsided. Peace cannot be considered safe until the difficulties in Belgium and Poland shall be settled, and these, I think, are increasing. The object of the London Conferences has been, in my opinion, to place the Prince of Orange on the Belgian throne as the nearest means of reconciling all parties to Belgian independence, and in that way to preserve the peace of Europe; but I do not believe that object is attainable, and there can be little doubt that by the *liberal party in France* the Belgians have been encouraged to reject his pretensions. That party desires a union with France, and certainly a separation of Belgium from the policy and power of the allies. Their aim will not be easily baffled, and with this party Louis Philippe (now essentially a "legitimate"), at no distant day will have to try his strength. Meantime, Belgium is threatened with counter revolution, with intestine divisions, with a want of any lofty or sound sagacity, and with all the horrors of anarchy. Either a counter revolution, or any of the other evils, must renew the war in that country, and which could not be prevented afterward from spreading. There is too much well-founded jealousy with both England and France, of Russian power, to view without alarm the total overthrow of the Poles. It is obvious that the rights secured to Poland by the treaties of Vienna have been shamefully violated, and if there be any force in such obligations, the allies ought not to leave those gallant people to the mercy of the Russian tyrant. No one doubts that the vast military preparations in Russia previous to the Polish revolution were intended for operations on a much larger scale than the Belgian theatre; and as little can it be doubted that if Poland be now at once sufficiently subdued, the real objects of the Autocrat will again revive. There would be little to prevent him in that event from strengthening his forces with Austria, Prussia, and Holland, and marching at once into France. Neither England nor France can be supposed to be insensible to this danger, and it is already rumored that means are preparing to guard against it. If Poland therefore can resist Russia for a time, the probability of war is great; if she cannot, and Russia attempts anything further, war would be unavoidable. All these things will soon come to a crisis however, and I may be able even to-morrow to add a postscript

reporting the choice of a sovereign in Belgium, for whom the election was to take place on the 28th instant. I doubt if the public men are adequate to grapple with the events of the times, and my belief is that, if peace be preserved, it will be by *chance*. The spirit of free institutions is abroad, has taken deep root, and the explosion must come. It is, indeed, the spirit of freedom which is now rocking Europe, and what is there to compose that spirit? Bayonets cannot do it, and monarchs will not; therefore, these elements in my opinion are not to know peace.

“Your friend, &c.”

JAMES A. HAMILTON TO PRESIDENT ANDREW JACKSON.

“NEW YORK, February 3, 1831.

“MY DEAR SIR: I had the pleasure to-day to receive a letter from our friend Major Lewis, in a P. S. to which he informs me in relation to the recent correspondence between you and the Vice-President that you had from the solicitations of the friends of both parties promised to bury the affair in oblivion, provided the other party will act in good faith. This disposition of the matter has given rise to difficult questions, as to what I ought to do in relation to the charges in these letters, and recently repeated in the public prints of intrigues and mischief-making, in which I am said to have participated. I wish to submit my views to you, in order that you may advise me as to my course. When you first showed the letters to me, I intimated a question whether I ought not to write to Mr. Calhoun. I was not then anxious on the subject, because I foresaw that the letters must become public, and that I should then have an opportunity to do myself and another justice. More recently, and after it was understood that the Vice-President intended to publish, I had collected the documents necessary to explain my participation in the matter, and was prepared to make such a publication (although, as I stated to Lewis, I would with great reluctance go into the public prints), as would show that the charge was groundless. My publication was then contemplated to be an answer to his letter to you, when that letter should be made public, as it was shortly expected to be. That expectation is now destroyed, and thus arise the difficulties of my situation. Mr. Calhoun has made the charges in the letter to you. A copy of that letter has been sent by you to Mr. Crawford, and has been seen by Mr. Forsyth. Mr. Calhoun has shown the correspondence to his friends, and may have extended it far and wide. I cannot extend my denial and explanation as far as the charge has gone without publication; and if I do so the step will almost unavoidably involve the development of the whole matter, expose me to the further charge of having made the publication with mischievous intentions, and you, perhaps, as my knowledge of what he has written is derived from you, with having acquiesced in a publication by me for the purpose of getting the whole subject before the public. Another question may be made which is, whether your promise to bury, &c., ought not to bind your friends and control their conduct. The subject is full of difficulty; and notwithstanding the solicitude I must necessarily feel on this subject, I trust I am too sensible of the duties I owe to my friends, and particularly to you, not to be willing to take some risk of loss or to make a positive sacrifice rather than to expose them to injury by inferences that are illogical, unfair, and wholly unfounded. I have given you in this letter, written on the spur of the occasion, my first impressions, without having taken any decision, or even permitted myself to indulge

a wish on the subject. And thus I determine to remain until I am advised by you, or shall have fully and dispassionately deliberated upon the subject.

“With the truest attachment, I remain, yours, &c.”

JAMES A. HAMILTON, U. S. DIST. ATT'Y., TO PRESIDENT ANDREW JACKSON.

[Official.]

“NEW YORK, February 22, 1831.

“SIR: I observe a Bill has been introduced, authorizing a recession of Fort Gansevoort in this city. I think myself bound to state that a suit is now pending on behalf of the Corporation to recover from the Government that property, and that, if they succeed, the United States will be entitled to receive from their grantor, Mr. John Jacob Astor, the consideration money they paid for the property, with six per cent. interest for six years; whereas, possibly, if this bill should pass, that right would be yielded. Under the circumstances, it is deserving of consideration whether anything ought to be done on the subject at this time.

“I have the honor to be, with great respect, yours, &c.”

JAMES A. HAMILTON TO PRESIDENT JACKSON.

“NEW YORK, February 24, 1831.

“DEAR SIR: I have the pleasure to inclose to you herewith the *New York Evening Post*, containing my vindication from the charges insinuated against me in Mr. Calhoun's letters and address. I hope it will meet with your approbation.* My object has been to avoid recrimination; to present myself to the public as an injured person, and so most assuredly I am; and to confine myself entirely to my own case. I have the best evidence to prove that Van Buren determined, before the letter was submitted to you, to have no concern in the matter; but as I did not know what his wishes were on the subject, I have refrained from any allusion to him. It is manifest that he is the object of attack, and that he must come out; and when that is done, if he gives me permission, I will publish such parts of our correspondence as will show he was wholly disconnected from the matter. I have not written to you for a long time, because I did not choose to consume any portion of that time on which the public interests make such incessant claims. I hope you are in good health.

“With the truest attachment, your friend, &c.”

JAMES A. HAMILTON TO MARTIN VAN BUREN.

“NEW YORK, February 28, 1831.

“MY DEAR SIR: I explained to Major Lewis or the President, in a recent letter to be communicated to you, why I did not refer to you and our correspondence on the subject in my statement. I hope you are satisfied with my course.

“Mr. Calhoun's statement of the 24th instant, may call for a reply from me, and in it, I should like with your permission to publish your letter asking for copies of the correspondence, &c., my letters accompanying them and your reply, or such parts of them as would not be improper to be made public.

* See *Evening Post*, 24th February, 1831.

“In my opinion, this correspondence fully disproves any plot in which you participated with me, and it consequently disproves Mr. Calhoun’s gross charges against me; because, if you were not in a plot, he will be at a loss to find the persons with whom I plotted. It also proves my reluctance to send copies of the letters to Washington, a fact wholly irreconcilable with having been engaged in a plot, to bring about a rupture between General Jackson and Mr. Calhoun.

“I inclose you a copy of my letter to you by which it appears that I *then* communicated all the circumstances of my connection with the letter from Mr. Forsyth, and my correspondence with Calhoun. Would this letter have been written to you if there had been any previous understanding between us? Certainly not—it is contrary to the nature of things.

“If you have the slightest wish that I should not publish this correspondence, or refer to it, you must intimate it. Nothing shall induce me to do any thing that may be deemed inexpedient by you.

“Your friend, &c.”

JAMES A. HAMILTON TO THE DUKE DE REGINA.

“NEW YORK, March 5, 1831.

“DEAR SIR: I have the honor to inclose to you a letter I this day received from Mr. Daniel Brent, who is the chief clerk of the Department of State.

“The practice of addressing communications to “the President and Members of the Congress,” to which allusion is made, obtained under the old confederation of the United States, and was then correct, inasmuch as there was then no other organ of communication to the government of this country, the executive, as well as legislative, power of the States being vested in the Congress, an assemblage of the representatives of the different States. But, after the adoption of the existing Constitution in 1789, the system was essentially changed, the executive, legislative, and judicial powers being vested in different departments. The first became, as regards foreign governments, the sole representative of the United States, and, consequently, the only organ of communication with them; either directly when addressed by the executives of other governments, or through the Secretary of State, when addressed by their representatives.

“I indulge the hope that this communication will afford you all the information you required on the subject to which it refers; but if it should not, do me the favor to inform me in what respect it is deficient that I may have the pleasure further to serve you.

“With sincere respect and regard, I have the honor to be, &c.”

MARTIN VAN BUREN TO JAMES A. HAMILTON.

“WASHINGTON, March 9, 1831.

“MY DEAR SIR: I have only time to snatch a moment to say a word to you. We are pressed with grave matters, which require our undivided attention. Mr. Rhind will tell you what we have done and mean to do in regard to the horses* and the Chargé d’Affaires. I wish you would try to keep him in good feeling about the

* For the whole matter of Mr. Rhind and the horses see the correspondence further on.

former. I wrote you by yesterday's mail under cover to Mr. Cambreling. The correspondence is almost forgotten in the Western States, and we *may* soon have matters which will entirely withdraw public attention from it. But of this express no conjectures. Remember me kindly to the family.

"Yours truly, &c.

"P. S.—Don't infer from my letter of yesterday, that I want you to say anything except in case of strong necessity."

JAMES A. HAMILTON TO MARTIN VAN BUREN.

"NEW YORK, March 12, 1831.

"MY DEAR SIR: I have recently had a conversation with Mr. Gallatin in relation to the decision of the King of the Netherlands. He says he has carefully traced, on an accurate map, the line said to have been determined by the arbitrator to be our N. E. boundary, and finds that it gives to the British more than two fifths of the disputed territory. He further states that the arbitrator has not decided the *only point* submitted to him, viz: '*Where the line was to be run in pursuance of the Treaty of 1783.*' That was the sole point in dispute between the parties, and has been the sole subject of discussion, and was to be decided, so far as the principal line was concerned, by ascertaining what were the "*highlands*" referred to in that treaty. That instead of deciding this point by ascertaining the *highland* referred to, he has laid down a new line by way of compromise, which instead of passing along upon *highlands* runs along certain rivers. He says he was particular in forming the arrangement to refer to the subject to state the point submitted in such a way as not to give the arbitrator a discretion, and that he has constantly prompted Mr. Preble to insist that the decision should conform to that view of the subject; and he insists that this uncalled for decision is not binding upon the parties. As this is a subject of deep interest, as well because it involves a point of national honor, domestic tranquillity, and grave constitutional questions, I will, if you wish it, pursue the discussion further with him, and give you his more mature opinion. I am of the opinion that we may disaffirm the decision from the considerations mentioned, as well as because the arbitrator was a political person known as the King of the Netherlands, and not the individual who wore the crown. That consideration, recognized by the usage of nations and founded on the soundest reasoning, will warrant us in taking the ground that the political person was gone, or so materially changed before the decision, as to avoid the whole submission and to make the decision that of a stranger. That these considerations, which might be merely theoretically true and yet of no practical importance, assume a much more serious character, when it is known that the political destiny of the arbitrator was, at the time of the decision, in the hands of one of the parties to the controversy, and that delicacy should, under such circumstances, have induced the King of Holland to decline the performance of a trust that was committed to the King of the Netherlands when England was a party, she being one of the first great powers then having under their consideration the future condition of this very King.

"It is, I think, quite clear that the Federal Government has no power under the Constitution to give up any part of the States to another power. The right to do so under *the necessity* which might result from a state of disastrous warfare would not depend upon the Constitution, but upon powers of a higher nature—powers resulting from principles upon which the Government itself depends, and when their ex-

ercise might be called upon to preserve not only the Constitution but the Nation itself. Abandoning a portion of the territory under such circumstances, would be only yielding to a necessity that could not be avoided, and therefore is above all considerations of rights, or powers, or principles; and although a treaty might be formed under such direful circumstances which would abandon even a State, it would be considered to be made under powers newly acquired: the result of necessity, and consented to by silent acquiescence. The submission to an arbitrator to determine a disputed boundary does not involve the right to give up a portion of the territory; because, although the decision may be against our pretensions, or those of the particular State, wherein that line was ascertained, or if in any other manner the unfounded pretensions to such territory would be alone yielded, and not the territory itself, as that would then be ascertained never to have belonged to us; but when as in this case, our Government or its arbitrator should instead of determining the direction of the disputed line make a compromise which should either yield what belonged to us, or give us what belonged to another, the right to yield or thus to acquire territory and population may well be questioned. If the arbitrator had decided that Mars Hill was the highland referred to, the power of the Government to acquiesce could not, I conceive, have been questioned; but when he throws out of view the natural objects referred to in the Treaty of 1783, and takes upon himself to establish a new line never contemplated by either of the parties, we so manifestly acquire a territory that we have no right to, or abandon that which does belong to us, that our power to do so must be well ascertained. I conceive that this is a case very different from that of the United States purchasing with the national funds adjacent territory, or yielding a portion of the national domain in compromise, or for any other consideration. At all events, unless Maine fully acquiesces, the most prudent and safe course, I believe, for the administration will be—provided it is quite clear that we can do so consistently with national faith—to disavow the decision and immediately offer to leave it to some other power—Louis Philippe if you please. It becomes this administration to be *constitutional* and wholly *American* on this occasion, which is a very trying one. In the present temper and situation of England, there can be no fear of her taking high ground: and the only necessity will be for a demonstration of force on that frontier, as well to repress the attempt of the people of New Brunswick from asserting the rights they may believe they have acquired under this decision, as to prevent the people of Maine from taking the law in their own hands.

“Yours truly, &c.”

JAMES A. HAMILTON TO MARTIN VAN BUREN.

“NEW YORK, March 22, 1831.

“MY DEAR SIR: Your letter by Mr. Vail was received yesterday. I will observe all the caution you can desire in regard to the communication to which you refer. The matter stands well as it is. I apprehend that the gentleman (Mr. Gallatin) whose conversation I have merely referred to is not perfectly well disposed; which I much regret because his good disposition on a delicate and difficult foreign matter is quite important. I should think you must treat him in his own way. He has two sons, both well educated and particularly well suited to be Secretaries of Legation. The father's long services, too, entitle them to your consideration, and

thus the whole matter would be at rest. He suggested in a conversation I had with him yesterday morning, before Vail saw him, that the loss of territory was nothing, as the United States might give twice the quantity of better lands in the Western country—that the only point for Maine would be the loss of sovereignty over that territory; that Massachusetts would be gratified—that Maine was shorn of half her extent. I am gratified that you have time to consider well of this matter. Preble's return might be useful. If Maine would be willing to acquiesce, the affirmative would be the best course. If she does not, there is nothing to be done, as I verily believe, but to consider the decision as not having been made.

“Yours, &c., &c.”

“P. S.—I have since writing the above, had an interview with Rhind. He is in a better temper than when I before saw him. The horses ought to be sold immediately and subject to the charges incurred; indeed, I do not know how they can be sold otherwise.”

WILLIAM C. RIVES, Minister to France, to JAMES A. HAMILTON.

(Received, May 13, 1831.)

“PARIS, March 24, 1831.

“MY DEAR SIR: * * * * When I had the pleasure of receiving your very valuable letter, through Mr. Thorn, last summer, I begged him to acknowledge the receipt of it for me, and to bear witness to you of the manner in which my time was absorbed here as some justification of my want of epistolary punctuality, intending always to seize the earliest moment of leisure to offer you my acknowledgments under my own hand. So it is, however, that this wished-for leisure has retreated before me as I have advanced, like the horizon, and I now find myself as far from it as ever. I must beg you therefore to accept this hurried scrawl as all that circumstances will yet permit me to offer you. It is impossible to give you any adequate idea of the disagreeable and vexatious character of my negotiations with this government for the claims; so much reluctance to enter upon the subject, so many means of evasion, so many expedients of delay, so many complications by the introduction of other questions, and the exhibition of counter-claims, could be overcome or counteracted only by the most incessant dunning, and often after arguments addressed to their apprehensions. These obstacles I have experienced in fully as great a degree, if not greater, with the present government as with the last; and, indeed, their alarming financial condition gives some color of palliation at least to their conduct. You are aware that the subject was referred to a Commission of six members, my communications with whom, in the hope of getting from them as favorable a report as possible (though unofficial), brought upon my hands, necessarily, seven *Ministers* of foreign affairs to deal with instead of one. Their report, I flatter myself, will now be very soon made, and the only responsible negotiation will then commence with the Minister of foreign affairs. The Report, though less unfavorable than it might have been, will be yet very far short of our demands. My task with the Minister, therefore, will be an up-hill business; but I shall do all that zeal and perseverance can accomplish. The affair, it is now well understood, can terminate only by a transaction. In this state of things it would have been very desirable to have had some indication of an amount for which the claimants would be willing to compromise.

I have, however, had none other than that which you kindly gave me in your letter—to wit: six millions of dollars, if we can—five millions, if we must. I should be very glad to know if you still think the claimants would be satisfied with this adjustment. The visionary and unfounded hopes that were at first inspired by the change of government, I take it for granted, have long ago given way to the evidence that is constantly reaching you of the overwhelming financial embarrassments of this country, and of the consequent reluctance that is felt to assume any new charge. Let not any one be Utopian enough to suppose that anything will be conceded to favor for the United States, or to imaginary political sympathies, which is not extorted by inevitable necessity. I have the best grounds for saying, that with a little time more I should have made a more advantageous arrangement with the last government, as great as the difficulties were that I had to contend with, than I can make with the present. I have no time for political speculations, for which, indeed, the materials afforded by the journals are so abundant, that your own sagacity and judgment will conduct you to sound conclusions without any aid from me. It is evident that the state of this country, as well as of Europe generally, is unsettled and *quasi* revolutionary at least. If I shall ever get rid of this horrible subject of the claims, I shall then have more time for writing to my friends, among whom I shall be particularly ambitious, by my punctuality at least, to merit the favor of your correspondence. In the mean time, I beg you to let me hear from you; and praying to be recalled together with Mrs. Rives (who desires her best respects to yourself also) to the kind remembrance of Mrs. Hamilton,

“I remain, very truly your friend, &c.

“P. S.—Though it has been found impossible, I learn, to unite the whole of the claimants in any formal authority to the Government to compromise for a round sum, yet if any number of the leading claimants, either in meeting or individually, would say what sum would be admissible in their opinion as a *minimum*, making that as low as possible, it might be the means of protecting the Government hereafter against unfounded and capricious complaints. Suppose you confer with some of them in New York and get the opinions of as many of them as you can—the more formally expressed the better.”

NEGOTIATION WITH THE SUBLIME PORTE.

The negotiation commenced by John Q. Adams when President, as before stated, resulted in a treaty with the *Sublime Porte*, who, when it was concluded, presented to Mr. Charles Rhind, one of the commissioners, *Four Arabian Horses*, which he brought to New York, and, to the great annoyance of General Jackson, claimed to have a right to them. The following papers will explain that subject:

BY JOHN Q. ADAMS, WHEN THE PAPERS WERE DELIVERED BY ME TO THE WRITER.

“These papers are left unsealed for Mr. Hamilton’s perusal. As it is important to the secrecy desired by the President and Secretary, that the direction even should not be seen by any but those privy to the business, the whole is put in an envelope addressed to Mr. H.”

Memorandum. The above is a copy of a short memorandum which accompanied a letter to J. Biddle, and copies of Spanish and French treaties with the Porte, and the instructions to Captain James Biddle, David Offley, and Charles Rhind, Esquires, to negotiate a treaty with the Sultan. They are appointed Commissioners. The Treaty is expressly confined to peace and commerce. They are expressly directed not to make a treaty which will interfere with our relations with other powers, and particularly our neutral character. They may make a treaty subjecting our trade to a duty of 5 %, but which by other arrangements only amounts to 3½ %. The French are admitted at a duty of 3 % for exports and imports. A secret article to be negotiated, by which we are to be admitted on the principle of the most favored nations after the expiration of the treaty with France, which will take place in one year. Allusion is made to the manner of treating with the Porte, which is different from that of treating with other nations. Allusion is made to presents being given, and it is sanctioned—authority being given to Biddle to draw on the Government for funds.

I wrote to Van Buren pointing out to him that the instructions spoke of the *Sublime Porte* sometimes as a *thing*, and in the singular number; and sometimes as a *person*, and sometimes as *persons*, and submitted to him whether it would not be better to pursue the phraseology first referred to—*The Sublime Porte*. I think from the expressions used in the treaty with France, they referred to the place of residence of the government court and the Port of Constantinople.

CHARLES RHIND TO 'THE HON. MARTIN VAN BUREN.

“NEW YORK, April 2, 1831.

“SIR: I have the honor to acknowledge the receipt of your letter of the 30th ultimo, in which you state ‘that the President is anxious to close the affair of the horses, so far as he has any agency in the matter, as soon as that can with propriety and safety to *other interests* be done.’

“On that subject I shall only remark, that when I addressed you my letter of the 10th of December last, I indulged a hope that Congress would have acted a just and generous part, in return for my services and sacrifices, and if Government could show a legal claim to the horses, that at least funds would have been provided and arrangements made for a present in return, such as would become the dignity of the United States.

“You are aware of what has been done on both those occasions.

“Legal advice of the highest authority (sanctioned by the opinion of distinguished members of Congress) declares that Government has no claim whatever on the horses, and the matter must consequently take its course.

“The ‘*other interests*’ to which I presume you allude, are the insults offered myself, and the reflections thrown upon our country by the conduct of my colleagues during their short stay at Constantinople; this certainly must be acted upon before I could present myself to the Porte. The insults and abuse offered to me personally, the meanness of their conduct which rendered our nation contemptible in the eyes of the Turkish Ministers, and the gross indignity they offered to the Reis Effendi,

require, I think, at least an expression of the opinion entertained by the President ; and to speak candidly, I expected this before now.

" A perusal of the documents in your possession will show the imperious necessity of deciding upon this subject.

" The President, I am sure, would neither wish nor expect me to present myself at Constantinople as an insulted and degraded representative of the United States ; little, indeed, would be my influence if I were thus to appear without some expression of the Executive on the occasion.

" This subject is of more importance to the dignity of the United States than to me personally, and I am glad you have not lost sight of it.

" My detention at Washington has been a serious injury to me, and unfortunately I have been unwell since my return. I have every reason in the world to urge my departure ; but with all my efforts I doubt whether I shall be able to leave this before the first week in May. I shall endeavor to procure a fast-sailing vessel in order to gain my destination as speedily as possible ; it will probably be about the 25th instant before I reach Washington.

" That there will be great difficulty in obtaining a ratification of the Treaty by the Porte, is very certain.

" It will require the utmost management ; and additional funds, I fear, will also be necessary to overcome the surreptitious attempts which will be made against us.

" With your money affairs I will have nothing to do, but personally will render all the assistance I can. I beg you to assure the President that I will afford every aid in my power to accomplish this end ; but I confess I have great dread our antagonists will have been actively engaged, and they have too many *unpleasant facts* to use on the occasion.

" I have written to Mr. Navoni, urging his utmost vigilance—my sole reliance is on his keeping the *intriguants* at bay until I arrive ; he will announce to the Ministers (and our *personal friends*) that I am on the way, and this, I think, will keep them quiescent. With great respect, I have the honor to be, sir,

" Your obedient servant."

ANDREW JACKSON TO JAMES A. HAMILTON.

WASHINGTON, April 6, 1831.

" DEAR SIR : Mr. Van Buren has shown me a letter from Mr. Rhind which gives me much pain. I respect and esteem him, and should be sorry to find that he could be induced by the injustice which he thinks has been done to him to take ground now which would not only embarrass the service, in the final success of which his fame is so deeply interested, but seem also to give countenance to the imputations and acts of which he complains. It is my wish, therefore, that you should see him and have a frank and informal conversation with him on the subject matter, and I cannot but hope that he will upon further reflection be induced to abandon the ground he has taken in the letter referred to. When he left here, we understood that the only question was whether the horses would be sold before or after he left the country, and in consequence of his thinking it best to defer it to the latter period, that course was concluded upon, and the matter would not have been further acted upon now, but for the opinion expressed, that Mr. Rhind had changed his views in that regard. By the inclosed letter of Mr. Rhind's which was communicated to

Congress, you will see the attitude in which he would be placed, if he were now to raise an objection to the sale, and how insufficient would be the ground derived from the expectation which he says he indulged, but which were not then made a condition.

"The subject of the unfortunate difficulties between Mr. Rhind and the other commissioners was not alluded to by Mr. Van Buren in his letter, but it was to the ratification of the Treaty he referred. I have explained myself frequently to Mr. Rhind upon this subject, and informed him that, at least until the Treaty is finally disposed of, I would not think it proper to take any steps in that respect, and in the propriety of that course I thought Mr. Rhind concurred. Mr. Rhind knows the amount of funds which have been appropriated, and that I have no power to add to them. Our wish is that Mr. Rhind should take all the papers for Commodore Porter at as early a period as possible, with authority, if any accident or other cause should prevent Commodore Porter from accepting the office and discharging the duty of effecting an exchange of the ratification, that then that duty should be discharged by Mr. Rhind himself. It is all important that we should know definitely what we may depend upon in that respect, as the time is running away. If Mr. Rhind, with a knowledge of all the circumstances, is either unwilling or feels himself incapable of doing what we desire and expect from him, I hope he will let us know definitely, so that we may immediately dispatch a special messenger to Commodore Porter. The necessity of adopting this latter course would cause me much regret, as I am anxious that he should have the credit of assisting in concluding the business. But we must run no risk that can be avoided. If even the true state of Mr. Rhind's health is such as to render it uncertain whether he can go on, I should prefer to send a special messenger immediately, and take the chance of Mr. Rhind coming on in season to afford his country the benefit of his assistance. I prefer to send you this private and unofficial letter, to be seen by Mr. Rhind only, instead of a formal and official correspondence. I consider Mr. Rhind's future course in this business as a matter of public, as well as private, importance, and I want you to see and converse fully, freely, and friendly with him. He knows our disposition toward him, and I cannot but flatter myself that however much he may feel aggrieved by the acts of others, he will not on that account omit to do anything in his power by which the public interest will be promoted—he is, I am sure, too public-spirited for that. Mr. Rhind will show you his letter to the Secretary of State, which will enable you to understand this letter. Make my best respects to Mr. Rhind, and let me hear from you as soon as possible, as I feel much anxiety on this subject.

"Please tender to your amiable lady and family, my kind salutations, and believe me your friend."

JAMES A. HAMILTON TO PRESIDENT JACKSON.

"NEW YORK, April 9, 1831.

"DEAR SIR: I had the pleasure this day to receive your letter of the 6th instant, and I immediately called upon Mr. Rhind whom I found obstinately bent upon insisting upon a claim to the horses. He showed me the letter of the 2d instant written by him and referred to by you. I pointed out to him the folly and indecorum of such a letter, and he consented to withdraw it, to which end he immediately wrote a letter to Mr. Van Buren which I inclosed to-day. He informed me that the horses

were advertised for sale by the Consignees (the sale to be made in the first week in May). I endeavored to induce him not to make the sale, and urged every consideration as well of a legal as of a personal character to himself that I could think of, but in vain; he insisted that he had legal advice that he had been ill used by Congress, and that his letter was written under the belief that justice would have been done to him. I refuted these positions without difficulty, but without producing a change in his determination. Under these circumstances I think it would be well to send to me authority to the Marshal to sell the horses, which I will not use unless it should be necessary—that is to say, unless he should persist in making the sale—when it may be done by the Marshal at the same time it is now advertised to be done by the Consignee, and thus may be avoided the appearance of any controversy between Mr. Rhind and the government. I endeavored to induce him to postpone the sale until after his departure, but equally without success. I regret to add that I found Mr. Rhind (either from passion or avarice) wholly insensible to these considerations of delicacy which ought to have been paramount. He will sail from the first to the fifteenth of May, in a vessel bound directly for Constantinople, if it be possible. In the course of our conversation, referring to the possibility of his not getting there in time to aid Porter, I intimated, in order to try him, that it might then be necessary for Porter to call Offley to his aid, and I found that this produced much uneasiness. Before this, he assented to the propriety of sending a messenger in advance to Porter, but afterward insisted that that would be unnecessary as he would be at Constantinople as soon as they would be there. He acceded to the propriety of your suggestions in relation to that part of his letter which refers to an expression of your opinion in relation to his colleagues. Inasmuch as his conduct in relation to the horses may be such as ultimately to preclude his being employed, I think it would be well to send Mr. Hodgson forthwith to Porter with the Treaty, &c., with instructions to the latter to go to the mouth of the Dardanelles to remain there until a given day. Such an arrangement will, I think, be a proper precautionary measure, and will have the effect of satisfying Mr. Rhind who, I believe, anticipates much pleasure, if not profit, in returning to Constantinople with the Treaty. I will see him again to-morrow, and write to you again, should any thing further of interest occur. With the truest attachment, your friend, &c.”

MARTIN VAN BUREN TO JAMES A. HAMILTON.

“ April 6, 1831.

“MY DEAR SIR: The inclosed, with the letter written by Mr. Rhind to me, will explain what is wanted of you. I was quite satisfied by Mr. Rhind's remarks before he left here, that it would be advisable to defer the sale of the horses until after he was gone, for fear of the circumstance being used to our disadvantage. The reminder that the Sultan is inclined to avail himself of the Emperor's present embarrassment to shake off the onerous obligation of the Treaty of Adrianople, gives increased interest to the whole subject, and makes us the more deeply deplore the course which Mr. Rhind seems inclined to take. He says he will have nothing to do with the money matters. If it would be perfectly agreeable to him, we could send Mr. Hodgson with him to guard against the accidents of death or sickness, or he might go on before and get Porter in readiness; but I should like very much to have Mr.

Rhind there when they first arrive. Have the goodness to devote your early and undivided attention to this matter, and let me hear from you as soon as possible.

“Yours truly.

“P. S.—I hope Mr. Rhind will see fit to withdraw his letter. I send you *confidentially* a copy of it; but you will still ask him to see the original.”

M. VAN BUREN TO JAMES A. HAMILTON.

“April 6, 1831.

“MY DEAR SIR: Could not Mr. Riker be of use to you in bringing Mr. Rhind to a sense of what is proper, and save him from the consequences which will flow from his course? He cannot, certainly, have reflected upon the consequences which may grow out of it.”

JAMES A. HAMILTON TO MARTIN VAN BUREN.

“NEW YORK, April 9, 1831.

“MY DEAR SIR: I do not repeat to you what I have said in reply to the President, as I presume you will see that letter. I find Rhind is disposed to behave shabbily on this occasion. He may have the poor apothecary's excuse: ‘His necessity and not his will consents.’ In my conversation, which was conciliatory but quite frank, I found I could not create the slightest solicitude in relation to his character. He utterly denied that he had concurred in the propriety of deferring the sale until after his departure, although I stated to him the President's assertion that it was so. Indeed, your statement is that he gave satisfactory reasons for such a course. Adieu. Your sincere friend, &c.”

ANDREW JACKSON TO COL. JAMES A. HAMILTON.

“WASHINGTON, April 12, 1831.

“MY DEAR SIR: The *John Adams* will sail in a few days from Norfolk for the Mediterranean, and I have determined to guard against accidents by sending Mr. Hodgson with the papers to Commodore Porter with instructions to the Commander to take the Commodore to Constantinople. If Mr. Rhind gets off by the time he contemplates, he will probably reach there as soon as the *John Adams* which may be detained here a week and possibly two, although I hope not. In my view of the matter, this is, I think, the best arrangement that can be made.

“I am greatly mortified that any difficulty is made about the horses. I have directed an authority to the Marshal to sell the interest of the United States in them, to be made out and sent to you. Before that is done, I should like, in the absence of the Attorney General, to have your opinion as to the course to be pursued in this delicate affair.

“Is it possible that Mr. Rhind can be insensible or indifferent to the ungenerous effect which this matter is calculated to have upon his standing in regard to the whole affair, and what a weapon he will put into the hands of his enemies?”

MARTIN VAN BUREN TO JAMES A. HAMILTON.

“April 13, 1831.

“MY DEAR SIR: It has occurred to me that you might interpret the President's

request for your opinion in relation to the horses, into a wish that you should give it in person, and I write you to inform you that such was not the case. The reason of my doing so you will better understand hereafter. I am preparing the authority for the Marshal, &c., and will send it on without waiting for your opinion. The President's request for it was upon my suggestion, and if from the press of business or any other cause it is at this moment inconvenient to you, it will do no harm to omit it. The design expressed in your letter to the President appears to be well calculated to avoid discreditable publicity to the unfortunate dispute. But I hope you will have been able to change Mr. Rhind's views before this time, or that you will succeed in doing so hereafter.

In haste, yours truly."

MARTIN VAN BUREN TO JAMES A. HAMILTON, ESQ., ATTORNEY U. S. FOR
SOUTHERN DISTRICT OF NEW YORK.

"DEPARTMENT OF STATE, WASHINGTON, April 14, 1831.

"SIR: Herewith you will receive, under a flying seal, a letter to Mr. Morris, Marshal of the United States at New York, directing him to receive from the persons having possession of them at present, the four Arabian horses presented by the Grand Sultan to Mr. Rhind, one of the late Commissioners of the United States, for negotiating a treaty with the Sublime Porte, and to dispose of the said horses, as the property of the United States, at public sale. You will receive, likewise, a Congressional document of the last Session, containing Mr. Rhind's letter to the President, the President's Message to both Houses of Congress, and the Report of the Committee of Foreign Relations of the House of Representatives, upon the subject of these horses. Mr. Rhind, by the letter referred to, having expressed a willingness as regards himself, to transfer to the United States any right, title, or interest which he might have to or in the horses in question, if it should be required of him to do so, and intimated that the other parties concerned would be satisfied with a full reimbursement of the expenses incurred in relation to them, including indemnity for all other charges incident to the said horses, the Marshal has been entrusted with this commission; and he is particularly referred to you for your counsel and assistance in reference to the execution of it. I must beg you, therefore, to give him all the aid and advice which may occur to you as proper and useful on the occasion. He will have to depend on your good offices, in the first instance, for getting the horses into his custody (and we shall reply upon the discreet interposition of them to that end), and afterward upon your advice as to the time and place of the auction, and other details. As far as these can be made conveniently subservient to the object of producing a general and fair competition of bidders, they should be determined upon with that view.

I am, sir, respectfully, your obedient servant."

JAMES A. HAMILTON TO PRESIDENT JACKSON.

"NEW YORK, April 17, 1831.

"DEAR SIR: I had the pleasure to receive your letter of the 12th instant on the 16th instant, and in compliance with your request I immediately prepared an opinion on the case referred to, which would have been forwarded to you by the mail of yesterday but is withheld in consequence of a letter I received from Mr. Van Buren. I will only now remark that the right of the Government is perfectly

clear, and the course to be pursued in order to assert it, that which you have contemplated. I take the liberty merely to add, that it would be advisable to authorize some person here to call upon Mr. Rhind for the release proffered in his letter of the 10th December last. I had a very long conversation with him to-day, in which I endeavored to satisfy him that he had no legal right whatever; that he was bound by regard to his own character not to set up a pretension so contrary to his letter; and, above all, that he owed a duty to you and Mr. Van Buren which commanded him to pursue a very different course. I am confirmed, by what passed in this conversation, in the opinion I before expressed, that he looks forward with solicitude (in consequence of some commercial speculation) to being at Constantinople, when Porter arrives there. I did not think proper to make known to him your determination."

OPINION OF JAMES A. HAMILTON, District Attorney of the United States for the Southern District of New York, in the case of the horses presented by the Ottoman Porte to Mr. Charles Rhind, Agent of the United States at Constantinople :

CASE.

"Mr. Charles Rhind, Consul of the United States for the Port of Odessa, was duly appointed, together with Messrs. Biddle and Offley, an Agent, with full powers to negotiate a Treaty of Commerce with the Sultan of the Ottoman Empire.

"Pursuant to his instructions, he proceeded to Constantinople, where he negotiated, concluded, and signed, a Treaty with the Porte, on the — day of — 1830. He thence went to Odessa, appointed a Vice-Consul, returned to Constantinople, when, on the 30th August, the Sultan presented four (4) horses to him, which he accepted because, as he says, 'the gift was one that could not be returned without offence,' and to refuse it would be attended with injury to the interests of the United States. Mr. Rhind immediately had the horses appraised by competent judges on the spot, and took them with him to Smyrna, he being on his way to the United States. In a letter to the President, dated the 10th December, 1830, Mr. Rhind, after reciting the manner in which the present was made to him, adds: 'Having no funds of the United States or the means of raising them, to pay for their expenses and passage to America, I shipped them as a commercial adventure in the name and for the account of the owners of the vessel in which they came. The horses were consequently in their possession; but if the United States have a claim for the value, I presume these gentlemen will pay it over should they sell for more than the expenses attending them which, of course, are very considerable. So far as regards myself, I am ready to transfer to the United States any right, title, or interest I may have in them, should it be required.'

"Mr. Rhind arrived in the United States in November, 1830, with the Treaty, and has been paid for his services as such agent at the rate of four thousand five hundred dollars a year, up to a period subsequent to the date of the gift of the horses.

"The Treaty has been ratified by and with the advice and consent of the Senate, and sent to Constantinople to be exchanged.

"The rule established by the 9th Section of the 1st Article of the Constitution, that 'No person holding any office of profit or trust under them (the United States),

shall, without the consent of Congress, accept of any present, emolument, office, or title of any kind whatever, from any King, Prince, or Foreign State,' when applied to the facts above stated, make the case so clear as to be beyond the reach of doubt or cavil.

"1. Mr. Rhind, at the time of the gift, *held the office of Consul*. He had been duly commissioned, had afforded the security required by the Act of Congress. He had entered upon his duties, had appointed a Vice-Consul who was acting for him at the time the gift was made, and who, under the power so delegated to him by Mr. Rhind, asked through the Secretary of Legation, Mr. Clay at St. Petersburg, for an Exequatur from the Emperor of Russia. Mr. Rhind had not resigned, nor was he removed from his office of Consul, and although appointed in the recess of the Senate, his nomination, it is understood, had subsequently been confirmed by the Senate. He was, therefore, clearly at the time the gift was made, holding this office of trust within the meaning of the Constitution.

"2. Mr. Rhind had been commissioned by the President with all formality as a Commissioner to treat with the Porte; he had been received, had performed that service, and was still within the Turkish Dominions, although about to return to the United States. He was, therefore, according to the laws of Nations, still a diplomatic functionary of the United States, and as such entitled to all the rights, privileges, and immunities of that station. There is no difference in this respect between a Minister, or Agent, with full powers to treat of all matters, and one with limited or specific powers, between an Ambassador or a private Diplomatic Agent (after the latter has been received by the power to which he is accredited); each maintains a distinct Diplomatic relation with the Government to which he is sent, until after he leaves the Territory of the Foreign State. Each continues until that event the representative of the Foreign power, and as such must be respected and treated. From these general principles, it necessarily results that Mr. Rhind, notwithstanding he had signed the Treaty, continued, according to the laws of Nations, to hold the office to which he had been appointed at the time the gift was made. But as to the rule referred to under our Constitution, the case is much stronger. The intention of that restrictive provision was to place persons holding offices beyond the influence (either through appeals to their *avarice* or *vanity*), of foreign Nations; and to give this intention full effects. The person to whom gifts are offered must be considered as in office as long as it is possible to suppose that the present may be induced by any act done by him while in office. It must be understood to mean, in the case of Diplomatic Agents, that they never can accept a present or title from a foreign State to which they ever were accredited. Any other rule would, as the House of Representative say, 'tend to the establishment of a precedent by which the guard of the Constitution against the acceptance of presents by our agents abroad would be weakened, and perhaps eventually broken down.' If it is admitted, as it is assumed in this case by Mr. Rhind, that as soon as the special object of the mission was accomplished, the Agent ceased to hold an office, and therefore ceased to be within the rule referred to, how ineffectual and absurd would be such a restriction; it would wholly fail to reach the evil it was intended to prevent; for if a Diplomatic functionary was to be bribed, the price of his faithlessness never would be paid until after he signed the Treaty, and thus accomplished his work. This view of the subject is too plain to require illustration. †

“The question presented by the facts is one between Mr. Rhind and his own Government, and how does it stand according to Mr. Rhind’s own acts and admissions?

“1. He received his salary as Agent, for a period subsequent to the time the gift was made—thus admitting in the most authentic manner that he was then holding an office of trust or profit from the United States.

“2. He says in his letter already referred to: ‘Although this (the sending the horses to him) was evidently not intended as a present to me in my official capacity, since the Ministers were aware that I could not receive them as such;’ thus admitting that he was at the time the gift was made in an official capacity and that he had informed the Turkish Minister (on that occasion, that is to say, when the horses were sent) that he was forbidden by the laws of his country to receive a present; he then being an officer of the United States, it must be assumed that he informed the Ministers on *that occasion* of that rule of our Government, in order to avoid the humiliating idea that, uncalled for by any circumstance, he had prompted the offer of a present by a voluntary conversation on that subject.

“3. He says he had them ‘immediately appraised on the spot.’ To what end was such an appraisal made? Why, clearly because he considered the horses, when accepted for the reasons he gave, as belonging to the United States; and as he intended to ship them as a commercial adventure for account of the owners of the vessel in which they came, and in part payment of the individual credit he had received from them, that he might pay the appraised value to the United States. This could be the sole object of that appraisal; additional force is given to this idea when it is remarked that this statement of the horses having been appraised is made in connection with another, to wit: that ‘*I was consequently obliged to take them and relinquish the purchase of those I had selected.*’

“4. Mr. Rhind, in the same letter, not only assures the Government that in his opinion the consignees of the horses will pay to the Government the value of the horses over the expenses, but that so far as regards himself he is ready to transfer to the United States any right, title, or interest he may have in them, should it be required. Thus placing the whole subject within the control of the Government without condition or qualification.

“From these considerations it is quite clear that Mr. Rhind or the consignees of the horses can have no claim to them beyond the expenses incident to their transportation and keeping; and it is equally clear that when they were accepted, as the Agent could not take them for himself, he must have accepted them for the United States and as their Agent or Trustee, and as such he now holds them.

“Under these circumstances the United States may pay the expenses to which I have referred, and take the horses to be disposed of when and as they see fit; or they may sell them subject to those expenses or they may permit them to be sold by the consignees and call upon them for the surplus proceeds of such sale over and above the expenses.

“In this view of the whole matter, perhaps the best course for the President would be to authorize the Marshal of the United States or some other person in New York to make a sale of the horses, or to cooperate with the consignees in making such sale; with directions, if the horses sell for more than the amount of the expenses, (to be settled as though the transaction was between Mr. Rhind and the consignees), to demand that amount from the consignees, and if they refuse to pay it over to the United States, to commence a suit for the recovery of the same, with instructions,

however, on behalf of the Government first to require Mr. Rhind, in pursuance of the offer contained in his letter, to transfer to the United States all his right, title, and interest in the horses.

“JAMES A. HAMILTON.

“New York, April 16, 1831.”

JAMES A. HAMILTON TO THE HONORABLE JOHN FORSYTH.

“NEW YORK, April 18, 1831.

“DEAR SIR: In reply to your letter of the 4th ultimo, on the 13th of that month I addressed a letter to you at Milledgeville not knowing that you had changed your place of residence. Do me the favor to inform me whether you have received it or not. I have the pleasure to acknowledge your favor of the 23d ultimo, and to thank you for your attention in sending me the newspaper it covered. Do me the favor to recall me to the recollection of Mrs. Forsyth and the other members of your family.

“I have the honor to be, with great respects, yours, &c.”

MARTIN VAN BUREN TO JAMES A. HAMILTON, Attorney U. S. for the Southern District of New York.

“SIR: According to the concluding paragraph in the letter from Mr. Charles Rhind, one of the late Commissioners of the United States, for concluding a Treaty with the Sublime Porte, to the President, dated the 10th of December, 1830, a printed copy of which letter is herewith transmitted to you, in relation to the four Arabian horses which were presented to him, Mr. Rhind, by the Grand Sultan, it is distinctly understood, that he would be ready to transfer to the United States any right, title, or interest which he had to or in those horses, ‘should it be required.’ I am directed by the President, therefore, to ask the favor of you, as I accordingly do, to require Mr. Rhind, in his name, to transfer to the United States all the interest which he has in the said horses, and to deliver them to such person as you may authorize to receive them.

“The President relies upon your prudence and discretion for a satisfactory execution of this commission, and I remain, Sir, respectfully, your obedient servant.

“April 23d, 1831.”

JAMES A. HAMILTON TO MARTIN VAN BUREN.

“NEW YORK, April 23, 1831.

“DEAR SIR: For two or three days past I have been negotiating with Mr. Rhind and his counsel without success. They persisted in their legal rights, and refused to permit the horses to go into the Marshal’s possession under these circumstances, as the Marshal’s instructions are ‘to receive possession.’ I have thought it best for him to call upon the persons who have the horses in possession, to require their delivery, and in the event of their refusal to deliver them, to report that fact to the Government and await instructions; if it is deemed important to go further, perhaps all the President can now do will be to instruct the Marshal or District Attorney in behalf of the Government, to give notice to the Messrs. Howland’s not to pay over the proceeds, in order that a suit may be instituted to settle the question and obtain the proceeds after paying the expenses.

Yours, &c.”

ANDREW JACKSON TO COL. JAMES A. HAMILTON.

"WASHINGTON, April 23, 1831.

"DEAR SIR: I have directed instructions to be given to you to require from Mr. Rhind the release of the Arabian horses proffered in his letter of the 10th of December last. I cannot permit myself to doubt his compliance with this request. I feel for Mr. Rhind's welfare, and shall always be disposed to do justice to the zeal he has manifested in the public service; but it is due to candor, as well as to himself, that he should know that, if he should prove capable of refusing to comply with the promise he has made in this respect, and which has been formally communicated to Congress and the nation, no confidence between him and the Government will, for the future, be advisable. I will thank you to communicate this to him in the most kind manner in which it is dictated. I would deeply regret that his public services should wind up in this untoward manner; but the credit and character of the public peace must go before all personal considerations.

"I am, very respectfully, your friend."

JAMES A. HAMILTON TO MARTIN VAN BUREN.

"NEW YORK, April 21, 1831—9½ P.M.

"MY DEAR SIR: Campbell and John have called upon me, the former in extreme agitation, to ascertain from me the truth of a report too strange to be true, and yet too well vouched to be disbelieved, to wit: 'That you have resigned.' I confess to you that I was mortified as well as grieved. Mortified that you should have taken such a step and left me to learn it in the streets, and deeply grieved that any thing should have occurred to render such a measure necessary. I cannot conjecture a state of things to justify you in withdrawing your services from our friend, particularly at this juncture. I am bound, however, to believe that you will be enabled to justify your course to your friends and to the public, and that that justification will not be inconsistent with the just respect and confidence which both have entertained for the President. In the whole course of my life I never felt such intense anxiety as I do at this moment. The whole has come upon me like a visitation from above, and I am consequently utterly at a loss to account for so strange a change. Adieu.

"Your most anxious friend, &c."

JAMES A. HAMILTON TO WILLIAM B. LEWIS.

"NEW YORK, April 21, 1831—10 o'clock P.M.

"MY DEAR LEWIS: What does all this mean? Van Buren resigned and Eaton resigned, and I am left by you and by all in entire ignorance of the fact and of the causes which have led to such important changes. I will not permit myself to conjecture or to form opinions as to whether such a measure was called for or not, but I will merely say, changing the language of Lord Kenyon in a single word, 'When I desert my President, may God desert me.' I have been asked this morning by a great many what all this means, and have been compelled to say I am wholly ignorant of what I think I may say, without arrogating too much to myself, I had a right

to be informed about as soon as almost any other person in this city. Adieu. I retire anxiously waiting for the developments of the morning.

“Your sincere friend, &c.”

MARTIN VAN BUREN TO JAMES A. HAMILTON.

“WASHINGTON, April 25, 1831.

“MY DEAR SIR: I am anxious to hear what you think of the late movements here, as I have great confidence in the soundness of your judgment in such matters. I presume Mr. Ludlow has explained to you why I thought it best, as I could not confer with my friends, to write to no one on the subject. I was once or twice on the point of mentioning it in one of my letters, but, for reasons which you will appreciate, concluded it was best to leave all my friends in New York in the same situation.

“I see by a note from Cambreling that he is under great alarm. He had seen a note I wrote to Mr. Butler, apprizing him of what was to take place, and which was intended to prepare our friends at Albany, when the Legislature was in session, for the event.

Yours truly, &c.”

“P. S.—Our accounts from every quarter are favorable to the movement. I never felt less embarrassed as to my own course than I did in this.”

MARTIN VAN BUREN TO JAMES A. HAMILTON. (Private.)

“WASHINGTON, April 25, 1831.

“MY DEAR SIR: Since writing you to-day I have received yours of the 23d. You have before this received mine, inclosing authority to demand the Assignment from Rhind, accompanied by the President's private letter. I cannot but hope that that will bring him to his senses. If it does not, let me know in a private letter whether special directions to give the notice to the Howlands is necessary, or whether that is not included in the general instructions you have received to give all necessary counsel, &c. I was mortified to hear nothing from you upon the subject of recent events here, as I expected you would sit down immediately and give me your views upon the matter; but for the first moment I am apprehensive that you are dissatisfied with me for not apprizing you of it, and I am sorry I did not. But in the present excitement of the times here, I, without much reflection, thought it best not to say anything to any of my friends upon the subject, to avoid those everlasting jealousies by which I have been so much annoyed, and I thought if there was any man on earth who would see into and fully appreciate my motives, you were that man. If I am mistaken, let it pass; and even if I am right, dismiss the matter from your mind without observation, and let me hear from you. I had already delivered my resignation. I believed, at all events, it was settled that I would do so before Hoyt left here, and I thought for a moment to write you and Cambreling by him, but concluded it would be best to let it alone, and let him go off without the slightest hint upon the subject. Cambreling got his information at Albany from Butler, to whom I wrote a short note, as I stated to you this morning. I am thus particular on this subject because I would not for the world that you should for a moment harbor the thought that my confidence in, or regard for you, which I have cherished with so much sincerity and disinterestedness, had slackened in the slight-

est degree. We have really been so much under whip and spur here for a few weeks past, that we had but little time or opportunity for reflection. The Cabinet will be Livingston, McLean, White, and Woodbury; and if Berrian resigns, some one from Virginia, not yet decided upon; but as these are not all certain you will, of course, say nothing about it for the present.

"Remember me kindly to your family, and believe me to be truly yours, in haste, &c. I hope to see you soon."

JAMES A. HAMILTON TO MARTIN VAN BUREN.

NEW YORK, May 1, 1831.

"I received, my dear friend, your letters of the 25th ultimo, yesterday, on my return to the city, or they would have been answered sooner. Your course has been dictated by profound wisdom. It is a stroke of a master, and will be rewarded with entire success. You retire with the confidence of the President, and have secured the attachment of all his friends, while you have disarmed your and his foes. Heretofore, with all your advantages, you wanted in the general estimation the assurance of your power to fill a large space in the general affairs of the country. Your short term of service has given the most satisfactory evidence that your qualifications extend to any situation to which you may aspire. Availing yourself of late events, you retire from the public service with reasons that do you honor, and you avoid all the difficulties and, perhaps, disasters which events, not at all improbable, may bring about; for it is not in human affairs and particularly in those of public men, to go on with uninterrupted success. The boundary line question, certain appointments, the bank, the surplus revenue, and some anticipations, particularly those connected with affairs abroad, give to the future an aspect from which assured confidence alone could anticipate success. All this you avoid, and you go before the people, if such be your pleasure, exactly in the manner a wise politician could wish: with the bitterest hostility of your enemies, the warmest support of your friends. This is my view of this subject as it respects you. As to the President, I confess I have some gloomy apprehensions which, however, are in some degree diminished by the Cabinet. As you have stated it, I must say that as to Woodbury I have great doubts. He can give the President no political strength; and he was engaged in the cabal with Calhoun and Tazewell at the first formation of the Cabinet. He knows, or believes, he must be suspected, and will therefore probably be false; however, of all this you are better informed than I can be. As to the most interesting part of your letters, I forbear to remark on it because you have expressed a wish that I should dismiss it from my mind. I confess, the reserve on the part of the President and yourself has deeply, very deeply wounded me, not because I have been denied the small gratification of knowing a little more or a little sooner than others, what was going on, but from deeper considerations, connected with much more interesting matter. I will write to you again in a day or two. With undiminished confidence and attachment,

"Your friend, &c."

JAMES A. HAMILTON TO WILLIAM B. LEWIS.

NEW YORK, May 3, 1831.

"MY DEAR SIR: In your letter of the 26th ultimo, referring to my silence in rela-

tion to the recent changes, you ask me, "What is the matter with you?" Permit me, as I live east of the Hudson, to use the privilege of a Yankee—to answer your question by asking another: Why were you so silent in relation to those changes? You knew of them; you wrote to me after they had been made, or at least had been determined upon. I asked you a question in relation to the rumors in regard to Ing-ham. We had conferred long ago in relation to changes not extending so far as these have done by one step only. There has been no reserve heretofore; why then, I ask and confidently indulge the hope that you will give me an explicit answer, were you silent? Were you requested to be so, and by whom? It could not have been from a want of confidence that I could keep a secret—what then was it? It was not the result of a general plan, because *others were* informed with the express intention that it should be divulged to members of our Legislature. If the reserve was occasioned by what heretofore passed between the President and myself, looking to this conjuncture (if you know what that was, you will understand me—if you do not, you never will from me), I have then been treated with this want of confidence, founded on a false appreciation of my character, and particularly of my devotion to my friends. I enclose a letter I wrote within the first half hour that I heard the rumor. Read and destroy it; it must not be shown to any other. I think Van Buren has made a master's stroke which cannot but redound to his advantage, and may be useful to the President. There were two courses—one, that which has been taken, which is probably the best; the other, to have made an authoritative change in three of the Departments. The boldness of the latter course would have commanded respect, and probably have produced intimidation; and at the same time it would have afforded an opportunity to have made an exposition in relation to recent events that would have been useful. I am entirely satisfied, however, that the course which has been pursued will give Van Buren a strong hold on the public. The proposed Cabinet is a strong one. I sincerely hope Judge White will not decline. He is the balance wheel of the whole. I inclose a letter to the President. Yesterday I wrote fully to Mr. Van Buren. See my letter to him.

"Your sincere friend, &c."

It may, connected with Van Buren's course toward me on this change of the Cabinet, not be improper to express my opinion as to his motive for concealment of so important a purpose.

The President at one time told me that he wanted me near him, and that I should take the place of Secretary of the Navy. At another, that I should take the State Department when Van Buren should leave that place, as he would do ere long.

No man was more true to his friends and to his word than Jackson was. I have no doubt that Van Buren knew the President's wishes and feelings in regard to me; and he feared, should I be informed of the proposed change, that I might recall to the President's recollection his engagements with me. I most certainly would not have interfered, by my presence or otherwise, with the proposed arrangements.

The changes certainly strengthened the administration. The first was, I verily believe, the most unintellectual and uneducated Cabinet we ever had.

Van Buren was sagacious; he had no pretensions to being a statesman, he had no skill in composition. His first report in 1829 required much emendation. I remained with him after he entered upon the duties of his office, in April, 1829; we lived together at a private boarding-house until about June 8, 1829. During that time, in conversation about the historical events of this and other countries, I was amazed to learn how uninformed he was. He depended upon his son John to aid him in his writings, until he got Mr. Benjamin Butler, afterwards Attorney-General, upon whom he essentially depended.

Ingham, who was appointed Secretary of the Treasury, came to Washington seeking the place of Comptroller. This was his and his friends' appreciation of his ability.

Brent had not one quality to fit him for the place he held, Secretary of the Navy; and Eaton was made Secretary of War because, as Jackson told me, he "must have a friend about him upon whom he could rely."

J. Macpherson Berrien, Attorney-General, was the only man of education among the whole.

Mr. Donelson, the President's Private Secretary, was an intelligent and instructed man.

JAMES A. HAMILTON TO PRESIDENT JACKSON.

"NEW YORK, May 3, 1831.

"MY DEAR SIR: I wrote a very hasty letter to you on Saturday. Sunday and Monday I could not write as I intended, because I could not see Rhind. Yesterday evening I received the inclosed note from him, and to-day have seen him. He has agreed to give an order to the Messrs. Howland's to pay over to me the balance of the proceeds of the sale of the horses after deducting expenses, to be held subject to your order; thus in effect doing all that could be wished. The Marshal, it is agreed, is to attend at and cooperate in the sale. I drafted the order on the Howland's for him, which he has taken to submit to his counsel, and to bring it to me in Court whither I am about to go. I will send a copy of it with an official letter to Van Buren to-day, if I have time; if not, to-morrow. I have written fully to Van Buren and Lewis my views in relation to recent changes, and have expressed to the latter the pain I have felt in consequence of the reserve which has been observed toward me on the occasion. I fear that on this occasion you have not sufficiently appreciated the disinterested devotion I feel toward you, and which I am capable of exercising when circumstances require it. I will only add that your choice of a Cabinet is most excellent. I doubt a little about the Navy, for the reasons I have given Van Buren. With the truest attachment,

"Your friend always, &c."

JAMES A. HAMILTON TO THE PRESIDENT OF THE UNITED STATES. (Private.)

"NEW YORK, May 3, 1831.

"MY DEAR SIR: Mr. Rhind has executed the order upon the Howland's as I drew it, merely adding that I am to hold the funds until the final decision of the President which makes no material difference in the matter.

“The solicitude Mr. Rhind manifests that the *John Adams* should be detained, and that she should not go to Smyrna—results from a state of things which it is proper you should know. Eckford has built a *Corvette*, and proposed models of the vessels. Eckford and Rhind are to go over in her; she is to be sold to the Sultan, and contracts are expected to be made for other vessels. I know of nothing between the Turks and Russians *at present* that would render these transactions illegal. How far they may be deemed of so questionable expediency as to render it proper for the Government to keep entirely aloof from them, I cannot judge. I incline, however, to the opinion that these facts, connected with the rejection by the Senate of the second Article, should induce you not to allow or order a further delay of the ship; but it would be well that she should not go to Smyrna.

“I write again in extreme haste in Court, and amid the entanglement of lawyers, &c.

“With the truest attachment, your friend.”

CHARLES RHIND TO HOWLAND & ASPINWALL.

“NEW YORK, May 3, 1831.

“GENTLEMEN: The Marshal, under the advice of Mr. Hamilton, District Attorney, will unite with you in the sale of the four Arabian horses, and after deducting from the proceeds the amount expended in transporting them from Constantinople to this City and keeping them here, together with the expenses of the sale, you will pay over the balance to J. A. Hamilton Esq., subject to the orders of the President, until final decision is made by him on the subject.”

JAMES A. HAMILTON TO THE HON. MARTIN VAN BUREN, Sec’y of State,
Washington.

“NEW YORK, May 4, 1831.

“SIR: In obedience to your letter of the 23d ultimo, I had an interview with Mr. Rhind on the 3d inst., when it was agreed between us that the Marshal of the U. S. and the Consignees, the Messrs. Howland’s, who had before refused to deliver the horses to the Marshal unless their advances were paid, should coöperate in the sale which had been advertised for the 15th inst. in this city, and that, after deducting from the proceeds of such sale the amount expended in transporting the horses from Constantinople to this city and keeping them here, together with the expenses of the sale, the balance should be paid over to me to be held subject to the order of the President. In pursuance of that agreement, Mr. Rhind immediately executed an order upon the Messrs. Howland’s, who upon presentation accepted the same. A copy of the order with the acceptance is inclosed, the original being returned by me to be delivered to them whenever it is complied with.

“This arrangement was proposed by Mr. Rhind, as one by which the intention of the President in relation to the horses could be carried out with complete effect and acceded to by me; because, as the Government could only be entitled to receive the horses after the expenses to which the Consignees and Mr. Rhind had been exposed in bringing and keeping them were paid, and as no funds were appropriated to pay these expenses, that could be best done by deducting the same from the proceeds. It was also believed that, as the horses had been advertised for sale at a period when those persons from all sections of the country who would probably be disposed to purchase these animals were drawn to this city by the approaching

ances, they would sell to greater advantage than if they were taken by the Marshal and advertised for sale at a remoter period.

"These considerations and others have induced me to exercise a discretion which I believed was committed to me on the occasion, and which I hope will meet with the President's approval. I have the honor to be,

"With very great respect,

"Your Obedient Servant."

PRESIDENT ANDREW JACKSON TO JAMES A. HAMILTON.

"WASHINGTON, May 4, 1831.

"DEAR SIR: Mr. James Coggeshall, of New York, has communicated to me in confidence the substance of certain disclosures made to him by the pirate Gibbs, also James D. Jeffrees, recently executed in New York. The facts as stated are of deep interest, and if Coggeshall is as honest and respectable a man as he is represented to be, the subject ought to be sifted to the bottom. I have informed him that I can take no steps in the matter until I hear from you, by whom the prosecution against the pirate was conducted, and have advised Mr. Coggeshall to return to New York and communicate the whole matter to you. You will please to send for him and receive his statement in form; and report it to me, with the best evidence you can upon a full and careful examination obtain, as to the credibility of Mr. Coggeshall, the probable character of his motives for making the disclosure to government, and the circumstances under which the confessions were made by the deceased pirate. Any suggestions you may think proper to make upon the subject will be thankfully received.

"Very truly yours, &c."

JAMES A. HAMILTON TO PRESIDENT JACKSON.

"NEW YORK, May 5, 1830.

"MY DEAR SIR: I had the pleasure to-day to receive your letter of the 2d inst. The inclosed letter intended for the State Department will show the completion of the business to which yours refers. I hope the course I have taken will meet your approbation. Mr. Rhind said he had a conversation on the subject with Mr. Edward Livingston, who gives it as his opinion that the course pursued was the wisest in reference to the Treaty. I inclose my official letter open to you, in order that, if it should be considered best to be withheld or varied in any part, it may be returned for that purpose. I sincerely hope your friend White will accede to your wishes, although I fear it will be against his feelings to do so. The approval of recent movements is manifesting itself very generally. With the most sincere and unalterable attachment,

I remain,

"Yours, &c."

MARTIN VAN BUREN TO JAMES A. HAMILTON.

"WASHINGTON, May 7, 1831.

"MY DEAR FRIEND: I embrace the opportunity offered by Mr. Trist to say a word to you. The spirit manifested in your last is precisely that which I should have

expected from you. Dismiss the subject from your mind with this assurance that there is not now, nor has there at any time been, the slightest abatement of the confidence and affection on the part of the President or myself toward you. To the extent to which appearances may at any time have given countenance to a different state of things, they were deceptive. I have not shown him your letter because he is sufficiently worried by other matters; and I could not bear to inflict upon him the mortification which the consciousness of such an apprehension on your part would, I know, produce. When I see you—which will be, I hope, in a few weeks—we will talk over matters and things. In the mean time, I say to you in confidence that, although I have not yet finally decided to go to England, I am inclined to think that I will come to that result. I should be pleased to give you my reasons for thinking it the preferable course (in which you would concur); but they are too much for a letter, and Mr. Trist is waiting. I was very anxious to hear your opinion as to the propriety of the recent movement here, and happy to find that it was so favorable. It has been and continues to be a very painful one; but every day's reflection convinces me of its propriety.

“Believe me to be, very truly yours, &c.

“P. S. I congratulate you on your success with Mr. Rhind. You can have no idea how this small matter has worried me—if it had gone otherwise, a degree, and no inconsiderable one, of discredit would have been thrown upon the whole negotiation. The President's letter was the last shot in the locker, and I placed much reliance upon it under your skilful direction.”

JAMES A. HAMILTON TO THE HON. M. VAN BUREN.

“NEW YORK, May 14, 1831.

“SIR: I have the honor to inform you that the four Arabian horses, presented by the Sultan to Mr. Rhind and brought by him from Constantinople to this City, were this day sold by Public Auction at Tattersals (the place at which horses are usually sold in this city), to-day at 12 o'clock, for the aggregate sum of nineteen hundred and ninety dollars (\$1990).

“There was a very great assemblage at the sale, and everything was done to obtain the best prices. The inclosed is a copy of the advertisement of sale.

“An account of the expenses of transportation, keeping, and sale will be presented to me without delay and forwarded to you in order that I may receive the President's instructions in relation to the same.

“Very respectfully, your obedient servant.”

JAMES A. HAMILTON TO PRESIDENT JACKSON.

“NEW YORK, May 18, 1831.

“MY DEAR SIR: I have the pleasure to inclose to you a letter recently received from Mr. Rives. Be so good, after you have read it, as to reinclose it to me. In compliance with his wishes, I am taking means to induce the claimants* to authorize a compromise. The lowest sum to which they will assent will probably be five million dollars. If there is any information at Washington that should induce a belief that as large a sum as that cannot be obtained, I should like to know it in

* On France.

order that I may endeavor to depress the expectations of the claimants even more than I have already done. It would afford me the most sincere pleasure to be of service to the government in this case, as it would at all times and under all circumstances, my dear friend, to serve you. I have looked with great solicitude and the sympathy of a friend to recent events and their consequences as to our country and the fame of my chief, and with the utmost pleasure I have come to the conclusion that all has been not only well done, but that it will result as well as could be expected or wished.

“I remain, with the truest attachment, your friend, &c.”

JAMES A. HAMILTON TO PRESIDENT JACKSON.

“NEW YORK, May 22, 1831.

“MY DEAR SIR: You will have learned from the newspapers that there has been a Convention of Manufacturers in this city, at which a Connecticut man made a foolish speech. I would not call your attention to this meeting if that was the only foolish thing they did. There was also a *private* informal meeting of the leaders of anti-masonry, and formal propositions were made by the former to the latter that they should unite in the support of Clay, which were rejected, the anti-masons declaring that they would be consistent throughout and stand or fall by their principles. This determination, if adhered to, will secure the Electors of this State by a vast majority. I do not mean to express a doubt that the result would be favorable in any event, but that it will in such a state of things be triumphant. By an arrival yesterday from Havre, bringing news to the 18th April from that place, there is much reason to fear that there has been another revolution in Paris. A private letter, from a respectable source, as I understand, received on the morning of the 18th, stated the fact. From the character of the present ministry it is much to be feared that such an attempt will produce most dreadful consequences. If the ministry are successful, absolutism will have achieved a victory. If the people drive their masters out of Paris, there will be civil war, and consequently France will be a party to the Holy Alliance. Removed from the storm, we calmly follow its course and anticipate its results which, however, as a Nation or as lovers of liberty, must be deeply interesting to us. If ignorance and despotism should temporarily prevail, permanently they cannot against knowledge and freedom; they would *partition* France and govern all Europe with an iron grasp and a lash of scorpions. In that event, our liberal institutions and rapid improvements would be a source of jealousy and fear to them. This, however, is an anticipation too remote and calamitous to be indulged. Enslaved Europe is destined shortly to be free.

“A meeting is called for to-morrow evening in behalf of the Poles. From the names of the persons who subscribe the call (Mr. Rikers excepted), they are all of the opposition, and men of schemes and contrivances. Their power of doing good is so small that I apprehend they mean mischief. I will attend the meeting purposely to watch their movements, and will give you an account of it if anything occurs deserving of remembrance. I had the pleasure to see your adopted son yesterday who, I am happy to perceive, appears to be in fine health. With sincere regard,

“Your devoted friend, &c.”

PRESIDENT ANDREW JACKSON TO JAMES A. HAMILTON.

"WASHINGTON, May 22, 1831.

"MY DEAR SIR: I have this moment received your kind letter of the 18th, inclosing Mr. Rives' of the 24th of March last, which, having perused with attention, I now return as you have requested. We have no information here that would authorize the conclusion that the sum of five millions of dollars cannot be obtained from France on our claims, unless we would found our belief upon the report of a majority of the French commissioners, to whom it appears this matter was referred, who reduce the amount to three millions. This, I would suppose, was intended by them as a basis upon which their first bid was intended to be made as a gross sum, but intending to come up to the amount of the minority, *five millions*. This last sum would, as I believe, cover all our just claims. I am certain six millions would. Wisdom and good policy would suggest the propriety of reducing the consent of the claimants to the lowest sum possible; whilst we know Mr. Rives will push them as high as there are any hopes of success. Five or six millions ought to be accepted by Mr. Rives, if offered, under existing circumstances. The lively interest you have always taken in my prosperity and happiness since our first acquaintance, deserves, as it receives, my warmest gratitude and thanks. I have had many evidences of your kind feelings, and have duly appreciated them. I will always place a true value on your friendship. It is gratifying to learn that the reorganization of my cabinet has met with the full approbation of my friends. The moment Mr. Van Buren and Major Eaton tendered their resignations, there was but one proper course for me to adopt: that was to renew my cabinet proper. I parted with those two friends with much regret; but I am sure a grateful country will never lose sight of such disinterestedness. And what a contrast! Calhoun using all low intrigue to obtain office, whilst those two true republicans are voluntarily resigning office for the quiet and repose of the country. With a tender of my kind salutations to you and your amiable family, I am, respectfully your friend, &c."

MARTIN VAN BUREN TO JAMES A. HAMILTON.

"May 23, 1831.

"MY DEAR SIR: In going over my papers for destroying such as are no longer useful, I find the inclosed which may be so to you. File it away with your Tompkins correspondence. I deliver over to-morrow, and will be with you in about ten days, when we shall have an old-fashioned talk.

"Very truly yours, &c.

"P. S.—The President will write you to-day or to-morrow upon the subject of the letter from Mr. Rives which you enclosed to him."

JAMES A. HAMILTON TO GENERAL VAN SHOLTEN.

"NEW YORK, May 28, 1831.

"MY DEAR GENERAL: I had the pleasure yesterday to receive your letter of the 23d ultimo, with a box of wine, for which I return you my sincere thanks. Mr. Van Buren will be here in a day or two, when he will receive those good things destined for him, and as he may sail in the course of the next month for England,

he will probably have an opportunity to thank you in person in London, and to give you an opportunity to judge whether the wine is improved or not by a double voyage. I did not see your friend, Judge Frederickson, which I much regret, not only because I was thus deprived of the pleasure of enjoying the society of a very agreeable person as Mr. Hone informs me he is, but as I lost an opportunity to give that attention which your recommendation will always command to one of our countrymen or any other person. He had gone to Philadelphia when I called upon him, and I was absent from the city when he returned. Do me the favor to make this explanation to him for me when you see him.

"Amid the events of burning interest which will arrest your attention in Europe at this moment, these important to us personally, but un consequential to others, which have recently occurred here, cannot interest you. I will therefore only say that the change of Cabinet must be accounted for by the reasons that are given in the letters of the parties. You well know that the scandal in relation to Mrs. Eaton had produced some discord before you arrived here. That, however, was not the leading motive of the opposition in Congress and elsewhere on the part of Mr. Calhoun and his friends. It was only laid hold of as an ostensible cause of difference. The real one was the fear of Mr. Van Buren's power and influence with the President and his Cabinet in the Government. Mr. Calhoun well knew that, if that power continued undiminished, Mr. Van Buren would be his most formidable competitor. He therefore determined to strike at home, careless whether he should hit the President or not. The consequence of that course of Mr. Calhoun was, that he distracted the Administration party in both Houses so much as to make it powerless. He was not prepared for the *coup d'état* which followed, and which, from present appearances, has frustrated him. Van Buren has the merit with Jackson's friends of having made a great sacrifice to the success of the administration. They are, therefore, bound to him by indissoluble ties. He has removed from Calhoun all pretence of a continued opposition. He is hailed as a most disinterested patriot by his party, and he goes probably to England, removed from the fight for three or four years, with the advantage of having administered the affairs of his department in a successful manner for two years. These *coups* are always problematical, but in this case he has strong grounds to hope for a successful result. More anon. This letter will be conveyed to you by my most worthy friend, Mr. Vaughan, who returns to his country with the esteem of all Americans who have known him. Be so good as to write to me fully upon the state of Europe, and remember me always as your most affectionate friend, &c."

THE STOLEN JEWELS.

THE JEWELS OF HER ROYAL HIGHNESS, THE PRINCESS OF ORANGE, STOLEN
BY CONSTANT POLARI.

From the testimony taken during the various proceedings instituted in the District Court of the United States for the Southern District of New York, it was proved that Constant Polari and Susanna Blanche (she was an unmarried woman but was represented by the said Polari as his wife) arrived at the port of New York on the 15th day of June, 1831, in the ship Francis I., from Havre. Polari brought with him concealed about his person, and about the

person of his pretended wife, a large number of jewels of very great value, probably not less than 50,000 dollars. The said jewels were smuggled from the ship in a hollow walking stick, and in a staff in the similitude of an umbrella case, large enough to hold an umbrella. Polari and his assumed wife went to a house known as 566 Pearl street, in the city of New York, to board; and John Roumage, being a Frenchman, a detective then boarding in the same house, by his delicate and assiduous attentions to Susanna, soon learned that Polari had brought jewels from France, and had smuggled them into the port. He did more, as the sequel will prove. He touched Susanna's heart, and as she was deprived of the Italian, she took the Frenchman as her husband. By means of a search warrant, the jewels were found in that house and seized as forfeited. On the 28th day of July, 1831, the Collector (Swartwout), called upon the District Attorney at his house, he being confined to his bed by illness, related all the circumstances of the seizure, and urged the attorney to take measures without delay to arrest Polari, and institute the necessary proceedings to condemn the jewels as forfeited to the United States, which was done on the 31st of July, 1831. The effect of the forfeiture of smuggled goods then was, that one half of the proceeds of the sale, after the payment of the taxed costs, was to go to the United States, and the other half to the Collector and two other officers of the Customs in equal parts. The smuggled goods were libelled, and Constant Polari was arrested for \$50,000, and for want of bail was sent to prison, where he remained over a year.

On the 27th of November, 1829, the Collector had received instructions from the Secretary of the Treasury, to take measures to recover the jewels which had been stolen from the palace of the Prince of Orange, at Brussels, on the nights of the 25th and 26th of September, 1829, and for the recovery of which a reward had been offered by proclamation, published in the newspapers of the City of New York, of \$10,000. The District Attorney became convinced that these jewels and those smuggled by Polari were the same, and intimated his belief to the Collector, but that officer gave an impatient reply and an emphatic denial. He afterward wrote a note to the Attorney to know why the proceedings for the condemnation were not prosecuted with effect. The Attorney, in a private letter to the Secretary of the Treasury, dated January 28th, 1832, said :

“I have been singularly unfortunate in this most laborious and vexatious business.” (The Attorney received and wrote, in all, ninety-six letters in relation to the proceedings connected with the jewels, which are now before him.) “As soon as I was satisfied that the jewels were the property of the Princess of Orange and were stolen from her (to which latter point there is abundant evidence in the confessions of Polari), I determined that the honor of the country would be stained if they were condemned and sold; and in the course I have taken I have been influenced *alone* by a desire to avoid such a disaster. In all which, I am quite sure, I have been sustained not only by every member of the Executive Government but by every man at all acquainted with the subject who is not influenced by interested

considerations. I have constantly urged the course which I believe you thought best, and I am persuaded that Huygens did not adopt it because he indulged unworthy suspicions of you; and which, at times, I believe were entertained even as to the fairness of my own intentions. Although I have been thus offended, and although I have been harrassed more than you can conceive by the importunities of the Minister and his son, and although my motives have been assailed in private and in public by the officers of the Customs, their associates and dependants" (Noah published an offensive article), "I have persevered in the course which duty prescribed. My advice as to the cost of the Court, and the duties (which was that the United States should pay the former), amounting to \$69.32, taxed costs, and should remit the duties, was influenced by a wish that no fact should exist to which any person could refer in order to sustain the impressions that our Government had been wanting in high and generous feelings in this matter. I believed that this property came within that class of cases, when goods are brought into the United States by superior force or *inevitable accident*. They are, therefore, not liable to duties."

Another letter to Mr. McLane, October 8th, 1831 :

"When the copy of your letter was delivered to me, the Collector asked me why the proceedings to condemn the property did not progress; I replied that the Secretary of State had directed me to stay the proceedings until the pleasure of the President was known, and that, in obedience to those instructions, I had done so. The Collector expressed the opinion that it was a subject wholly under your direction, and that unrestrained by you I ought to proceed. I therefore now take the liberty to ask instructions from you on the subject."

By a letter from the Secretary of the Treasury, dated October 6th, 1831, I was, by order of the President, directed to appear for the Prince of Orange as owner and claimant, and I was directed thus: "You will use the same zeal and diligence in sustaining before the Court this claim, as if it were a claim of the United States." In obedience to this order, I prepared and presented to the Court a petition in the name and on behalf of the Prince of Orange, and as his counsel and attorney served a copy and notice of same on the Collector, who appeared by Mr. Hoffman as his attorney, to open the claim, and upon evidence and argument sustain that claim, I was ordered by the Secretary of State to take the evidence which Huygens, the Minister of the King of the Netherlands, should submit to me to show that the jewels seized were those stolen from the palace of the Prince, and to report the same to the President with my opinion. I did so; made my report and expressed my opinion that the evidence was conclusive to show that these jewels were those which had belonged to the Princess of Orange, and that they ought to be restored to her. The draft of my Report, now before me, was sent to the Department, and presented to the President, who directed the Secretary of State to address a letter to the *Chargé d'Affaires* of the King of the Netherlands, dated 13th January, 1832, in which he says :

“ DEPARTMENT OF STATE, }
 “ WASHINGTON, January 13, 1832. }

EDWARD LIVINGSTON, Secretary of State, To COUNT LOVENDALE, Chargé d’Affaires of His Majesty the King of the Netherlands.

“ SIR: I am directed by the President to inform you that, after a full consideration of the application made for his interposition in the case of the jewels seized by the officers of the Customs at New York, and libelled as forfeited to the United States, he has determined either to direct a *nolle prosequi* to be entered in the case of the libel, or to grant a pardon so far as respects the forfeiture of the jewels, as the one or the other course shall be preferred by you, under the advice of your counsel, and in the latter case that he will direct the Attorney of the United States to apply for an order to deliver the articles to you, and to support such motion on your behalf. As soon as you shall signify to me which of the two modes of proceeding you shall prefer, I am directed to send on the necessary documents to carry your wishes into effect. The President desires me to assure you that he regrets the delay that has taken place, which has arisen from a necessary caution not to interfere in the decision of a judiciary, and he hopes that in the determination to which he has now come, you will see a new evidence of the desire he has always felt to show his respect for the King your Sovereign, and so to exercise all his constitutional powers as to preserve the most friendly relations with your country.

“ Accept Sir, I pray you, the assurances of my high consideration.”

On the 31st of January, 1832, the District Attorney of the United States addressed a letter to Secretary of State, informing him that the duties upon the jewels having been secured to be paid, and the costs in both suits (one by the United States, the other by the Prince of Orange), as taxed \$69.32 by the District Judge, having been paid, a *nolle prosequi* was upon motion, in open court, this day entered in both the libels against the jewels, the said jewels having been ordered by the court to be delivered to the claimant. They are now in possession of Le Chevalier Huygens, late minister, who will take them with him that they may be restored to her Royal Highness the Princess of Orange. On the same day, the Chevalier Huygens addressed to the District Attorney of the United States a letter as follows :

“ The completion of this measure having been effectuated, I seize this opportunity to offer you my sincere thanks for the services you have rendered in bringing this tedious case to an end, and I congratulate you that you have completed the measure by which both governments have been liberated from the perplexities which so long prevented us to come to a favorable result.

“ Accept, Sir, the renewed assurances of my most sincere esteem.”

A large portion of the stolen jewels having been buried by Polari and Sussanna Blanche, about three miles out of Brooklyn, she and Roumage, during the imprisonment of Polari, went to the spot, took up the jewels, and on or about the 24th of August, 1831, under the name of John Roberts and wife,

sailed from Philadelphia in the ship *Monongahela* for Liverpool. Mr. Huygens hearing of their departure, dispatched a pilot boat from New York with a detective on board for the port of Liverpool, where she arrived before the ship, and where Roberts and wife were arrested, and the jewels in their possession seized. We learned afterward that the settings of the jewels having been removed, they were buried in a wood in the suburbs of the city. Polari, during his imprisonment prepared a petition in French, well written, which was addressed to the President, and by him referred to the District Attorney for his report on the facts. The poor devil was released from imprisonment, and taken by the son of the minister Huygens on board a vessel, and sent to Amsterdam. What became of him I know not. Young Huygens having some difficulty in settling his accounts with his government, his father asked J. A. Hamilton to address a letter to him to state with how much assiduity and skill the young man attended to the business of the jewels, and particularly, after the departure of his father, in sending Polari to the Netherlands.

It has sometimes occurred to me as singular that the services rendered by the writer as District Attorney of the United States to the Princess of Orange, in rescuing her jewels (said to be worth a million of dollars) from forfeiture, has never been recognized in any manner whatever. The only compensation he ever received was the taxed costs, \$69.32, from the United States for his great labor and important services.

PRESIDENT JACKSON TO JAMES A. HAMILTON.

“WASHINGTON, July 23, 1831.

“MY DEAR SIR: Your letter of the 17th has been some days received, but really, I have not had time to reply to it. I am fearful it will not be in my power to meet Mr. Van Buren in New York before he departs for England. Nothing would afford me more pleasure than to meet him there; but the Nullifiers have commenced operations in Charleston. The Attorney for the District has resigned rather than commence suits on revenue bonds; and I am determined to meet the crisis with deliberation and energy. I will have testimony that will show who are the ringleaders in this wicked plot, if ringleaders there be.

“I hope Mr. McLane will be with you when this reaches you. If I cannot go on to meet Mr. Van Buren before he sails, I will be much gratified to see you here at the time you have said, as we have been disappointed in your last promised visit; come on with Mr. McLane, and say to him I am very anxious to see him here in possession of the Treasury Department.

“Respectfully your friend.”

MARTIN VAN BUREN TO JAMES A. HAMILTON.

“August 1, 1831.

“MY DEAR SIR: Smith tells me you were kind enough to wish to be informed of my movements. They have been, and still continue to be, so much involved in uncertainty as to put it out of my power to speak with anything like precision. The

moment McLane arrives I can lay my course and not before. I leave here to-day for Albany, and if I do not hear anything there to change my course, I shall go to Saratoga and wait events. The water will be useful to me preparatory to my voyage, and I shall be there as much if not more in the line of information as at this place. I wrote to the President that, if it should be deemed more advisable, it would be quite agreeable to me to go in one of the packets. He wrote me back that it was his wish that I should go in the Potomac, and that he had ordered her to be at New York on the 1st of August, where I see she has just arrived. After McLane comes, I shall have to follow him. If you should be at New York when he arrives, could you not prevail upon him to remain until I can be sent for, which would take but a short time? This would be a great accommodation to me, and I would be there by the time he could get his baggage out, &c. I send this by mail, fearing that you may not be at Catskill. Write me whatever occurs to you, directed to Albany, and believe me to be,

“Very truly yours, &c.”

PRESIDENT JACKSON TO JAMES A. HAMILTON.

“September 3, 1831.

“MY DEAR SIR: Your kind letter of the 1st instant is this moment received, for which I sincerely thank you. Truth is mighty, and being of the essence of Divinity, must always prevail. Therefore, the fate of the Judases Ingham, Boraush, and Berrian I believed would be a consignment to the utter contempt of all honorable men. This has happened to them.

“I have no fear of the ratification of the treaty by the Chambers of France; I have the pledge of the King personally conveyed, and our friend General La Fayette, who is now in the opposition, will use all his influence to have the appropriation made for its fulfilment; on his union on this subject with the king I rest my opinion. I have this moment received the dispatches accompanying the Treaty, and my Cabinet is about to convene for the purpose of bestowing upon it a reading; therefore, I must close this hasty note with a tender of my best wishes for your health and happiness. Hoping soon to see you in Washington,

“I am respectfully, your friend,

ANDREW JACKSON.”

JAMES A. HAMILTON TO HON. LOUIS McLANE, Sec’y of the Treas’y.

“NEW YORK, September 16, 1831.

“DEAR SIR: The information I now give you I do not intend as a complaint, and I must request you not to use it as the ground of admonition or rebuke. Recent events connected with the seizure of the jewels, and your recent appointment to office afford you a fair opportunity to give instructions on the subject without seeming to imply censure. The Collector, from kindness of disposition, from misapprehension of his duty, and the intention of the Legislature in enacting penal laws, has too frequently exercised the right of determining when forfeitures and penalties might be abandoned, both before and after prosecution. At a very early day I insisted that he had no such power; that the law required him in all cases to seize and prosecute with effect where a forfeiture or penalty has been incurred (indeed, so much so that, since the Act of April, 1818, the power conferred on the Collector by the Proviso to the 67th Section of the Collection laws of 1799 to decide upon the

intention has been taken from him), and that the right of remission or mitigation was vested in you or the President alone. He, however, thinks differently, and assumes that right. In several cases, after informations have been filed in cases like that which was the subject of my letter to you of yesterday, he directed the prosecutions to be discontinued. In one case of smuggling (where the goods were condemned), he directed me absolutely, after I remonstrated, to discharge the offender from imprisonment; and in other cases, where articles of no great value are seized as smuggled, he has ordered them to the public store, and they have been sold without condemnation; and in two cases of which I was informed yesterday,—one, where one case and two bales of foreign goods were found on board a coasting vessel and sent to the public store, and another, where several articles of ready-made clothing were brought out for a tailor by the steward of one of the Liverpool vessels, no proceedings having taken place. This last, of bringing out ready-made clothes, has been a subject of serious complaint by the tailors. It is due to them that, wherever there is detection, an example should be made. The law prescribing the duty of the Collector is explicit, and ought therefore to be obeyed; but, above all, the course that is now pursued ought not to be tolerated because it may lead to the worst practices. In the very cause which I recently tried, it was proved and urged to the jury, as a ground of acquittal, that goods in like predicament with those on trial had, since the seizure in that case, been passed by the Collector after they were appraised, and found to be erroneously charged. I again repeat that I do not make these statements as accusatory, for I verily believe that these incorrect proceedings result, in a great measure, from kindness of disposition and misapprehension of the law. I was informed of the last two cases, noticed by the officer who made the seizures, who inquired as to what had been done, and I had to tell him that no prosecutions had been instituted. The effect on the officer will probably be to suppose that, if the Collector does not notice such violations of the laws, he need not do so.

“Your friend, &c.”

JAMES A. HAMILTON TO PRESIDENT JACKSON.

“NEW YORK, September 18, 1831.

“I have the pleasure, my dear sir, to inclose an *extra*, containing the news received yesterday after the mail closed, bringing accounts from London down to the 10th ultimo. War has commenced between the Dutch and Belgians, the latter aided by France and the former probably by Russia. There are facts connected with this subject, which are not generally known, tending to prove that Russia and Prussia sustain Holland. When the Conference (the Representatives of the five Powers) proposed the eighteen articles of final separation between Belgium and Holland, Russia and Prussia reserved their assent until Holland should accede to them. They were, therefore, not bound by them. On the 21st July, Holland published a sort of manifesto, in which she gives her reasons for not acceding to these eighteen articles, endeavoring to show that they violated the previous protocol (the 20th) which settled the terms of separation, and which was, if I recollect right, dated on the 21st July last, and declares that the person who has assumed the throne of Belgium is *her enemy*. When I saw this manifesto, I had no longer a doubt of war; and I am now satisfied that Prussia and Russia when they gave their conditional assent to the eighteen articles (which articles, by the way, were adopted to induce the Belgians

to choose Leopold), they well knew that Holland would not accede, and intended by that reservation to be saved from the charge of a violation of good faith.

“I fear the Reform Bill is kept in the House of Commons, because there is a majority in the Lords against it, and I believe it will not be sent up until that majority shall be changed to effect this. Exertions are making of every kind. This war will afford you an opportunity in your message to give notice of what you shall consider the true policy of our country, a strict and honorable neutrality, and also to declare that we will protect our rights as neutrals. I think, should you take this course, that it would be useful to recommend to Congress to take measures to augment our naval force in order to sustain the position thus assumed. The effect of such a recommendation, whether measures are taken to that end or not, will be to induce foreign powers to believe we are in earnest when we say we will not suffer our rights as neutrals to be disregarded. At the same time, it would be well to recommend a revision of those laws that have been passed to prohibit our citizens from engaging on either part, and to prevent the belligerents from augmenting their forces in our ports. These suggestions are made upon the presumption that the war is a general one, and are thrown out as they occur. With the truest attachment,

“Your friend, &c.”

MARTIN VAN BUREN TO JAMES A. HAMILTON.

“LONDON, September 22, 1831.

MY DEAR FRIEND: The dispatches go off in an hour or two, and I have only time to say to you that I had my audience yesterday, and was received to my entire satisfaction. If I can get settled, which is not very clear, for you can have no conception of the difficulty which is found here in suiting yourself with a house, when you are obliged to consult economy and location, I will return to this subject again. The Reform Bill passed last night by a majority of 109. Great apprehensions are entertained here about the state of Paris, and I fear not without good cause. Believe me to be,

Very truly yours, &c.”

MARTIN VAN BUREN TO JAMES A. HAMILTON.

“LONDON, October 14, 1831.

“MY DEAR SIR: I received yours of the 23d September this morning, and thank you for it. I wrote you twice: once from here and once from Southampton. I can well conceive of your vexation arising from the characters of those with whom you have to act; but remember one thing—there is no public situation without its pains and penalties. We feel the present and hope for better under different circumstances, but are generally disappointed. The only way, therefore, is to learn to disregard them. Judging from what I yet know, I should say that the one I now have is decidedly the most agreeable that I have ever had; but we shall see how it turns out. Money—money—is the thing. I have a splendid and most agreeable house in the most delightful situation, and in one respect different from all my predecessors, nearer to the centre of business and fashion, thus affording a convenience to my countrymen, and giving John an opportunity to stretch his long legs in Regent street without previous fatigue, which he could not have done if I lived in the far west, as Mr. King did both times, and others after him. I pay £500 sterling for my house,

from which the taxes, say £50, are to be deducted, and it is considered very cheap, which was owing to particular circumstances. I pay about £310 for my carriage, and about \$2600 for my servants including their board in the house, which I pay for so much a week, and thus have nothing to do with providing for them. I beg pardon for troubling you with these small matters, but I do so because I know you take some interest in them. If John does not remain long I shall be able to keep some of my property over, but how much is doubtful. We go, however, upon notions of strict economy.

“I could not desire to be treated with more kindness and attention by the officers of the Government, from the highest to the lowest, than I am. The King and Queen are evidently good people, and in all that matter I am at my ease. I have had some conversation with Prince Talleyrand through Mr. Vail, for he does not speak English. He appears disposed to be very kind. I am to dine with him to-day. He inquired of Mr. Vail about your mother, and said that your father was *the greatest man that he found in America and was not surpassed by any man in Europe*, or words to that effect. The papers will give you so full an account of the course of things here in regard to the Reform Bill that it would be superfluous for me to speculate upon the subject. The Bill, or a measure of nearly the same efficiency, must pass and will pass, or they will have tremendous times. The comparative order which has been preserved is the strongest proof that could be given of the determination of the people. As long as the King and Ministry remain true to the principles upon which they now stand, civil commotion will of necessity be avoided. If they yield, or lose the confidence of the people, the convulsion will be great and effectual. The church must suffer in its temporal interests in any event. The vote of the Bishops has turned the public indignation against them—a channel which it was predisposed to follow. The Bishops have, I think, lost the only opportunity they will ever have to ward off the blows which have for a long time been imposing upon their privileges; and I do not believe there will be one man the less in heaven if they are restricted to less on earth. You ask me about the views of the King of Holland. It is difficult to say what they are. My own impression is, that he wishes war with Belgium—would fight well and be glad of the opportunity, if Russia, Austria, and Prussia would let him—that so long as they are not disposed for a general war he must be quiet; but that his strong desire to revenge himself of the rebellious Belgians contributes greatly to the difficulties of arranging the subject. At this time I think, without doubt, that all the great powers honestly desire peace, and that, therefore, notwithstanding the military preparations in Belgium and the short and respected suspension of the armistice, peace will be preserved. Lord Palmerston told me Wednesday that he thought they would succeed in keeping peace. The Belgian Minister told me the same thing, but the Dutch *Special* Minister Baron Von * * * did not speak so strongly. It must, however, be so, unless the Emperor Nicholas and Austria change their minds. * * *

Yours, &c.”

JAMES A. HAMILTON TO A FRIEND.

“PRESIDENT’S HOUSE, WASHINGTON, Oct. 21, 1831.

“I arrived here yesterday at about 2 o’clock, and was received by the President with the same cordiality, and treated with the same confidence which has always heretofore characterized our intercourse. The best proof I can afford you of this is:

He told me this morning I must give him an opportunity to show me such parts of his message as he had written. I thanked him for this flattering mark of confidence and promised to be with him during the morning. All things here are going on very quietly and very well, although the Attorney General, Secretary of War, and Postmaster General are absent. McLane is absent only for a few days."

PRESIDENT JACKSON TO JAMES A. HAMILTON.

"WASHINGTON, November 12, 1831.

"MY DEAR SIR: Yours of the 8th instant was received yesterday, with two from Mr. Van Buren inclosed, which I have read with much pleasure and herewith return to you.

"I sincerely thank you for the information given of the intended views and plans of the Nullifiers in South Carolina. That there is a party in that State under a certain influence that would dissolve the Union rather than not effect their ambitious views, I have no doubt; but that that influence can obtain a majority in South Carolina to effect this wicked purpose I cannot permit myself for one moment to believe, though should the crisis arise you will find my energies equal thereto, and that the *Union will be preserved.*

The valuable suggestion you have made in your letter on this subject was happily incorporated in the project of a message prepared before the receipt of your letter, and from which I am happy that we think so much alike upon this subject. Any suggestions you may please to make on this or any other interesting point or subject will be thankfully received.

"It would be too gratifying to the combination of the South to express in the message any fear or alarm.

"If I judge right of the American people I think the exposé I will make of the prosperity of the Nation and our capability, with the aid of Congress, to pay the National debt on the 3d March, 1833, will destroy the Nullifiers by not leaving a single stone for them to stand on; and Congress will find a source of contemplation and action by being called upon to reduce the tariff to the wants of the Government after the debt is paid, to go into effect and operation on the 4th March, 1833. I must close for, indeed, I am so surrounded with business that I have no time to write letters. When I get my message arranged I will, if I have time to have it copied, send you its outlines. In the mean time, I pray you to believe that with my most affectionate regards, I am your friend."

JAMES A. HAMILTON TO HON. LOUIS McLANE.

"NEW YORK, November 20, 1831.

"DEAR SIR: The inclosed letter (a copy will be sent to the Collector) is the commencement of a correspondence which I fear will not be quite agreeable to you; and yet I cannot withhold it, and longer submit to the course the Collector has thought proper to pursue toward me. I am perfectly willing, in order to avoid a state of things injurious to the public interests here, and which must be unpleasant to the President, to abandon my office, but so long as I hold it I am determined to defend my rights. I am induced, from the expressions of dissatisfaction toward me used by the Collector (they have come to my ears from various quarters), to

believe that he has taken the course now complained of as a means of avenging himself because I have not pressed the condemnation of the jewels. In this, although he may think his interests have been jeopardized, he can find no just cause of dissatisfaction, nor any reason to believe that I was actuated by anything but a due regard to my duty. When it was found that the Secretary of State had sanctioned the application to the governor, I told the Collector that I believed it was the wish of the Government that Polari should be given up and that the jewels should not be condemned (he and I both entertaining the belief that the jewels were the property of the Princess of Orange), and advised him to write a letter to Mr. Livingston to ascertain how that was; declaring at the same time that, if such was the wish of the President, it was our duty to acquiesce, and that I would be governed by it. He agreed with me, as I supposed, in these views; requested me to write the letter, and said he would send it by a special messenger, which was done; Mr. Livingston's answer confirmed my belief, and I acted accordingly. This explanation is made to you in a private letter, not because I wish it to be withheld from the Collector or the President, but because I do not think it proper for the files of the Department.

“With great respect, your friend, &c.”

LOUIS McLANE TO JAMES A. HAMILTON.

“WASHINGTON, November 23, 1831.

“DEAR SIR: I received yesterday your letters, both public and private, of the 20th instant, and an official answer was immediately returned. I would have accompanied it with a private note but for the pressure of my official duties. I hope your suspicion of the ground of the Collector's supposed resentment will prove to be unfounded. He has been uniformly advised in all the communications from this Department that it was not the disposition of the Government rigorously to enforce the alleged forfeiture of the jewels, but to facilitate their restoration to the rightful owner in any manner consistent with the Constitution and the laws. The President has at no time, however, to my knowledge, expressed or authorized any official opinion of the authority or expediency of remanding Polari for trial in a foreign country, except so far as to say that the Executive of the United States had no authority to do so. All this, however, is for yourself alone. It ought not and cannot belong to the present state of the business. The accusations prepared by you against the Collector require explanation, and I do not doubt that you would not wish the final action of the Department without such explanation, and without affording the latter the fullest opportunity for investigation. Indeed, he has asked for it. I have thought it best, however, as justice due to the Collector, first to call for his own explanation. When this shall be received, you will be made acquainted with it, and such proceedings will be afterwards taken as the case may be found to require. I have been almost daily intending to write to you respecting the suggestions contained in your private letter of the 7th instant. I am satisfied of the propriety of making the inquiry you recommend, and it may possibly be well to do so in the manner suggested by you, into the situation of the debtors at the Custom House, provided I could be enabled to select a proper person. But I have no knowledge of such a one, and the subject is of too much delicacy to admit of much inquiry. Can you point out a person in all respects qualified? Meantime, believe me to be,

“Your obedient servant, &c.”

JAMES A. HAMILTON TO THE PRESIDENT.

“NEW YORK, November 24, 1831.

“DEAR SIR: I had the pleasure to-day to receive your letter of the 21st inst., referring to passages of Mr. Rhinds to me.

“When I inclosed the letter to you, I did not think it worth my while to comment upon this further evidence of the improper spirit he had so frequently manifested during my interviews with him in relation to the horses, and I therefore did not refer particularly to this part of his letter.

“I know not what he refers to when he speaks of facts that he had anxiously studied to conceal from the public; when there were no facts within my knowledge connected with his service under the Administration which required concealment, except his shuffling attempts to retain the horses as his private property after he had in an official letter, addressed to the Secretary of State, declared that he was ready to release to the Government all his title and interest in them.

“I believe this was intended as a threat to induce the administration to settle his claim without delay—the expedient of a weak and vulgar mind.

“I have the honor to be, with great respect,
“Your obedient servant.”

JAMES A. HAMILTON TO THE PRESIDENT OF THE UNITED STATES.

“November 25, 1831.

“DEAR SIR: The inclosed letter, in reply to yours of the 21st instant, is written in such form as to be made public if it should be necessary. From my intercourse with Mr. R. in relation to the horses, I very soon found out that he did not observe a very strict regard for the truth, and that it was necessary to be extremely guarded with him. He made various statements of what you and Mr. Van Buren had promised him, the particulars of which I do not now recollect, but which I was satisfied, from other parts of his statements, his letters, and their relation to other facts within my knowledge, could not be true. If you will send me a copy of his letter I will write to him referring to that part of his letter and endeavor to ascertain what he has relation to as requiring to be concealed.

“With sincere regard, your friend and servant.”

JAMES A. HAMILTON TO CHARLES RHIND, at Constantinople.

“NEW YORK, December 7, 1831.

“DEAR SIR: Your letter of September last was received in due course of mail.

“Subsequent dates from Commissioners induce the belief that the treaty has been ratified, and that the vessel you sailed in has been sold; I hope both events will lead to your individual and permanent advantage.

“The principal subject of your letter, always disagreeable to me, is not rendered less so by the manner you now treat it. You write, ‘pardon me for saying that I think this’ (the refusal by the Government to pay the balance arising from the expenses of the Arabian horses beyond what they produced), ‘is at least ungenerous; and I do hope that the President will not compel me to make such an appeal’ (to Congress for relief), ‘inasmuch as it would compel me to disclose facts *which you know it has been my anxious wish to conceal from the public.*’ What the facts are to

which you refer as within my knowledge, I cannot conceive; and until this part of your letter and that also which refers to the *President's pledge* are explained, so far from the exercise of any good offices (if I have power to exercise any) on my part to effect a settlement of your claim, I must frankly say to you that I shall be compelled, if I do any thing pending these threats, to urge the Government not to adjust this claim.

"I hope to have the pleasure ere long to hear from you again on this subject, and to find that the irritation under which the letter to which this is a reply was written, occasioned, no doubt, by your then recent advices that your claims had not been paid, having subsided, you are enabled to look at all the events connected with this transaction as they truly were—frank, fair, and honorable on the part of the Executive Government.

"I remain, your obedient servant."

PRESIDENT JACKSON TO JAMES A. HAMILTON.

"December 12, 1831.

"DEAR SIR: I am happy to find by your letter of the 8th instant that my message suits your views in common with my friends generally in New York. In relation to the Bank, I thought it useless to make an unnecessary repetition of the objections which were stated in my former messages, as some of my friends are persuaded that something more explicit than has been stated would have had a good effect in preventing an error into which some have fallen, to wit, that I have changed my ground on that subject. A superficial reading of Mr. McLane's report was also calculated to lead to the same false conclusion. But it is now generally admitted, I think, after a considerate examination of Mr. McLane's views, that he does not express any opposition to those entertained by myself; although it is obvious that his solicitude to obtain a new charter so modified as to free the institution from the objections of the Executive, springs from convictions much more favorable than mine of the general character and conduct of the institution.

"Mr. McLane and myself understand each other, and have not the slightest disagreement about the principles, which will be a *sine qua non* in my assent to a bill rechartering the Bank.

"Believe me to be, most sincerely your friend."

MARTIN VAN BUREN TO JAMES A. HAMILTON.

"LONDON, December 14, 1831.

"MY DEAR SIR: You are right in your impression as to the reluctance with which I receive information like that contained in your last, thinking it better to be deceived occasionally than to be forever harassed by accounts of the infidelity of friends; but the case you refer to constitutes an exception. If feelings of the character you suppose exist in that quarter, it is of vital importance that I should know it; and you have acted in that spirit of friendship which has always characterized your conduct in bringing the matter to my notice. I beg, therefore, that you will in your next, give me the reasons on which your apprehensions are founded, with, as far as you may, the sources from whence your information is derived. I must in candor admit that I have at no time placed a special confidence there, and relied rather upon the absence of a reasonable motive and uniform kindness on my part for

my security against infidelity; and I yet hope there is some mistake upon the subject. The papers inform you so fully as to what is going on here, that it would be useless for me to speculate upon political matters. I believe the Editors of the *Times* and *Courier* are in general about as well informed as any here who are not immediate actors in the operation of the government. The Reform Bill will, without doubt, pass, and the King will, if necessary, create the requisite number of new Peers. Of this there is, I think, no room for question. The ministry are respectable in their own characters, and derive great strength from the false position in which their principal opponents have placed themselves by their opposition to reform. I shall not be surprised if, owing to this circumstance, the Whigs keep possession of the government for some time to come. Were it not for that consideration the course would be different, for it is not to be doubted that a Tory ministry is not only more congenial with royalty in general, but greatly preferred, if not by the King himself, certainly by the great body of the Royal family, as well as those in this country—who from time immemorial have surrounded the throne. The best disposition exists here toward our country, and I make it my business, as it is my duty, to preserve cordial relations with the prominent men on both sides—a branch of my duty in which I do not find myself entirely at home—having been all my life wholly on one side.

The elections in New York have resulted most auspiciously and must operate as a damper upon the opposition. I am every day more and more confirmed in the propriety of the step I have taken, and every thing is working as I expected. See the friends of Clay, Calhoun, Wirt, Adams, and Rush assailing each other with unceasing acrimony. This will grow worse before it is better. If I had remained, they would have been directing all their artillery, as heretofore, against me in utter disregard of the public interest. You see an evident leaning in the prominent papers here against the President. This grows in part out of the interest which is felt here by the stockholders in the Bank of the United States, and partly from the fact that almost all the papers that are taken here are those of the opposition. A discreet and temperate article upon this subject in the *Evening Post* might be of use, setting forth in a calm and lucid manner their ignorance of American politics and the injustice of their judging of the character and views of the President by the calumnies of his enemies instead of the open and official acts of his administration."

WILLIAM B. LEWIS TO JAMES A. HAMILTON.

"WASHINGTON, 1st January, 1832.

"DEAR SIR: Your letter of the 28th ult. was received by yesterday's mail, and I thank you for what you have done with regard to Noah and the Bank. Your interview with him I have no doubt will be productive of good. It has given him some uneasiness, and convinced him, I have no doubt, of the necessity of caution on his part. There is no other way of managing such people. I received a letter from him yesterday, denying that he has written any article upon the subject of the Bank, and promising to do his best to keep things right. Well, perhaps he will now, and if he has any influence over Webb, it is probable that the *Courier* and *Enquirer* will cease to discuss the Bank question. The article spoken of in my letters of the 23d and 24th was calculated, if Blair had replied, to do McLane irreparable injury in a political point of view; because it might have brought him and the President in

seeming collision, which must have proved of serious injury to him, and would have been of no benefit to the administration. The *Enquirer* praises Mr. McLane and his Report, and yet they are pursuing a course well calculated to destroy him. I have acknowledged the receipt of Major Noah's letter, but my answer is cautious and guarded though written in much haste. I beg of him to let the question rest until after the next Presidential election, when it can be taken up and acted on as a financial, not a political measure. I advise this course, I tell him, not only as his and Webb's friend, but as a friend to the Bank itself—that I have always been in favor of a National Bank of some description, and should not object to the rechartering this present Bank with modifications. These are substantially my remarks to him upon that subject. I have noted your remarks with regard to a project of getting up a new Bank with less objectionable features than the present, and am decidedly in favor of carrying it into effect in case the friends of the present United States Bank should press for an extension of its charter this Session. I am of opinion, though, it would be best not to take any steps in relation to the matter until we know what is intended to be done by the friends of the Bank. If they should determine to press the subject, I will advise you of it immediately.

“Truly thine, &c.”

LOUIS McLANE TO JAMES A. HAMILTON.

“WASHINGTON, January 3, 1832.

“DEAR SIR: I received to-day your letter of the 1st instant, marked ‘private.’ It is necessary that the facts disclosed relative to the suits against the Collector should be officially communicated and without delay. My decision upon your late complaint against the Collector has been suspended, in consequence of my illness with influenza. Of the contents of the ‘lost letter’ I can know nothing as I never received it. But it is certain that no part of my correspondence with Mr. Van Buren will authorize the slanderous rumors to which you allude. In all these cases, however, I am very much of the same opinion with Lord Mansfield that, though a public man could with a single dash of his pen refute the slanders of the newspapers, it would be unwise in him to do so. Slanders of this sort multiply in proportion as they are refuted.

“I am, dear sir, &c.”

JAMES A. HAMILTON, U. S. Dist. Atty. to HON. LOUIS McLANE, Secretary of Treasury.

“NEW YORK, January 16, 1832.

“SIR: In obedience to your instructions of the 12th ultimo, in order to take up to the Supreme Court the question whether the Marshal or the Collector is entitled to the possession of the jewels, &c., I prepared the inclosedcase which was submitted to Judges Thompson and Betts, and approved by them. This mode of proceeding—so prompt so easy, and so little expensive—I regret to say, is frustrated by the advice of the counsel employed by the Marshal, whose written opinion, with a letter from the Marshal, I herewith inclose to you. I have endeavored in vain to point out the fallacy of this opinion, and now the only mode left to me is to institute an adversary suit, and to that end the Collector should be instructed not to give the property seized by him voluntarily to the Marshal. In order to maintain trespass

or trover, it is necessary that the property should be forcibly taken from the possession of the plaintiff.

“With great respect, your obedient serv’t, &c.”

PRESIDENT ANDREW JACKSON TO COL. JAMES A. HAMILTON (Private).

“WASHINGTON, January 18, 1832.

“MY DEAR SIR: I have just received your note, (confidential,) and on its receipt addressed a note to the Postmaster General, directing the precaution intimated by you. I think it the only way by which the Government will be secure. If it is true that your Postmaster has lost the sum of forty thousand dollars, and the directions I have given that his accounts be kept in the United States Bank, the checks on the Post office fund specifying the object of the check may guard him against the temptation to apply the public funds to meet his private engagements. With my respects to your family, I am very respectfully, your friend, &c.”

PRESIDENT ANDREW JACKSON TO COL. JAMES A. HAMILTON.

“WASHINGTON, January 27, 1832.

“MY DEAR SIR: * * * * * The factious opposition in the Senate rejected the nomination of Mr. Van Buren day before yesterday *by the casting vote of the Vice-President*. I am told that Miller, of South Carolina, made one of the most disgraceful speeches that ever were heard in any deliberative body. The injunction of secrecy has been taken off, and I am told we will have the speeches published. The injury done to our national character by their wanton act, in all Europe, is an account that the people have to settle with the Senate who has brought this disgrace and injury upon us. I mean the factious opposition who have degraded that august body, once the admiration of the world, lower than a Spanish inquisition, and from report of Miller’s speech has changed the debates in the Senate to that of—I cannot find an epithet that will convey a proper idea of its blackguardism and demerit. While I mourn over the degradation that the factious opposition has brought the Senate, still I cannot help but rejoice at the proper indignant feeling expressed by the public at this cruel and unjust act. It is, I am told, universal, except the opposition, and nothing is spoken of but redress of Mr. Van Buren’s injured feelings and the insult offered to our Government, by placing Van Buren Vice-President by acclamation. I suppose the journals will speak.”

WILLIAM B. LEWIS TO JAMES A. HAMILTON.

“WASHINGTON, January 29, 1832.

“MY DEAR SIR: You will have seen, my friend, that the Senate has rejected Mr. Van Buren’s nomination; but instead of disgracing him as was intended they have disgraced themselves and inflicted a wound upon our National character. I do not know what course his friends will advise, but it strikes me that, unless there is a strong probability, amounting almost to certainty, that he can complete the arrangement with regard to the impressment of our seamen, he ought to come home *immediately*. If in the meantime Congress should not have adjourned, Mr. Dudley might resign, which I have no doubt he would cheerfully do, and Mr. Van Buren

could take his place, meet his slanderers face to face, and assist in modifying the *tariff* which would add very much to his popularity in the South. This would not interfere with his running with the General as Vice-President, and I think there is but little doubt the Baltimore Convention will take him up and nominate him as a candidate. There is much excitement here upon the subject of his rejection—every person condemns the conduct of the Senate, and I think there is a probability of the excitement increasing. I think it probable that some pretty strong measures will be adopted in relation to this matter. The speeches are in course of publication, but they will not be published as delivered. Some of them were not only bitter, but contained the most vulgar and blackguard expressions which, I suppose, the authors will endeavor to suppress. Governor Forsyth acquitted himself nobly, I am told, and deserves a medal of gold. He made, it is said, the gentleman in the chair, as well as the head of the opposition faction, very uneasy for a while. His speech will be published. The President's health is quite restored again.

“Sincerely yours, &c.”

JAMES A. HAMILTON TO PRESIDENT ANDREW JACKSON. (Private.)

“NEW YORK, January 29, 1832.

“DEAR SIR: I have the honor to inclose a list of causes which have been contested and tried by me since I have been in office. This statement is made for your eye alone, as I do not wish to vaunt what I have done. As far as I can learn Mr. Duer tried but two civil causes; one of which was left for me to argue, and the other was compromised or settled. With great regard,

“Your obedient servant, &c.”

By the list of causes it appears that Hamilton tried six causes which were commenced in 1822; and twenty-two commenced by him and decided during the two years and eight months he held the office.

WILLIAM C. RIVES TO JAMES A. HAMILTON.

“PARIS, January 31, 1832.

“MY DEAR SIR: I have been wishing and intending to write to you for a long time past, but a variety of circumstances have concurred to prevent me. I need not tell you how highly gratified I was by the warm and cordial language of friendship in your letter of September last, on the occasion of the close of my arduous labors here. Coming from one so capable (from a thorough knowledge of past negotiations on the subject) of appreciating what had been done, the sanction of your judgment was a testimony peculiarly valuable; and the warm spirit of personal friendship which animated it, though it might well detract from its impartiality in the eyes of others, only rendered it more precious in mine.

“You will see that we are still in a provisionary state in the old world—nothing fixed, and minds still unquiet and apprehensive as to the future. The question of war is still that which occupies most of the public anxiety. Though I have always thought that it must ultimately come to that, as the necessary arbitrament between the antagonistic principles of popular sovereignty and divine right which the

revolution of July put '*en face*,' yet I think it likely the struggle may be adjourned another year. While England and France act in cordial concert as they now do, of which a new proof has just been given in their simultaneous exchange of ratifications of the Treaty of 15th November with the King of Belgium, the Northern Powers will be too wise to provoke a war. In the present state of things, however, everything depends on the continuance in power of the present ministries both here and in England. A change of ministry in either country, if not the signal of immediate war, would, in my opinion, inevitably lead to it at a very early day. This consideration gives a double interest to the very critical position in which Lord Grey and his colleagues are now placed in England. The spirit and power of the aristocracy must be met by corresponding determination and vigor on the part of the ministry, or they must fall, and with them the hopes of internal tranquility and of foreign peace.

"The opposition with us, I see, is not less bold than in the land of our ancestors. I cannot believe, however, that in all the wantonness of their power in the Senate they will do so mad an act as to frustrate the nomination of Mr. Van Buren, which would inevitably recoil upon themselves with overwhelming condemnation. What, however, I shall not be surprised to see is, that without absolutely rejecting the Treaty made here, they return it with some modifications, the effect of which will be the same; for this government would be too happy to have such an excuse to get rid of the whole affair which is likely to embarrass them very seriously with the Chambers, and has already called forth some very severe criticisms from the press. It is the stipulation about the duties on French wines, I see, which the newspaper opposition has fastened upon as incompatible with the established principles of our commercial policy. Without entering into the *special* motives of this stipulation which have never been adverted to in the newspaper discussions I have seen (and which you know was to get rid of a most embarrassing claim to *perpetual* privileges under the Treaty of Louisiana that had heretofore thwarted all the negotiations for indemnity to our citizens—a claim which the late administration had most unwisely proposed to refer to arbitration, involving thus the risk of a decision which Mr. Gallatin, in his letter of February 27th, 1823, to Mons. Chateaubriand, most satisfactorily shows would put it in the power of France to *monopolize* the whole carriage of the commerce with Louisiana; without entering into these considerations, it may be well to recollect what advantages Mr. Adams himself had proposed to stipulate in favor of French wines and other productions of French industry, for mere *reciprocity* in navigation which Great Britain and other nations had agreed to, from the inherent justice of the principle, and without thinking of demanding any *price* for the agreement. With this view, I inclose you an extract from a note of Mr. Adams to Mr. De Neuville, of April 26th, 1821. The '*special*' accommodations to the 'principal exports of France;' 'the *great advantages* granted to the commerce and manufactures of France,' there spoken of to be paid for by the mere principle of *reciprocity* in navigation were, as appears from a preceding note of April 18th, a reduction of the duties on French wines, 'to ten cents a gallon in casks, and twenty cents in bottles,' and an increase of the discriminating duty on silks imported from the Cape of Good Hope 'to thirty per cent.' Now it is to be remarked that the reduction of duties here proposed by Mr. Adams for the principle of *reciprocity* which is always supposed to pay for itself, is relatively much greater than that which I agreed to for a renunciation of *perpetual* privileges of an

important character claimed by virtue of an antecedent Treaty, and for a corresponding reduction of duties on one of our own products. Mr. Adams was willing to reduce the duties on French wines in bottles, for example, to twenty cents, when the existing duty on a portion of those wines (Champagne and Burgundy) were one hundred cents; when the reduction stipulated by me was only to twenty-two cents at a time when the duty was fixed at thirty cents; and so as to other points of the comparison which on reference to the existing laws of the two epochs will enable you to see in detail. It may be safely left to any candid mind to say, which of these two arrangements depart most widely from the real or supposed principles of our commercial policy. It may be said in regard to Mr. Adams' proposition, that for these commercial advantages to be granted by us, he required also an abolition of the monopoly on our tobacco in France. But this, although a part of the project of April 18th, 1821, was evidently abandoned and *reciprocity* in navigation only demanded, as appears very clearly from the last sentence of the extract inclosed, and still more unequivocally from his note of May 11th, 1821, where he says, 'either the commercial concessions must be set aside, &c., &c., or if taken into the account, being all in favor of France, they must be compensated either by commercial concessions to the United States, or by entire reciprocity in the article relative to navigation.' I have inclosed you this extract and given you these explanations that you might be enabled if you thought proper, with the discretion you always exercise, to counteract through the medium of the press, any misrepresentations or false views which might be attempted to the prejudice of the administration. I remain,

Very truly your friend, &c."

EXTRACT OF A NOTE OF MR. ADAMS of 26th April, 1821, to MONSIEUR DE NEUVILLE.

"Whatever disadvantages the French Navigation may labor under in competition with that of the United States are believed to be within control for removal. Nevertheless, the opinion of the French Government on the subject, being stated by the Baron De Neuville to be irrevocably fixed, the President has been willing to meet any supposed disadvantage to France in such an arrangement by advantages thought to be fully equivalent for them to the agriculture, commerce, and manufactures of France. In the minutes of a project, first presented by the Baron De Neuville, the President welcomed what he thought countenanced the hope of such a compromise. The Baron suggested *special accommodations* to the principal exports from France to the United States, and other *benefits* to French interests, all of which were assented to by the President to the extent proposed by the Baron himself. In return for these concessions, he had reason to expect some concession on the part of France, in which, however, he has thus far been disappointed. He thought that *with such great advantages granted to the commerce and manufactures of France, the least that would be required in return was that reciprocity which should discard all discriminating duties upon the mere carriage of the trade.*"

C. C. CAMBRELING TO JAMES A. HAMILTON.

"WASHINGTON, D. C., February 9, 1832.

"MY DEAR SIR: I have your esteemed letter of the 4th inst. I thought, on reflection, that our friend V. B. had better return as soon as possible, so as to address the Union upon his triumphal entry at New York about the 1st of May; but without any idea of going into the Senatorial cockpit.

"If he is not our V. P., then he must go into the Senate; but not till then.

"I have written as you have directed; others have written to the General. L. told me so.

"Very truly, yours, &c."

JAMES A. HAMILTON TO E. CROSWELL.

"NEW YORK, February 11, 1832.

"DEAR SIR: I have just received a letter from Washington from such a source as to entitle it to all confidence and consideration, expressing a wish that our Legislature would pass a resolution requesting the Governor, on behalf of the State, to address a letter to the President relative to Van Buren's nomination; and giving the assurance that an answer would be given which would have a most powerful and overwhelming effect. I most earnestly unite with the writer in wishing that such a step, if it be possible, might be taken. And why may it not? The Senate, a branch of the Government coördinate with the President, has condemned a person—a citizen of New York, in whom the people and the Legislature have manifested a deep interest and the fullest confidence—avowedly for misconduct in his office; and as manifestly without full information on the subject which is the foundation of that charge. The President has the information; and what good reason can there be why such an application should not be made? You will agree with me that the attempt ought not to be made without certain success. You will also see that such a course will excite deep and intense interest; that we want: we require the opposition papers to teem with abuse of us; and particularly that they should do so because we *seek information*. You will also readily admit that such an answer as might be given in relation to the instructions and the dissolution of the Cabinet, under the President's own hand, would be powerful—nay, invincible. I am further informed that great exertions are being made, and with some appearance of success, in Pennsylvania, Alabama, and elsewhere; and we are called upon to do all we can without and something with hazard. Let me hear from you in reply as soon as you have received this letter; at all events to inform me that you have received it. I dare not write to any other friend.

"Yours, &c."

After Van Buren's nomination as Minister to England was rejected, by the casting vote of Calhoun, I wrote to Van Buren's political friends, most earnestly urging them to bring him forward as a candidate for Vice-President at the approaching Presidential election, Jackson being the candidate for President.

In reply to a letter I addressed to Wm. L. Marcy, a Senator from New York, urging Van Buren's nomination, he wrote:

"WASHINGTON, February 7, 1832.

"Your advice is good that we should not look back but direct our attention to the future * * * There is here scarcely a dissenting opinion as to the policy of pushing Van Buren for Vice-President, and I am sorry to hear from Albany that our friends there do not fall in with that idea. They think of making him Governor. This, in my judgment, is a mistaken notion. It is unnecessarily circumscribing the influence of an act which naturally operates beneficially in every part of the Union."

Cambreling in reply writes :

“WASHINGTON, January 31, 1832.

“MY DEAR SIR : There is but a plain course for Mr. Van Buren : the Vice-Presidency. We must be universal and strong in favor of Van Buren. * * * Write to Van Buren and tell him not to adopt McLane's bad plan for him, to come home in a hurry and go into the Senate. Let us receive him in triumph in June. He must act with dignity.”

E. CROSWELL TO JAMES A. HAMILTON.

“ALBANY, February, 1832.

“MY DEAR SIR : On the receipt of your favor of the 11th inst., the respective letters on the part of the Committees of the Legislature and the citizens to be addressed to the President were in a train of preparation. And in compliance with your suggestion and with a similar one from Judge Marcy received at the same time, they were both so written as to give the President an opportunity to say every thing on the subject that he may desire, or that the circumstances may demand. This, on the whole, was deemed to be the best course. In this shape it is the unanimous act of the republican members of the legislature, as well as of the republican citizens of the Capital. At best, if the proceeding had been made a *legislative* act, it could have had, of course, only the republican votes ; and it was questioned whether an opportunity ought to be afforded the opposition to debate the question, and perhaps protract a decision upon it. The letters were inclosed to the President by last night's mail. In relation to the Vice-Presidency, about which I ought and designed to have written you before this, there is still some, indeed, considerable diversity of opinion among our friends here, and so far as I learn throughout the State. At first, scarcely a friend of ours was in favor of the nomination of Mr. Van Buren for that place. But your letters and those of the delegation at Washington (with a few exceptions), and the assurances in relation to Pennsylvania and Virginia, have produced a visible change. The objections to the Vice-Presidency, came from two causes, one legitimate and entitled to all consideration, the other less so, and more or less selfish or local. 1st, The intrinsic objections to the office, the uncertainty and embarrassments of the election, the ground of lasting hostility in Pennsylvania if not Virginia, and its injurious consequences in relation to the great ultimate object. 2d, The desire to relieve the *home question* of all difficulty, and to preserve and augment our local strength by Mr. Van Buren's election as Governor. With these considerations pressed upon us on the one hand—with the strong, and as I think, conclusive arguments from yourself and our friends at Washington on the other, we have endeavored to prevent any excessive feeling on either side ; and to present the matter in such a shape as will produce a ready and cordial acquiescence in any result. I am happy to say that such is the present state of things generally. I do not mean to be understood that in either event, or whatever may be the shape in which Mr. Van Buren shall come before the people, there is a republican in the State that will not come to his support with alacrity ; but it has been thought best so to present the matter as to prevent, as far as possible, any portion of our friends from giving him much support for the Vice-Presidency, under the conviction, at the same time, that it was a step prejudicial to his ultimate interests and the expectations of the State. I have only time to add

that I shall be happy to hear from you at all times, and that I remain, with great regard,

“Yours, &c.”

WILLIAM B. LEWIS TO JAMES A. HAMILTON.

1832.

“I received a letter yesterday from Mr. Flagg, of Albany. Our friends there are all wrong. They talk of running Mr. Van Buren for Governor of the State. If anything of that kind is contemplated, they had better cut his throat at once. If the party do not seize the present occasion for bringing him prominently before the *Nation*, he will, in my opinion, inevitably go down as a politician. If the Republican party cannot, under existing circumstances, make him Vice-President, they need never look to the Presidency for him. This, my dear sir, is my opinion, and it is the opinion of many of our best friends. The Cabinet is unanimously in favor of running him, and such is the feeling of all our friends everywhere. I think you had better go to Albany and have this matter put right. The thing is resolved on here, and every true friend should come out boldly. It will not do, in times like the present, to halt between two opinions. There should be no temporizing. Public feeling is with us. In this I cannot be mistaken. Do not, therefore, let us lose so glorious an opportunity of strengthening and consolidating the party.

“I am, as usual, your sincere friend, &c.”

JAMES A. HAMILTON TO A FRIEND.

“WASHINGTON, March 14, 1832.

“Of politics there is nothing of particular, but a great deal of general interest. The unpatriotic spirit manifested here, renders me impatient and unhappy. The opposition are so bent upon pulling down this administration, that to do so they are anxious to frustrate every measure, however deeply it may wound our beautiful system. The anxious wish of the administration is to make a compromise in relation to the Tariff, and Mr. McLane says he will furnish a bill in that spirit which ought to be passed; but I much fear nothing will be done. The South Carolina members, it is believed, will oppose such a course, lest by tranquilizing their own State, they should lose their political influence and control. If this is so, they, with the aid of the high tariff, will control, and God knows what will be the issue. The Bank is evidently losing friends, and should the enquiry which is called for by those who are opposed to it be instituted, no bill will be passed this Session. On the other hand, should that enquiry not be made successfully and a Bank bill be passed, the President will most certainly veto it. He is open and determined on this point. I conferred with him yesterday on the subject. I told him what the opposition avowed as their motive for pushing the bill during the Session. He replied, ‘I will prove to them that I never flinch; that they were mistaken when they expected to act upon me by such considerations.’

“I will, in this connection, as to the Bank, make the following statement of facts within my own knowledge. McLane told me that he had most earnestly urged Mr. Clay not to attempt to pass a Bank bill at this Session, insisting that, if deferred to the next Session, he was satisfied that he could by that time, and by a Bank bill so framed as would be as useful as was necessary, induce Jackson to approve it. But that Clay

persisted in the hope that, if the President approved the bill, he would lose the support of those of his party who had approved his opposition to the Bank, and a vast many others who approved of the State Bank system. And, on the other hand, if the President vetoed the bill, he would lose Pennsylvania and his election. This was the true view of the whole subject, and it was to the effect of his veto upon Pennsylvania to which he referred."

PRESIDENT ANDREW JACKSON TO COL. JAMES A. HAMILTON.

"March 28, 1832.

"MY DEAR SIR: Your letter of the 25th instant has just reached me. The affairs of the Bank I anticipated to be precisely such as you have intimated. When fully disclosed, and the branches looked into, it will be seen that its corrupting influence has been extended everywhere that could add to its strength and secure its recharter. I wish it may not have extended its *influence* over many members of Congress. I wish this for the honor of our beloved country. Ours is a government based upon the virtue and intelligence of the people, and every temptation should be kept as far from us in *public life* as possible, and all our acts and endeavors ought to be to moralize, not demoralize, the people.

"No Minister to England will be nominated until Mr. Van Buren returns, and perhaps not before the next meeting of Congress; and I have not permitted myself to think of his successor. If Mr. Rives returns, and when he returns, I will send a Minister to France. Mr. E. Livingston has his eye on this mission, but it will require some deep reflection—his place would be hard to fill—and before it is made vacant, a proper selection must be made. When I see you I will be more able to give you my views. No step will be taken in either until Mr. Van Buren arrives.

"Believe me to be your friend, &c."

MARTIN VAN BUREN TO JAMES A. HAMILTON.

"LONDON, April 1, 1832.

"MY DEAR SIR: I owe you, with many other friends, an apology for not having written to you, but I know I can trust to your good sense and good feeling for not having made you an exception. I am off for Paris in the morning, and write this principally to say that I have sent by the *Sovereign*, Captain Champlin, to your care, three boxes, Nos. 13, 24, and 25, containing plate and private papers, which I beg you to keep for me till my return. The treatment which I have received from the King, his Ministers, and all the foreign functionaries here, since the announcement of my rejection, has been of the most kind and delicate character, and has, I confess, been very gratifying.

"Yours, &c."

PRESIDENT JACKSON TO JAMES A. HAMILTON.

"WASHINGTON, April 16, 1832.

"MY DEAR SIR: I received your letter recommending Captain Webb, and am now engaged examining the long roll of applicants for the Ordnance Department. Have not yet come to a final conclusion of what selection will be made. I received

your last of the 11th instant, and sincerely regretted to hear of the melancholy attack of Mr. Noah—hope he has recovered, as I have heard nothing from him since. I beg you to hasten the return of my manuscript-book.* I wish to be ready the first opportunity that may present to make the reply. Fail not to have it here soon.

“I am, very respectfully, yours, &c.”

LOUIS McLANE TO JAMES A. HAMILTON.

WASHINGTON, April 29, 1832.

“DEAR SIR: I received, the day before yesterday, your letter respecting the President’s manuscript. I can conceive of no possible good that could attend such a step in the present posture of affairs, and I am satisfied that it would be productive of unhappiness to the President, and of incalculable injury to his cause and his friends. It would be most unwise, at the present time, to make any issue between the President and the individual principally concerned. It ought properly to have no concern with the coming struggle, and for the purpose of personal and historical satisfaction, a period less disturbed by party and political strife will be much more favorable. I doubt if you could do Mr. Calhoun a greater favor than to make an issue in which he would see some hope of resuscitation. We already have causes of inquietude enough, and this would tend to increase them. I speak without going more into details, from my unfeigned interest in the President, and an earnest desire to promote his individual happiness and public renown; and I shall feel it to be my bounden duty if he will permit me to counsel him to peace and tranquility to exert his mind and patriotism to restore harmony to his country, and advance the prosperity of his fellow-citizens, and to leave the gratification of his individual feelings, and even the vindication of his just military fame, to a fitter opportunity. Rely upon it that our policy is not to be provoked into angry collisions by the coarseness and violence of our opponents. Theirs is a desperate cause, as that of a factious and feeble minority always is. Ours is the cause of the majority of the people, and will become weak when we lose our temper or dignity. Let us rely upon the wisdom and patriotism of our measures, and avoid, as far as possible, all individual jars.

“I am, dear sir, respectfully, &c.”

JAMES A. HAMILTON TO LOUIS McLANE.

NEW YORK, May 6, 1832.

“MY DEAR SIR: I have not had a moment’s time to acknowledge your letter of the 29th ultimo, and I cannot now reply to it further than to say, that if it is not absolutely certain that he is to gain by the publication a positive advantage, it ought not to be made. I agree with you as to our position and the course to be pursued, and after giving the subject further consideration, if my former convictions are changed to doubts, which is almost already done by the fact that you differ from me, I will write to the President as you suggest. I do not learn from your letter

* Reply to Calhoun, sent to me to be examined, with a request that I would revise and correct it. I did so, and urgently advised him not to publish. I believe it was not published.

whether you are informed of the scope of the manuscript. I visited Washington in relation to the Bruen business. I intended to have conferred freely with you on this subject, and also in relation to the Custom House concerns, which, I think, in many respects require attention, but which cannot be so well explained by letter.

"The expected failures have commenced. Three were announced on Friday; and several intimated yesterday. The difficulty of obtaining money, although very great, is increasing daily. The bonds of Peterson & March—a failure of a month ago—are now becoming due, and all the parties—*three foreign Consuls*—have run away. The debt is about \$30,000.

"With sincere regards, yours, &c."

JAMES A. HAMILTON TO PRESIDENT JACKSON.

"NEW YORK, June 15, 1832.

"MY DEAR SIR: As it is understood that the opponents of compromise intend to call upon our Legislature to pass resolutions which will aid them, it becomes therefore the duty of the friends of Union and your Administration to defeat that attempt, and to endeavor to induce the Legislature to pass resolutions in favor of compromise. To that end, I intend to go to Albany and spend a few days there during the Session. I feel assured if nothing is done to promote, something will be done to frustrate, our wishes.

"The state of things in England is such as I have supposed might render it deserving of consideration whether we ought not to be represented there in a stronger manner than we now are. Should there be revolution, an American Minister of talent and character, without improper interference, could do much to benefit both countries, and the liberal party will feel that they have a right to such a measure at your hands.

"I always feel at liberty to communicate any suggestions that occur to me, without fearing the imputation *from you* of improper interference.

"With the truest attachment, your servant and friend, &c."

MARTIN VAN BUREN TO JAMES A. HAMILTON.

"WASHINGTON, July 15, 1832.

"MY DEAR SIR: I have only time to say a word to you in behalf of my old friend the Chevalier. Do not let the cholera kill his man of jewels, and answer Mr. Livingston's letter as soon as you can. I am very anxious that the application which has been made by the Dutch Government should succeed,* if it can be with propriety so arranged, and I am sure it will give you pleasure to contribute all in your power. The Tariff Bill has passed under the most favorable circumstances. The Bank Bill has this moment failed by a vote of 19 to 23. The veto is operating powerfully as far as we hear, and the Session is winding up finally. My arrival could not have been more opportune, and I have thus far been highly gratified with my visit here. Remember me kindly to Mrs. H. and the young ladies, and believe me to be,

"Very truly yours, &c."

* To send Polari, the thief, to Holland. It was done.

JAMES A. HAMILTON, U. S. District Attorney, to V. MAXEY, Solicitor of the Treasury.

“NEW YORK, July 27, 1832.

“SIR: The persons confined at Bellevue Prison, charged with offences against the United States (Polari excepted), ten in number, were discharged on the 25th inst. on their own recognizances. Judge Betts, on being informed of the course I intended to pursue in relation to these men, wrote to me thus: ‘I am glad you have concluded to discharge the prisoners. The hazard to life in keeping them in close confinement must be imminent, and I do not believe the character of their offences would justify to the public feeling so dangerous an exposure.’ The disease is diminishing in the city, but extending to every part of the country. I sincerely hope you may, but I do not believe you will, escape it. Your obedient servant, &c.”

MARTIN VAN BUREN TO JAMES A. HAMILTON.

“KINDERHOOK, August 5, 1832.

“MY DEAR SIR: Your letter is received. I found the old chief laboring under his veto, but the moment he was delivered of it he was, as usual, perfectly at his ease and in the best of spirits. It is most clear that that is destined to be the most popular act of his life. You can have no conception of the universal interest which the great body of the people take in this matter, and the almost uniform side they also take. I have seen the bitterest of his opponents who feel constrained to speak well of it. Things are going on very well at Washington. Mr. Livingston goes to France as soon as Mr. Rives leaves it. The Maine business is in as favorable a train as circumstances permit. It would not be discreet to trust to the mail, at these times, more explicit replies to some of your queries. We must, therefore, let them be until I have the pleasure of seeing you. The election prospects are generally good. Pennsylvania is as safe as Tennessee. If I am to judge by the specimens of public feeling which I have seen, or the representations of our friends, I should say that we are quite safe here. Nothing, however, that can with propriety be done, should be omitted.”

PRESIDENT JACKSON TO JAMES A. HAMILTON.

“November 2, 1832.

“MY DEAR SIR: I have just received your letter of the 30th ult. for which I thank you.

“I am well advised of the views and proceedings of the great leading Nullifiers of the South in my native State (S. C.), and weep for its fate, and over the delusion into which the people are led by the wickedness, ambition, and folly of their leaders. I have no doubt of the intention of their leaders: *first* to alarm the other States, that they may submit to their views rather than a dissolution of the Union should take place. If they fail in this, to cover their own disgrace and wickedness to nullify the Tariff and secede from the Union.

“We are wide awake here. *The Union will be preserved; rest assured of this.* There has been too much blood and treasure shed to obtain it, to let it be surrendered without a struggle; our liberty and that of the whole world rest upon it, as

well as the peace, prosperity, and happiness of these United States. It must be perpetuated. I have no time to say more. My health is good, improved by the travel.

“With a tender of my kind salutations to you and your amiable family,

“I am, sincerely your friend.”

MARTIN VAN BUREN TO JAMES A. HAMILTON.

“November 16, 1832.

“MY DEAR SIR: I am sorry you cannot go with us, but your business is of more importance. I think they could have no objection to pay up. * * * has received his, and has, I presume, no objection to be reimbursed by me.

“I have some delicate writing to do which requires more leisure than I can have in this city, unless I can hide myself. If there is no earthly objection or inconvenience in it, I propose to come to your house from Judge Oakley's to-morrow night, and stay with you until Monday morning, under the pretence here that I have gone into the country. Let me know how this will suit, and whether you dine at Oakley's.

Yours, &c.”

PRESIDENT JACKSON TO JAMES A. HAMILTON.

“November 26, 1832.

“Yours of the 23d is this moment received and duly considered. Before this reaches you, you will have received the Secretary of the Treasury's letter upon the subject of the suits, &c., as approved by me, which will be your guide.

“I am sorry we are disappointed in not seeing you here. When your leisure will permit, we expect that pleasure. I have no time to say more.

“I am, respectfully your friend.”

PRESIDENT JACKSON TO JAMES A. HAMILTON.

“WASHINGTON, December 6, 1832.

“Yours of the 3d is just at hand. I accord with you fully in the propriety of the people giving *fully and freely* their sentiments and opinions on Nullification, and the course pursued by South Carolina in her late proceedings.

“The ordinance passed, when taken in connection with the Governor's Message, is rebellion and war against the Union. The raising of troops under them to resist the laws of the United States is absolute treason. The crisis must be, and as far as my constitutional and legal powers authorize, will be, met with energy and firmness. Hence the propriety of the public voice being heard—and it ought now to be spoken in a voice of thunder, that will make the leaders of the nullifiers tremble, and cause the good citizens of South Carolina to retrace their steps, and adhere to that Constitution of perpetual union they have sworn to support. This reasonable procedure against the Union, and not only our liberties but the liberties of the world,—this nullifying movement in the South,—has done us great injury abroad, and must not only be promptly met, but put down by public opinion. It is, therefore, highly proper for the people to speak out all over the Union. I am preparing a Proclamation to the people of the South, and as soon as officially advised of these rebellious proceedings, will make a communication to Congress. I can say no more, as I am surrounded at present, and bid you for the present adieu.”

One of the most painful events of my life was imposed upon me in the performance of my duties as District Attorney of the United States.

In 1832, three persons were arrested and brought into New York charged with, and who were unquestionably guilty of, most atrocious piracy and murder.

The Captain and part of the crew were killed, the vessel was stranded and lost.

Gibbs, a black man, and a boy of about sixteen years of age, were arrested. The evidence of guilt was not so full as to insure a conviction, unless one of these parties should be made State's evidence, which would discharge such one from trial. The duty and responsibility of selecting the person to be made a witness rested with the Attorney; and thus the responsibility was thrown upon him of deciding which of these three persons should *be saved from death*. To have the life or death of a human being in one's hands, was a most painful condition. I deliberated much and most anxiously, I endeavored to obtain independent testimony sufficient to convict, but in vain; I could not avoid the responsibility, and I selected the boy as the witness, as probably the least guilty, and by his testimony and the partial confession of Gibbs that the Captain had been killed and the vessel stranded without stating who did this wickedness, Gibbs and the black man were, after a most carefully contested trial, found guilty, sentenced, and executed. The boy was set at liberty. The criminals alleged that the boy was as guilty as they were. He was an English boy. I advised and assisted to return him to his own country, and I heard nothing more of him. He was very penitent and very grateful to me for saving his life. He was intelligent enough to appreciate what had been done, and in what extreme peril he had been placed.

EDWARD LIVINGSTON, Secretary of State, to JAMES A. HAMILTON.

“June 7, 1831.

“The President has examined the papers in relation to the disclosures made by Gibbs, and has directed me to inform you that you are at liberty to employ * * * * in such a manner as you think will best attain the object of ascertaining the truth of the confession, and securing the proof necessary to convict those concerned in the transaction.”

JAMES A. HAMILTON TO PRESIDENT JACKSON.

“January, 1833.

“MY DEAR SIR: I have just read a second time your message of the 16th instant (as to Nullification), and cannot refrain, in justice to my own feelings and principles, and to my present relations to you, from expressing my entire approval, and, I may add, the pride I feel in all you have done on the subject to which it refers. To express all the admiration your course has excited, would not entirely comport with delicacy or propriety. Your views of the principles of our Government are those alone on which it can be administered and preserved; and allow me to say,

from a very careful search after public opinion as expressed by individuals, by the public papers, by meetings, and by the public functionaries (Governors and Legislatures) of the different States, they are the views of the nation, notwithstanding the faint echo of former opinion, which a small majority, perhaps in the Virginia Legislature, are struggling to give out.

"I regret, deeply regret that our Legislature should not have acted on this subject; it was due to you emphatically; to the rank of the State and to the feelings of her citizens that New York should come forward in her strength.

"With that freedom in which I have been accustomed to commune with you I say that I deeply regret that considerations of any kind whatever should have induced this restraint at such an epoch as this: I know no party, or interest, or feelings, only such as belong to the country; her permanent interest and glory ought to be the Polar star of every man connected in any degree with public affairs.

"Some of the Virginia doctrines as to State rights—I mean those which can directly, or even remotely, sanction the right of secession—resulted from a state of feelings and interests not the most propitious to the most enlightened views of the origin and character of our Government. They have not outlived *with the great Public* the occasion which produced them; and they ought not now to be reiterated; and yet I fear there are some among them who wait for a voice from Virginia; and who fear if they acquiesce in your views, which are those of the nation, that the influence of their party will be diminished.

"This is a radical error. That party in this country which believes that principle alone can permanently succeed is that one whose principles are founded on an enlightened patriotism, having for the object of its whole exertions, *first*, the preservation of the Union; and next, the administration of our happy form of Government in simplicity and truth.

"*United, we must in the course of time and ere long become, by population and wealth the most powerful nation in the world; and, let me add, if we shall be governed by a high degree of Christian civilization we will be a blessing and a guide to all peoples. On the contrary, if we are governed as nations hitherto have been,—by a love of military renown alone,—we will be a scourge to our race.*

"I write to you with freedom and in confidence, and yet I do not express half I feel or think.

"Before I close this too long letter, allow me to say, knowing as I do the harassing extent of the engagements of yourself and confidential friends at this juncture, that if I can be of any use to you in any, even the most subordinate, situation, I will immediately repair to Washington, and pass a month at least devoted to any service which may promote the public welfare. I do not seek a participation in advising; but merely in executing under your directions. I can so arrange my business, as by my absence not to impair my official usefulness here."

"With the truest attachment, your friend."

NOTE.—Finding that the majority of the Legislature at Albany, the party of the Administration, and the partisans of Van Buren were putting off the expression of opinion in approval of the President's course—His message or Proclamation, I wrote several, letters to leading men in Albany urging them to pass strong resolutions approving of the course of the President, and

denouncing nullification; but without success. This backwardness arose from a fear that the approval of the views of the President in regard to the constitution, the subordination of the States, and the repudiation of the right or power of a state to nullify the laws of Congress, or to withdraw from the Union, might offend the party in Virginia. I addressed a letter to Van Buren on the subject in which I expressed the hope that he would use his influence with his political friends in the Legislature, to pass resolutions approving the course of the President. This letter he returned to me, having opened it, without a word of explanation. This unfriendly, nay, offensive course, resulted from Van Buren's fear of offending the dominant political party of Virginia.

PRESIDENT JACKSON TO JAMES A. HAMILTON.

“WASHINGTON, February 23, 1833.

“I am indebted to you for replies to many of your kind letters; and the only apology I can offer is the continued press of business, and lately, want of good health. I have been, I may truly say, tolerably pressed with business from sunrise to 12 at night.

“Your last was by your amiable mother, with whom I have been much pleased, and am gratified to find that she retains all her faculties, and has clear recollections of our past history, in which her deceased husband acted so conspicuous a part. She informed me that she walked every day from Mr.—’s to the capitol. I regret very much that my engagements have been such that I could not pay more attention to her and her family than I have done.

“I have been looking for you here. When will you be with us? Will you come with Mr. Van Buren? I expect the pleasure of seeing you here before the 4th of March.

“The papers will have given you the union between Mr. Clay and Mr. Calhoun. How strange their position! Nullification cannot be recognized as a peaceful and constitutional measure, and the American system of Mr. Clay being on the wane, a union between these two extremes is formed; and I have no doubt the People will duly appreciate the motives which have led to it. I have good reason to be content, even gratified, with my own course, as I find these men are obliged to adopt it to give peace and harmony to the Union.

“I have to attend the funeral at 11. I must close. Believe me your friend.”

JAMES A. HAMILTON TO PRESIDENT JACKSON.

“NEW YORK, February 28, 1833.

“MY DEAR SIR: I had the pleasure yesterday to address a letter to you, but inadvertently omitted the subject of this letter. I am informed by a gentleman whose knowledge of the views of the United States Bank is only second to that of its President, and therefore repeat to you (with the assurance that you may rely upon it), that the bank counts upon being rechartered. Its purpose is for the next two years to fortify itself beyond all hazard by calling in its responsibilities gradually, to an amount at which they will be entirely manageable, and also by securing its

debts. This operation will be performed under the avowed idea that it is necessary and preliminary to winding up its concerns. The State Banks, old and new—and particularly the latter, it is believed—will consequently extend their discounts. The United States Bank will employ a part of its means in purchasing exchange, and otherwise securing a large credit in London; and at the proper time, about the expiration of the period referred to, it will by withholding bills and by other means within its power cause exchange to advance so as to cause the exportation of specie and thus occasion a run upon all the moneyed institutions. This it will be prepared for. The affairs of the State Banks will consequently be so deranged as to compel them to stop specie payments. The immense injury to the whole nation resulting from that event, it is believed, and not without foundation, will induce a stronger public feeling in favor of a recharter of the Bank as the only means of restoring a sound currency; and that will be pressed by the friends and retainers of the Bank upon a new Congress and your successor, with a force that they hope he will be unable to resist. The project is feasible and must, if attempted, whether successful or not, be productive of infinite mischief, because the whole monetary system of the country will be deranged. The first state of things resulting from the multiplication of State Banks which is going on to an unequalled extent will be that money will be abundant; that is to say, that discounts will be freely made, and that from these facilities prices will rise, and there will be excessive over-trading. The reduction of duties by the new tariff will cooperate with the other circumstances to induce this excess. The next state of things is the reaction which will not be far removed from its cause, and is as certain as fate. It will be pushed by the United States Bank to the consequences and for the end to which I have referred. Having, as I hope you have, settled the Southern difficulties, this subject seems to me to come next in order for consideration, as it is in consequence. The serpent is scotched, not killed. It has power as long as it can wind and move its immeasurable length along. Its exertions will be violent because it is a struggle for existence in which there will be no regard paid to the interests of the country which gave it life. Should these be seriously involved, the reputation of your Administration may not escaped unquestioned.

“Should I hear anything more, or should any new thoughts occur to me, I will write to you without reserve.

“With the truest attachment, your friend.”

A LETTER TO A DISCREET FRIEND.

“WASHINGTON, March 19, 1833.

“I am up to my eyes in business. Enjoying all the confidence of the President and the gentlemen about him, particularly McLane, I cannot tell you how readily I take to my former employments here; and how gladly I would plunge into the troubled waters again. There is an excitement in this large game which is most congenial with my feelings and temperament. I have very narrowly escaped being brought here; and, indeed, I think events will turn up in such a form as will call me. I must say that I would not regret the change, you know how mounting my ambition is. All well.

Yours,

“JAMES A. HAMILTON.”

REMOVAL OF THE DEPOSITS.

I visited President Jackson, on his arrival at New York. During the interview he said, "I wish you to be with me as much as you can. I am to have a public dinner, and I wish you not only to be there, but to sit next to me." The evening before the dinner, he said: "Colonel! come to my room to-morrow, just before the dinner hour, and we will go in together." I did so, and was seated next to him. Before we left the room, he gave me several papers; told me to read them with care and give him my opinion, in writing, on the subject. These papers were written by three or four different persons, urging the President to remove the public moneys deposited in the Bank of the United States and its branches.

When I returned these papers, which I did immediately, they were accompanied by a short note stating that the subject was one of such vast importance that I could not treat it without more time and deliberation than I then had; that I would inform myself by conferring with the most distinguished bankers, and give him the result. I added, "My first impression is, that the measure proposed was a very questionable one, and must lead to great disturbance in commercial affairs."

Mr. McLane, Secretary of State, had previously called upon me to obtain the opinions, in writing, of distinguished bankers in New York on this subject. To that end, I called upon several leading men, and invited them to a meeting to talk over the subject of the removal of the deposits. At this meeting, all agreed that the measure would be difficult of accomplishment and disastrous in its effects upon the business of the country; that the State banks could not be so combined as to supply the place of the Bank of the United States.

I had, at the same time, an interview with the Hon. Albert Gallatin. He expressed the most decided opinion against the removal. He insisted that a Bank of the United States was an indispensable fiscal agent of the Treasury, as his experience had convinced him. He asked, "What can induce the President to take such a course? In answer, referring to the refusal of the Bank to make an appointment he desired, I said: "Resentment!" He replied, "Resentment! Resentment! the affairs of Government can only be successfully conducted by cool reasoning and the lessons of experience."

I submitted to Mr. Isaac Bronson the annexed inquiries, to which he gave the annexed answers:

Answers to questions propounded by MR. HAMILTON, in respect to the proposed transfer of deposits of public funds from the Bank of the United States to the State Banks, and the use of State Banks as the future receivers of public moneys.

"*Question 1st.* If the deposits were withdrawn from the United States Bank, and placed in certain State Banks, would the power of the former be materially diminished, and of the latter increased thereby?"

"1st. I answer in the negative. The notes of the Bank must still be received in payment of the Government dues. The advantages of an extended circulation would continue to be enjoyed by it. The only effect then on the Bank would be a reduction of profits, or a loss of interest on the average amount of permanent deposits. The Bank, with a moneyed capital of thirty-five millions and a circulation and private deposits of twenty to twenty-five millions more, could not feel very sensibly a withdrawal of two or three millions. After the Bank had reduced its loans by the amount of Government deposits withdrawn, it would still have ample means of pressing on the State Banks.

"If it desired to do so, it might curtail the breadth of its credits, thereby obtaining a command of its loans, and then, by reducing the amount, bring the State Banks in debt at pleasure. The power of resistance on the part of the State Banks is only, in proportion to the amount that they refrained from using, in the ordinary mode of deriving profit from *means*. But reasoning from experience, it is not to be supposed that the State Banks would refrain from loaning out the deposits, and consequently their power of resistance would not be increased. Assuming, for the purpose of the present inquiry, that there would be no standing accumulation of deposits beyond the amount transferred from the Bank of the United States to the State Banks, that a large portion of subsequent receipts of moneys would be composed of distant bank notes, and that the State Banks would loan out the Government deposits, their power of resistance might be impaired, rather than strengthened. They must necessarily hold in reserve, to meet the general expenditures, an amount of their own proper means equal to that portion of receipts which consists of distant Branch notes, until these notes could be sent to the Branches and returned in available funds.

"*Question 2d.* It is asserted that the Western branches of the United States Bank have become indebted to the Atlantic Banks to the extent of sixteen millions, from the necessary flow of credits issued there to the Atlantic. And it is believed that if the public deposits should be made with the State institutions, that these Western branches would become indebted to the Banks of deposit, and that thus the latter would acquire a control over the former. Would this be the effect of the change? And if it would not—why not?

"2d. The Western branches are unquestionably indebted to the Atlantic branches and Parent Bank in a large amount, and the cause of that indebtedness existing in the actual course of business, the effect would be the same upon the exchange of deposits to the State Banks; and I consider this the most serious feature of the proposed change to the State Banks. If it gave them the means of checking the issues of the Western branches, it would, in the same or a greater degree, be the cause of weakness at home, and subject them to the control of both the Bank of the United States and other State Banks; and the latter would not probably be disposed to more lenity toward the favorites of the Government than the former.

"*Question 3d.*—Would the change in the places of deposit of the public moneys alter the relation of debtor and creditor as between the United States Bank and those State Banks that might be selected as the places of deposit?

"3d.—Not if the Bank of the United States reduced its loans by an amount equal to the sum of its deposits withdrawn. If the State Banks loan out their deposits, they would cease to be creditors; but whether they did or did not, the Bank of the

United States would not be their debtor, if it paid the amount transferred from it to the State Banks by a reduction of its loans.

“*Question 4th.*—Is there, generally speaking, as great or a greater amount due from the State Banks throughout the Union to the United States Bank than the probable amount of the permanent deposits?”

“*4th.*—This question can be answered precisely by reference to the statements furnished by the Bank to Government. Not having a series of their statements, I can only give my impression that the indebtedness of the State Banks to the Bank of the United States is not ordinarily more than one fourth of the amount of the average of the public deposits.

“*Note.*—The Banks of this city are now indebted one million to the United States Bank. Last fall they were two millions.

“*Question 5th.*—If the deposits were withdrawn from the United States Bank, would it be required, in its present situation, to curtail its discounts? And if it were compelled to do so, could the Banks of deposit supply the amount of curtailment, or would not they also be compelled to diminish their accommodation?”

“*5th.*—Unquestionably the Bank of the United States must reduce its discounts by an amount equal to the average sum of public deposits withdrawn from it. It could not otherwise pay over the Government deposits except by reducing its specie, which I think it could not do safely, and would not permanently, in the position in which it would be placed by a withdrawal of the Government deposits; and as three or four months hence is suggested as the probable time of withdrawal, if done at all, the Bank will not fail to make the necessary curtailments so as to avoid reducing its specie, if it is not in fact already prepared for the proposed measure. If the existing amount of circulation and credits be not greater than the legitimate demands of trade require, which is more than questionable; and if the balance of payments in our foreign trade should not run against us; and if, also, no conflict should ensue between the Bank of the United States and the State Deposit Banks, the latter might safely supply the amount of credits and circulation which the former must necessarily withdraw from public use; less, however, by the average amount paid of distant Branch notes received in payment of revenue. But that a conflict would ensue I cannot doubt; and if for no other cause the receipt of distant Branch notes will furnish one in the efforts of the State Deposit Banks to restrain the issue of these notes by frequent calls for their redemption. As to the state of our foreign exchanges, I think they will run against us. Imported goods are now paying a fair profit, and as it has always happened so it will occur again: the amount of importations will increase until they not only cease to be profitable, but until they become excessive, and result in actual losses.

“There is perhaps no operation in banking more universally understood than that, a Bank in a single city reducing its loans, others in the same city must reduce likewise. And that so soon as this affects the price of commodities, more distant Banks are compelled to contract their credits and circulation. If, then, the Bank of the United States commences a systematic reduction, the State Banks must either place themselves in the power of the former, or curtail their loans; and not curtailing, a stoppage of specie payments would be inevitable.

“*Question 6th.*—Ought the present United States Bank to be rechartered? Has its management for the last two or three years been such as to deserve the public confidence and promote its interest?”

"6th.—To the first branch of this inquiry I answer unhesitatingly in the negative. I give the same answer to the second branch. On this, however, I beg to enlarge. Up to the close of 1833, and until I saw the statements of the Bank under date 2d July, 1832, I advocated a renewal of the charter, but with some material modifications. After analysing the statement and duly reflecting on the measures of the Bank and the motives of action which it developed, and looking also to the consequences that would follow, I came to the conclusion that there was an inherent vice in the system which forbade the hope of introducing such radical changes as experience had shown to be indispensable to preserve a sound currency, and to prevent its deleterious influence upon the great monetary interests of our country and upon our invaluable public institutions.

"If all the evil consequences did not ensue that the reckless issue of credits and circulation in 1831 was calculated to produce, it was to be attributed solely to the absence of a foreign demand for specie. The specie basis of our circulation was alarmingly reduced, and it only wanted a moderate foreign demand to produce an uncontrollable panic. Mitigated, however, as the case was by the absence of foreign demand for specie, it was sufficiently severe on the importation of foreign goods in New York; but as New York had been allowed the use of much less of the Bank funds than Philadelphia, the latter thus suffered more severely, and disastrous results have continued to occur during a longer period in Philadelphia than in New York.

"*Question 7th.*—Could there be a combination of State Banks connected with and to perform the fiscal operations of the Government, so formed as to supply the place of the United States Bank, as the agent of the Treasury, and also to perform the more essential service to the country of checking and giving credit to the currency of the State Banks?

"7th.—I should say not. I cannot see how such a combination can be formed by State Banks as to answer the purpose indicated, and at the same time preserve their individuality. To form an efficient combination, such as would be indispensable to the purposes of Government and the great interests of the country, they must be subjected to one controlling will, and this power must be placed at some one commanding point in respect to commerce and moneyed transactions; they must merge the individual interest into one common concern, and all the means must be resolved into one common stock. This would be, in fact, a Bank of the United States.

* * * * *

"Each State Bank holding the Government funds would endeavor to make for itself the greatest possible advantage out of them, without reference to the interests of others. Jealousies and controversies *would* therefore arise upon the transfer of funds from one to another, and the Government would be beset with representations of their respective grievances, with complaints of its partiality and claims for its favor. But supposing, what is improbable, that the plan worked well in a time of internal and external quiet, and while the balance of payments was not against us on our foreign trade, would it, in case of some dissension at home, be safe for Government to have its fiscal resources in possession of the State Banks and consequently in the power of States?

"The same spirit that prompted me once to propose the application of the taxes imposed by the General Government to the use of individual or a combination

of States, and to stop the payment of import on foreign goods, would not hesitate to urge the adoption of the next step, that of seizing upon the actual funds of the Government; and the Banks, actuated by the spirit of the community in which they are placed, would scarcely refrain from affording the opportunity for effecting such a measure. In the event of a foreign war, producing, as it probably would, an adverse course of exchange, it would not be in the power of the Government to prevent a suspension of specie payments. Our paper currency fills all the avenues of circulation to the extent of their utmost capacity, and requires all the support of the most unhesitating confidence to sustain it; and this must continue while small notes are permitted to dispense with the use of specie in the smaller transactions of the community. Let this confidence become impaired, and it would almost certainly, by the vicissitudes of war, and hoarding superadded to the foreign drain, effect a suspension of specie payments. The history of our currency during the late war will tell the rest.

“If State Banks be used as the receivers of the public revenue, the notes of such banks should be receivable everywhere in payment of Government dues, or the public accommodation would be materially impaired; but if made so receivable, the banks will almost instantly avail themselves of the facility thus furnished of extending their issues, and thereby produce greater inequalities in the beneficial use of Government deposits.

“The course of business, as well as the disbursements of Government, draws the available currency from the South and West to the North and East upon the Atlantic. The former consequently become debtors to the latter. Would there not be much difficulty in the adjustment of balances?

“My opinion is, that it would produce a prolific source of discord among the Deposit Banks, and not a little embarrassment to the Government itself. If any thing like a safety-fund system should be attempted, I presume it would require both the sanction of the State laws and of the stockholders of each Bank.

“This could hardly be accomplished without consolidation, and this would form a Bank of the United States; but if the combination could be effected without consolidation, and each Bank be made answerable for all the rest, the evils of mismanagement would be greater and less easily corrected than if each were responsible only for its own acts.

“*Question 8th.* If the Government should withdraw its deposits from the United States Bank, would that measure increase or diminish the probability that that Bank would obtain a renewal of its charter in despite of the veto of the President?

“*8th.* The probability* of renewal would, in my opinion, be very much increased. Next to an actual renewal, no measure of the Government would be so gratifying to the Bank. I know it to be desired by political men friendly to the Bank. It would have, or could be made to have, a powerful influence on Pennsylvania. It would furnish an excuse for every offensive means the Bank might choose to adopt. The community would be the victim.

“If let alone, it will in all probability endeavor to keep our moneyed affairs tolerably easy whilst the hope of recharter exists, and this hope will not, I think, be abandoned until another be proposed to take its place. When it ceases to look to a renewal, it will then adopt the course most beneficial to the stockholders, curtailing its loans so gradually as to allow them to be absorbed by other Banks, or paid with-

out the sacrifice of property that always ensues from rapidly reducing credit and circulation.

“NEW YORK, April 4, 1833.

“P. S.—The receipts of the Treasury from imposts during a year from this date, it is believed, will not be less than seventeen, and they may amount to twenty millions. The permanent deposit cannot be estimated at more than two, but it may be as large as three millions of dollars. From the course of the public business the deposits accumulate during the early part of the year, commencing from the adjournment of Congress (that is the enactment of the appropriation bills), and are drawn low toward the end. These assumptions are proper to be borne in mind, in connection with the object of the following inquiries. It is probable, if the United States should determine to cease to deposit with the United States Bank, that the present funds in the Bank would not be withdrawn before the expiration of from ninety to one hundred and twenty days.”

Mr. Van Buren accompanied the President on his eastern journey. Before leaving Washington, he had expressed to Cass, McLane, and others his decided disapproval of the President's purpose to withhold the deposits from the Bank. McLane frequently referred to this concurrence of Van Buren in his views, as did Cass.

In the course of the journey, Van Buren finding the President was determined upon this most unnecessary and pernicious measure, changed his opinions before they reached Concord, when, as McLane alleged, the President immediately determined to return with all haste to Washington, Van Buren accompanying him. The latter on his arrival called upon McLane, and informed him of the President's determination and his change of opinion. McLane reproachfully said, “You now advocate the removal in obedience to the wishes of the President.” He replied, “I found the President was so determined that I could not oppose him.” This recreancy on the part of Mr. Van Buren was most painful to Mr. McLane, who, in letters to his friends, referred to it as very unworthy.

MAJOR WILLIAM B. LEWIS TO JAMES A. HAMILTON.

WASHINGTON, June 22, 1833.

“MY DEAR COL.: Your kind letter of the 17th instant has been received. You had a gay time of it while the President was in New York. The whole world, from all accounts, must have been there to welcome and receive him. It must have been a splendid reception, and what is more gratifying, it was not less *cordial* than *splendid*. Did the good old gentleman have time to call on your family? I hope Mrs. Hamilton and Eliza did not miss seeing him. And the old lady, your mother, where was she? The General, you know, might call on her, if no other. We received a letter from the President yesterday, written at Hartford, by which we learn his health continues to improve. He appeared to be much pleased with his reception in Connecticut. The Yankees, I expect, will not only be civil but *kind* to him during his sojourn among them. In Boston, a great display, I have no doubt, will be made. In order, system, and arrangement, it is not improbable but they will excel even New

York. But they have not the population of your great city, nor the *heart* with which its people were animated. Let us, however, leave the President in the hands of his Yankee *friends* for the present, and turn our thoughts upon another subject. How, my friend, do things move on, politically, in the Empire State? How many Richards are we to have in the field at the next Presidential election? Are Clay's friends disposed to risk another race on him, or do they begin to look upon him as a broken down horse? It is my opinion they will not venture another stake on him. You may rely upon it, he will be given up by the great body of his former friends. Who, then, will be the opposition candidate? Mr. Webster is spoken of, but I doubt whether he is disposed longer to sail under that flag. So far it has proved to be an ensign of defeat and mortification to him and his friends. I feel confident, if circumstances permit, he will haul it down and run up another. Whether the new one will be a Webster, or Van Buren, or a McLane flag, I know not. If he should, however, contrary to my present impressions, be pressed into the service of the opposition proper, and induced by them to become a candidate for the Presidency, it will be done only for the purpose of cutting up the electoral vote and throwing the choice into the house. Should this be the *settled* policy of the opposition, and an arrangement entered into by the high contracting parties to that effect, you may expect to see Calhoun or P. P. Barbour, or some other Nullifier of the South taken up and run in that section of the Union. This will be done to divide and distract; but unless I am greatly deceived in the signs of the times, Mr. Justice McLean, of Ohio, is the man to whom the largest fragments of the opposition will eventually adhere. He will be the Bank candidate, and that influence will control all others. He will be supported unanimously by his Methodist brethren and by many of the *quasi* Jackson men, because, of course, he will be called a *Jackson Man!* Arrangements are now being made in Pennsylvania to give him the appearance of great strength in that *Jackson Democratic State* at the 4th July celebrations. From the present appearance of things, I am of the opinion that Judge McLean will prove the most powerful opponent with whom we shall have to contend; but if our friends will be true to themselves and the party, *vigilant* and *active*—yet judicious and discreet—we have nothing to fear from that or any other quarter. I wish Calhoun may be a candidate. I have a rod in pickle for him whenever he makes his appearance. He will find himself in a not less enviable predicament than the Crawford and Hamilton correspondence placed him. I shall be able to give the people of the United States an insight of his real character and designs. The time has not yet come. I again ask, what is the state of things in New York? Will Van Buren's friends all stand firmly by him? Has he gained strength since the last November elections, and is he still gaining? Will not Swartwout support him at the next election? What is Major Noah about; and what the present feelings and course of your City Postmaster? What are Van Buren's calculations with regard to the New England States? How many of them will be with us, and how will Webster ultimately go? Will he fall into our ranks or not? I think he would if he were the least encouraged. Would it be good policy to give him any encouragement? I think he is tired of belonging to a small minority party. I do not think we should court Mr. Webster or any other person, but at the same time I think we should not treat him or his friends harshly. I would not *invite*, nor would I repel any man or set of men. If they think proper to adopt our principles and fall in with us, I say let them do so. This is my notion, but I know it does not accord with the feelings of some

of our friends. You see, my friend, I have carved out a heavy job for you. I should like to hear from you in answer to the above interrogatories, but not before it will be entirely convenient. Believe me to be sincerely yours, &c."

WILLIAM B. LEWIS TO COL. JAMES A. HAMILTON.

"WASHINGTON, August 20, 1833.

"MY DEAR COL.: Yours, covering a letter to the President, was received in due course of mail, and, as requested, the letter to the President was forwarded to him without delay. Your previous letter which I was authorized and requested to show to Mr. McLane was not received until he had left the city for New York, and supposing that you would see him and have a full and frank conversation with him, with regard to the matters spoken of in the letters referred to, I have concluded not to show it to him until I receive further advice from you. However, believing justice to you required that the President should understand the ground of the frequent assaults upon you and Swartwout, I thought it was right that he should hear what you had to say upon the subject, and therefore took the liberty of sending the letter, which was intended for another, to him. Perhaps I was wrong in taking such an unauthorized liberty with you, but it was done with the best motive I assure you, and with the belief that it would be gratifying to the President and beneficial to you. I sent it to him nearly a week before the receipt of your last letter, inclosing one for him. I am, my dear Sir, truly and sincerely yours, &c."

PRESIDENT JACKSON TO JAMES A. HAMILTON (Private.)

"WASHINGTON, September 8, 1833.

"DEAR SIR: I have postponed answering your letter of the 31st of August last, for the purpose of obtaining the correspondence you allude to, of your father's, on the subject of changing the deposits to prevent runs upon the Bank which would produce a great pressure upon the community. I have not been able to lay my hands on it. Am informed your brother has this correspondence. Will you have the goodness to obtain them for me? Will you please provide me such information as is in your power, showing the pressure of the United States Bank on the State Banks? It is surely the duty of the Executive to administer the government for the benefit and protection of *all, not for the few*, and such evidence would well warrant the Executive Government to use its *deposits* to check oppression wherever it may be attempted. Please write. Give me all information in your power, and as we are making inquiry whether through the State Banks we can carry on the fiscal operations of the Government, and preserve a sound and wholesome currency, I will thank you for your views; and whether we ought not to commence it before the meeting of Congress by directing all collections after a certain day to be made in the State Banks. That will oblige themselves to come into certain arrangements. Give me your views on these questions, on the receipt of this.

"Yours very respectfully, &c.

"P. S.—I find Mr. Crawford made the deposits in State Banks without any hesitation as to his power, long after the United States Bank was chartered, and made the bills of State Banks paying specie for their bills, receivable in payment of public

dues for land as late as 1820 and 1822. There can be, I suppose, no question of the power of the Executive through his Secretary of the Treasury to either change the deposits or direct other bank bills than those of the United States to be taken in payment of the revenue, provided United States bills are not excluded. Answer this.

PRESIDENT JACKSON TO JAMES A. HAMILTON.

“WASHINGTON, September 13, 1833.

“DEAR SIR: Yours of the 11th inst. is just to hand. The correspondence of your father with the Banks, and the powers exercised by him over the deposits would be very desirable to me. I must depend upon you for them as I do not believe Mr. Duane has much desire to see this correspondence. I have, and will thank you for them or a synopsis of them, as well as all the information you can obtain on the other point named in my former letter. Believe me to be,

“Your friend, &c.

“P. S. I have been quite unwell for a few days past—am better.”

JAMES A. HAMILTON TO PRESIDENT ANDREW JACKSON.

“NEW YORK, September 13, 1833.

“DEAR SIR: I am prepared to give a hasty reply to the inquiries contained in your letter of the 8th inst. They will be considered in their order and perhaps in distinct letters.

“In the first place, in compliance with your wish that I should obtain such information as was within my reach showing the pressure of the United States Bank on the local institutions in this city, I have conversed with several disinterested men well acquainted with the subject, and others who are engaged in moneyed transactions and institutions, who are more or less affected by the change of measures of the Banks. They all agree that, although there has been much overtrading in stocks as well as merchandize, and although the collection of an uncommonly large amount of duties, cash, and credit has induced an extraordinary demand for money, yet that if the United States Bank had not changed its measures both toward individuals and the State institutions, there would have been no difficulty in the commercial community. The facts I understand to be these: the business of the country generally has been very prosperous, and, as is almost always the case, it has produced a sort of an infatuation among the money-makers of all descriptions (and who is there in our Country who is not of that class?). Consequently, almost all so engaged have extended their operations through the facilities of the Banks, and they are at such times always ready to afford to the utmost limit of their credit, in the confidence that these facilities would be continued as long as the Banks were not forbidden to do so by the course of the foreign exchange or from any other cause. At the time these facilities were given and theretofore, the United States Bank extended its discounts as the others did, and allowed the State institutions to become indebted to it in an aggregate balance of four, five, or six hundred thousand dollars, without calling for payment in specie. Under these circumstances I am informed: 1st, that within three or four weeks the revenue paid into the United States Bank on account

of the Government has been much larger than usual, and to an extraordinary amount. 2d, That the United States Bank has, during that period, not only not increased but that it has diminished its discounts. It has refused to loan money to its dealers upon *the very best security* to be repaid in five, ten, fifteen, or thirty days, *or at pleasure*. 3d, That it determined to call upon the State Banks for payment in specie of any balance over an aggregate of \$200,000. 4th, That in pursuance of that determination, it has within the above period withdrawn from the State Banks about \$350,000 in specie, and consequently that these banks have been compelled to suspend or reduce their discounts from one to two-thirds their usual amount. The following case has occurred: A applies to the branch in this city for a loan payable at its pleasure on the most unquestionable security: it is refused, and the only arrangement that would be made was that *it* was to purchase a foreign draft or bank check on Philadelphia for which it deducted, according to the exigency of the case, one fourth or three eighths per centum. It is to be remarked that the expense of transporting specie from Philadelphia, at this time, was ten shillings per one thousand dollars. B applies directly afterward for a similar draft on Philadelphia, and the officer of the bank here turns round and asks him one quarter per cent. for the draft, thus receiving as an inducement to cash a check of a bank here on a bank in Philadelphia one fourth or three eighths per cent., and at the same moment selling such check at one fourth per cent. advance. This is what Mr. McDuffie extols as a currency provided by the United States Bank superior to gold or silver currency. Let us see the effect of this change of measures on the part of the United States Bank upon the State institutions and the commercial community. It is the same thing (when an increased amount of revenue is received), whether the Bank holds on to what it receives, or diminishes its discount. If it holds on to the increased amount received, and at the same time diminishes its discounts, the effect is tremendous. If it continues its line of discount to the same amount it did before the increased receipts, the effect is not so ruinous, but it is greatly prejudicial or not, according as the increased amount received is great or not, in either case. As the duties must be paid, the merchants must borrow from the State Banks as much more as is the increased amount to be paid, and consequently the credits issued to them by the State Banks must go to the United States Bank, and if the excess beyond the usual aggregate balance is only called for, it must be paid in specie at great expense to these banks and inconvenience to their dealers; but if that aggregate is diminished one half or two thirds, the banks and merchants will be sorely pressed, if not crushed. To make this matter perfectly plain, let us suppose that the whole amount of discounts to this community in one week is \$1,500,000, of which the United States Bank furnishes \$500,000, and the nine State Banks the rest, or \$1,000,000, and that the ordinary amount of duties to be paid, is \$250,000, which is paid by the issues of all these banks in an equal proportion to the discounts: that is to say, one third in credits given by the United States Bank, and two thirds by the credits given by the other Banks. This being the usual course, if the amount of duties to be paid in, creases or diminishes, the demand does so also, and the several banks make their loans accordingly—it being understood between the State Banks and the United States Bank, that the former are not to be called upon to redeem these issues so absorbed in duties until the aggregate amounts to \$500,000. Shortly, the amount of duties to be paid increases to \$500,000 a week. The United States Bank is the recipient of the whole—it refuses to increase its discounts—the State Banks make a

great effort to, and do supply this increased amount of duties to be paid by the merchants, and when that is done their balances to the United States Bank are increased, and being so, the United States Bank determines not to give them their accustomed credit, but to redeem at one half or one third, and demand specie for the surplus. The hazard of the State Banks becomes imminent, and to relieve themselves they are compelled to call upon their debtors for payment, which necessity, particularly if the latter are still required to pay an increased amount of duties, involves a great diminution in the prices of commodities forced into market to obtain money, and ultimate ruin. Such has been the course of the United States Bank, and such are the effects.

“Such are the results of my inquiries. If any more or different information is obtained, it shall be communicated without delay. As you say, ‘it is surely the duty of the Executive to administer the government for the benefit and protection of all, and not for the few;’ and I add that to that end you should so dispose of the revenue not required for the immediate purposes of the Government as that it may protect and sustain the commercial classes against the pressure of the giant Bank. This state of things, in addition to the many and forcible reasons heretofore existing for cutting off all connection between the Bank and the Government, seems to me fully to justify such a course on your part. But I consider the question, whether you will make the change or not, as settled. The mission of Mr. Kendall was an avowal of your determination which cannot be recalled, and which the reputation of your administration requires should be fulfilled, particularly as it is understood that he was entirely successful. You are aware that I have heretofore questioned the expediency of such a measure, and that this resulted from my fears of its effect upon the State Banks; that is to say, that in consequence of the revenue being payable in unavailable paper, (Western and South-Western banknotes) its receipt by the State institutions, (if they were to discount upon it) would be a source of weakness rather than of strength; and to show that this fear was not entirely groundless, our friend Kendall in conversation with me here admitted that for a short period after the fact of the change, the State Banks could not use the funds they would receive as the foundation of an increase of their loans. I will, in the course of this communication, point out a very simple arrangement which will entirely obviate that evil. Your first question is, ‘whether the State Banks *can* carry on the fiscal operations and preserve a sound and wholesome currency?’ To both branches of the question I answer in the affirmative. True—at the same time, however, I must, referring to experience, express my fears whether they will not, unrestrained, run into excesses which will inflate the currency, and consequently make it unsound. The Treasury can undoubtedly curtail them, but if it cannot do so entirely, it is then the business of Congress to exercise its powers. The discussion of the latter part of the question does not, therefore, properly belong to that of moving the deposits. Mr. Gallatin, as Secretary of the Treasury, used the Banks with success as the fiscal agents of the Treasury, and when I asked him, a few months ago, whether they could perform that duty, he replied that he had no doubt they could. The truth is, it is more difficult to find reasons to believe that they could not (being properly organized for that purpose) carry on the fiscal operations of the Treasury, than it is to furnish reasons why they should be able to do so. They must avail themselves of the course of the exchanges of the country resulting from its business as the United States Bank does, in order to perform the same operations. That Bank does

not create or regulate that exchange—it only affords it a channel. The State Banks could do the same, although perhaps not so conveniently or profitably. However, whatever speculations or theories there may be indulged on this subject, experience is a better guide,—and that you have,—to prove that they can be so used successfully. And let me add, that as the present Bank is to be wound up, and as no other is created to supply its place, the Treasury *must* make the attempt to use the State Banks as its agents, and that without delay. Nothing else seems to me to be left for it.

“The next question propounded is *as to the time when the change should be made*. The answer to this question depends upon the mode of making the change. If the funds now in the United States Bank are to remain there, and the collections are to be made immediately by the new agents, and if my opinion of the unavailable character of the funds to be received is correct, then the change ought not to be made at this period of pressure, because it would increase that evil; but if the mode I propose be adopted, the change ought to be made on the 1st or before the 20th of October—that is to say, without the least delay. 1st, because it will immediately enable the State Banks to relieve the commercial community from the existing pressure, and thus recommend the measure in the strongest manner to the good opinion of the public; and 2d, because whenever it is done, there will be a great clamor (the interested few always make more noise than the indifferent multitude), and time should be given for this to subside before Congress meets, which it will do in the course of a month. The experiment having thus been made, if it be not proved successful it will certainly not have produced all the evils that have been anticipated, and the friends of the administration who are opponents of the Bank, will come to Washington with renewed confidence and spirit. Now, as to the mode of making the change, you are aware that all moneys paid for duties are paid on bonds lodged for collection in the Branch Bank or at the desk of the Cashier of the Custom House and carried into the Bank to the credit of the Collector, and thus remain subject to his check until he pays them over to the United States. The 21st section of the Collection law of 1799 (the only law, I believe, on the subject) requires the Collectors to make up the accounts and pay over the public moneys to the Treasury, pursuant to the orders of the Secretary. Under this authority it has been the practice (there is no written authority to that effect on the subject now in the Custom House here) of the Collector to carry every Monday morning to the credit of the Treasurer of the United States in the Branch Bank of the United States any balance of public moneys that may stand to his (the Collector's) credit in that Branch, or be elsewhere under his control, by a check drawn by the Collector in favor of the Treasurer of the United States and deposited in the Bank, and that thus the public moneys stand, on Monday of each week, to the credit of the Treasurer of the United States, and subject to his control in the United States Bank, instead of standing as it did during the previous week to the credit of the Collector and subject to his order. This being the case, let the Secretary of the Treasury order the several Collectors weekly or semi-weekly to carry the balances standing to their (the Collectors') credit in the United States Bank or its Branches to the credit of the Treasurer of the United States in the State Bank, designated by a check or checks drawn by the Collector in favor of the State Banks, and thus all the difficulties as to unavailable funds are at an end. Thus the effect of the change would be to immediately affect the State Bank's fund, upon which they could discount and thus relieve the

mercantile community, without the fear of becoming indebted to the United States Bank; whereas, if the collections of the revenue were immediately transferred to the State Banks,* they would receive in its payment Western bank-notes which would burthen them at first and consequently greatly increase the present pressure. This arrangement is required to be merely temporary, and to give a helping hand to sustain them against the monster while he has strength and inclination to do mischief. The residue of the remarks I have to make upon these and the other subjects of your letter will be reserved for a future communication. I have the honor to be, with very great respect,

“Yours, &c.”

JAMES A. HAMILTON TO PRESIDENT JACKSON.

“NEW YORK, September 16, 1833.

“DEAR SIR: Your letter of the 13th instant is this moment received. I have examined with care my father's papers, among them several letters are found from William Seaton, Cashier of the Bank of New York, to my father, written during the years 1791-92-93 and 94, but none from my father to him. Among these, the only important letter is that from which an extract is inclosed. From this, it is perfectly clear that, in consequence of the pressure of the Branch Bank, in this city, upon the Bank of New York, the Secretary of the Treasury ordered the Collector of New York to deposit public moneys in the Bank of New York. I will go to the Custom House here to see what I can obtain further on the subject. If it should by the records of that office appear, that contemporaneously with this letter the Collector deposited in the New York Bank, having theretofore made his deposits in the Branch, the inference is unmistakable. I will also endeavor to obtain from the New York Branch copies of my father's letters, and may thus obtain that of the 25th of July, which is referred to in the extract inclosed.

“Yours, &c.”

WILLIAM SEATON, Cashier of the Bank of New York, TO GENERAL ALEXANDER HAMILTON.

“NEW YORK, August 6, 1792.

“MY DEAR SIR: Shortly after I received your kind letter of the 25th, I found, by a letter from your department, you were gone to make a tour in Jersey—therefore delayed answering it. You will observe, by the annexed return, that the Collector has begun to comply with your kind orders, and it will be a very pleasant circumstance that he continue to do so, for the Branch is certainly getting on very fast, and I think (in confidence,) their direction rather wish to take every advantage in drawing in of our specie. They make pretty frequent and heavy drafts, and rather, I think, unnecessarily so—because, whenever the interchange of notes leaves a balance in their favor, a draft for specie soon follows. I would not wish to complain just now, but if I find they persist in thus drawing in, I must implore the aid of your all powerful hand to convince them we are not destitute of aid in the hour of need.

“Yours, &c.”

* The 3d Section of the Act of May 10th, 1800, made it the duty of the Collectors of New York, Philadelphia, &c., to deposit bonds for duties for collection in the United States Bank or its Branches.

WILLIAM B. LEWIS TO JAMES A. HAMILTON.

"WASHINGTON, September 22, 1833.

"You have seen, my dear sir, that the *Globe* has announced, by authority, the determination of the President to remove the public deposits from the United States Bank. It has been said, you know, that the Secretary of the Treasury will not consent to make the order. This will not deter the President, who, after having resolved upon a thing, never looks back. He will not permit any Secretary, you may be assured, to stand between him and the execution of a measure which he deems of vital importance to the country. The thing will be definitely settled to-morrow, and if Mr. Duane will not, or cannot, make the order, I have no doubt but he will be superseded by the appointment of Mr. Taney Secretary of the Treasury, (not *pro tem.* but permanently) who has been decidedly with the President in relation to this matter, from beginning to end. I beg you will attach no credit to the reports of other Cabinet Ministers going out. I know there is no truth whatever in the rumor at this time, nor do I believe that any contingency will or can arise which will make such a step at all necessary.

"Sincerely yours, &c."

MARTIN VAN BUREN TO JAMES A. HAMILTON.

"NEW YORK, December 8, 1833.

"MY DEAR SIR: I wish you would read the inclosed letter from me, and seal it, and then write to our friend Van Sholten and send the package to him through the firm of Rogers & Co. It did not enter into my imagination, whilst considering your plan in regard to your future course, with the single view of ascertaining what would best promote your own happiness and that of your family, that there was any thing in the case which, more than malice of my enemies, could torture into matter of censure. I do not think so now, but reflecting upon your kind and considerate observations, and mindful, as Mr. Duane says, of the consciousness of the age, I have thought the subject of them of sufficient importance to suggest the propriety of your coming to a conclusion without any advice from me. I would, on no account, omit to advise with your connections, and make them sensible of the propriety of the course you adopt; and the more you reflect upon it, the more I am persuaded you will be convinced that propriety and your own happiness will be best consulted by separating the *present* from the *hereafter* entirely, leaving the latter wholly to the control of time and circumstances. You see how the wind blows at Washington, and that we who cannot but be in the fight will have a rough sea. So be it. What cannot be cured must be endured. Sincerely wishing you better health,

"I am, very cordially yours, &c.

"P. S.—You may destroy Van Sholten's letter, and be sure to write the good old man an affectionate one."

RESIGNATION OF THE OFFICE OF DISTRICT ATTORNEY.

On the 13th of December, I addressed the following letter to President Jackson :

"DEAR SIR: The impression I entertained, as communicated in a former letter, that my health would not permit me much longer to perform the very arduous duties of my office, is confirmed by the best medical advice I can obtain. I must therefore beg you not to consider me as desiring a renomination. As the unfinished business of the office will be best concluded under my direction, I propose, unless you should prefer a different course, to yield the place to my successor immediately after the next April Term of the Circuit Court.

"With the truest attachment, your friend, &c."

To this letter I received the following reply :

PRESIDENT JACKSON TO JAMES A. HAMILTON.

"WASHINGTON, December 24, 1833.

"MY DEAR SIR: Your letters of the 13th instant have been duly received. I sincerely regret your indisposition and the determination the counsel of your physician has induced you to adopt. Whilst I sympathize with you and your friends in the cause which induces your retiring from office, I shall sincerely feel your absence from that station which you have filled with so much honor and talent and benefit to the public interest. Go where you may for the restoration of your health, you carry with you my best wishes for its restoration, your happiness and prosperity, and that of your amiable family.

"I will barely remark your commission expires on the 18th March. If you wish April to wind up your business, am I to understand that you wish a nomination to the Senate for that purpose? If so, be pleased to intimate it, and your wish will be gratified.

"Please present me kindly to your amiable lady and family and your dear mother, and believe me, respectfully,

"Your friend, ANDREW JACKSON."

JAMES A. HAMILTON TO PRESIDENT JACKSON.

"NEW YORK, December 28, 1833."

"MY DEAR SIR: I had the honor yesterday to receive your very flattering and friendly letter of the 24th instant. In reply to that part of it in which you express a readiness to renominate me, I feel bound frankly to say, that I do not think the object (continuing in office for a month or six weeks after my term expires to wind up the business), of sufficient importance to induce such a measure, and as I could not advise it to be done in the case of another, I cannot wish it in my own. When I intimated a disposition to continue my duties until the end of the April term of the Circuit Court, I was influenced merely by a regard for the public interests, under an impression that the suits I had conducted, and particularly those I had argued with success in the Court below, would be better tried by me than my successor, and that this could be done by my holding over. The same end can, however, be attained by my giving him my assistance, which I will most cheerfully do.

"I remain, my dear sir, with the truest attachment, your friend, &c.

Before my resignation was sent to the President, I addressed a letter to

Virgil Maxcy, Solicitor of the Treasury, requesting him to inform me whether there was a charge of any kind against me on his records, in any form whatever; to which he replied that there was no claim upon me whatever, but on the contrary, that the country was greatly indebted to me for my various and most useful services.

CHAPTER VIII.

FROM JANUARY 1834, TO MARCH 1841.

The Bank question—Views of President Jackson—Projects submitted—Letters from Mr. Van Buren—President Jackson refuses to modify his plans—Efforts to aid the Government—Attempt to assassinate the President—War threatened—The great fire in the city of New York—Account of the way in which it was arrested—First visit to Europe—Sketches of distinguished people—A visit to Talleyrand.

WILLIAM B. LEWIS TO COL. JAMES A. HAMILTON.

“WASHINGTON, January 25, 1834.

“MY DEAR COL.: You requested me to give you a glimpse of matters and things in Washington. This I would do with great pleasure, if there was any thing here of interest or worth seeing, that you will not find in the papers of this city. There is but one subject at this time which engrosses much attention. The Bank question absorbs all others, and will continue to do so until Congress comes to some decision in relation to the matter, and God only knows when that will be the case. The debate in both Houses seems interminable. Many speeches have been made, and many more have been prepared and are in preparation. However, I think we have nothing to fear from a full and protracted discussion of the subject. I have no doubt but we are stronger in the House now than we were at its commencement, and I think we are still gaining strength. The present impression is, that in the House there will be a majority on the final vote, of not less than twenty in favor of the Administration. In the Senate, it is conceded the majority will be against it. The rumor about the distinguished individual to whom you refer, and the President being engaged in framing a charter for a new United States Bank, is utterly destitute of foundation. The President has had no conversation with that gentleman upon the subject of a new Bank, nor is he willing to listen even to any proposition from any quarter upon that subject, until the question now pending before Congress is decided. It will then become the duty, perhaps, of Congress to legislate upon the subject as proposed by the Secretary of the Treasury in his report to Congress.

“Truly and sincerely yours, &c.”

PRESIDENT ANDREW JACKSON TO JAMES A. HAMILTON.

“WASHINGTON, February 2, 1834.

“MY DEAR SIR: Yours of the 29th ultimo is just received, with your views on a Bank. I cannot concur or approve your plan. We have begun the experiment of

testing the system of carrying on the fiscal operations of the Government through the agency of State Banks. For myself I am determined to test it, and have no doubt but it will work well in the end, and give a more uniform currency than any United States or National Bank ever has, or can do, and introduce a metallic currency throughout the Union sufficient for the laboring class by putting out of issue and circulation all notes under *twenty dollars*. There is no real general distress. It is only with those who live by borrowing, trade on loans, and the gamblers in stocks. It would be a godsend to society if all such were put down. This will leave capital to be employed by individuals either combined or otherwise without the sanction of Government, and leave all to trade on their own credit and capital without any interference by the general Government; except using its power by giving through its mint a specie currency, and by its legislation a standard value to keep the coin in the country. I must stop. The church bells are ringing, and I must attend. With my best wishes, adieu. This being a hasty scrawl, without correction, is for your own eye.

“Yours, &c.”

The following project and other papers are referred to :

BANKS.

New Relief Bank in Scotland. Ruined by over-issues and drawing and re-drawing. See the Wealth of Nations, p. 59. See the Wealth of Nations, p. 56, as to the effect of accommodation paper. P. 65, Mr. Law's Mississippi Scheme. See M. Duverney, Extracts of Political Reform upon Commerce and Finances. Ib. p. 66. Bank of England incorporated by Act of Parliament, 27th July, 1694. It advanced to Government £1,200,000 for an annuity of £100,000 or £96,000 a year at the rate of 8 per cent. and £4,000 a year for expenses of management. In 1697, its stock was increased to £1,100,171.10. In 1696, thalers had been 40–50 and 60 per cent. discount, and bank-notes 20 per cent. discount, and it stopped payment during the recoinage. 1708. In pursuance of 7 Anne, chapter 7, it paid into the Exchequer £400,000, making in all £1,600,000 which it had advanced upon its annuity of £96,000 and £4,000 for expenses. By same Act is cancelled Exchequer bills to £1,775,027,217,10½ a 6% and was allowed to take in subscriptions to double its capital, and then from this year its capital amounted to £4,402,343, and it had advanced to Government the sum of £3,375,027–17,10½. By a call of 15% in 1709 and 10½ in 1710, the stock was made about £1,157,652 sterling. In pursuance of 3d George I., chapter 8, the Bank delivered up £20,000,000 Exchequer bills to be cancelled, making its advances to Government £5,375,027–17,10½. In pursuance of 8 George I., chapter 21, the Bank purchased South Sea Company Stock to £4,000,000—total, £9,375,027–17,10. 1722.—It took in subscriptions to enable it to make this purchase, and thus increased its capital by £3,400,000 so that its capital was £8,959,995–14.8. This sum less than its advances. 1746.—In this year it advanced to Government, and consequently its undivided capital amounted to £11,686,800, and its divided capital, or debts due to stockholders, was £10,780,-

000. In 4 George III., chapter 25, it paid to Government £110,000 for a renewal of its charter. The rate of interest it has received has been from 8 to 3 per cent. For some years past its dividends have been $5\frac{1}{2}\%$. No other Banking Company in England can be established by Act of Parliament, or consist of more than six persons.

It receives and pays annuities due to creditors.

It circulates Exchequer bills.

It advances to Government the annual amount of the land and malt taxes, which are frequently not paid till years afterward.

BANKS OF DEPOSIT—THAT OF AMSTERDAM.

The credits on the books of the Bank being guaranteed by the Government, were always equal in value to the true and legal standard of its currency; and better than the ordinary currency, the value of which was depreciated by its being made up of light and clipped coin, and the baser coin of the adjoining countries. The difference has been as much as 9 per cent.

In 1609, the Bank of Amsterdam was established under the guarantees of the city. It received foreign and light coin on deposit at its real and intrinsic value, deducting the expense of coinage and management. For the value, after these deductions, it gave a credit on its Banks, which was called "Bank Money."

All bills over 6,000 guilders were made payable in "Bank Money, and consequently the value was certain; and this law made it necessary that every merchant should have a credit there to pay his foreign bills; which was obtained by making a deposit. These deposits constituted the capital; $\frac{1}{4}$ per cent. was paid for keeping them in silver, and $\frac{1}{2}$ for those in gold.

NOTE.—This paper was prepared and a copy sent to President Jackson, that he might be informed correctly as to the Bank of England. A memoir was also prepared and sent to him, giving a brief history of Banking and Bills of Exchange, from the beginning; embracing the Bank of Genoa and Amsterdam, with their origin and functions. This was done because, although the President talked much about a Bank he could form connected with the Treasury, it was believed he had very little knowledge of the subject.

. PROJECT.

A project to establish Offices of Deposit to assist the Fiscal operations of the Government, and to establish a uniform currency:

"1st. Offices of deposit shall be established in New York, Philadelphia, &c., (selecting such places on the sea-board and the interior as are most convenient for receiving the public revenue), and such other places as Congress may from time to time select.

"2d. These offices shall be under the direction of five Commissioners, one of whom to be designated as President, to be appointed as Congress may direct. These officers

shall be appointed for one year, and shall not be appointed longer than for three years in succession.

"3d. The Commissioners for the time being shall have power to appoint, with the approbation of the Secretary of the Treasury, a Cashier and such other officers, clerks, and servants under them, as shall be necessary for executing the business of the said office; and to allow them such compensation, with the assent of the Secretary of the Treasury, as shall for the services respectively be reasonable; and shall be capable of exercising such other powers and authorities for the well governing and ordering of the said officers, as shall be prescribed, fixed, and determined by the laws, regulations, and ordinances of the said office of deposit.

"4th. The Revenues of the Government of the United States shall be deposited in these offices, to be held by the said Commissioners in trust for the said Government, or to the credit of such officers thereof as Congress may direct.

"5th. The said Commissioners of the said offices respectively shall furnish the Secretary of the Treasury, from time to time, as often as he may require, not exceeding once a week, with statements of the amount of the deposits made in their offices respectively; and also with the amount of notes issued by them respectively, distinguishing the amounts of deposits on public and private account, the amount of specie or public stock on hand; and the said Secretary shall have a right to inspect such general accounts on the books of the Bank as shall relate to such statement; *provided* that this shall not be construed into a right in the Commissioners to state the names and amounts of individual depositors, or in the Secretary of the Treasury to inspect the account of any private individuals with the Bank.

"6th. The said Commissioners shall receive on deposit, and hold in trust to the use of the person who may deposit the same, any sum of money of any individual, or individuals, or body corporate, and give the depositor credit on their books for the same in gold or silver coin of the United States, or in gold coin of Spain, or the dominions of Spain, at the rate of 100 cents for every 28 grains, and sixty-hundredths of a grain of the actual weight thereof, or in other gold or silver coin, at the several rates prescribed by the 1st Section of an Act, regulating the currency of foreign coins, of the United States, passed 10th April, 1806.

"7th. The said Commissioners of the respective offices shall, at their said offices, redeliver to the depositor, upon his check, the amount of such deposit, in gold or silver coin, at the rate above mentioned; or in the notes of the said office, payable on demand in like coin, deducting from the amount of said deposit $\frac{1}{4}$ of one per cent. for the safe-keeping of the same.

"8th. Each depositor may, upon giving notice of his intention to leave his funds deposited for the term of ninety days, receive a note payable at the end of that period, with interest at the rate of — per cent. per annum; and if the said note shall be presented for payment, and paid before it shall have become due, the interest shall not, nor shall any part thereof be paid thereon. The Commissioners shall be at liberty, upon the presentation of any such post note before it falls due, to pay the same or not, as the interest or convenience of the said office may require. If any post note shall not be presented at the office where it was issued, when it falls due, or within three days thereafter, the interest on said note shall not be computed for a longer time than up to the day it became payable.

"9th. The said Commissioners may issue notes upon deposits payable on demand, or payable at the end of ninety days, on interest as is above stated, but no

note shall be issued for a sum less than five dollars. All notes issued by the Commissioners of said offices respectively shall be signed by the President and Cashier of such office, and payable to bearer at their offices respectively.

"10th. The Commissioners of such offices respectively may from time to time, under the direction and with the assent of the Secretary of the Treasury, invest in the public stock of the United States, or of the several States, 10 per cent. of the gross amount of the deposits made in their respective offices. The said stock to be held by the said Commissioners in trust to pay the amount of the said deposits, the notes issued thereon, and the interest to accrue on such of the said notes as may be at interest, as is hereinbefore stated, and they shall receive the interest or dividends on said stock, and reinvest the same in other public stocks, which stock shall be held by the said Commissioners in trust as aforesaid.

"11th. The notes or bills of the said Commissioners, originally made payable on demand, or which shall have been payable on demand, shall be receivable in all payments to the United States unless otherwise directed by Congress.

"12th. The said Commissioners, when directed by the Secretary of the Treasury, shall give the necessary facilities for transferring the public funds from place to place within the United States or the Territories thereof, and for distributing the same in payment of the public creditors, and shall also do and perform the several and respective duties of the Commissioners of loans for the several States, or of any one or more of them when required by law.

"13th. Adopt the 18th and 19th sections of the Act to incorporate the Bank of the United States, passed April 10, 1816 (see *Ingersoll's Digest*, Edition 1821, p. 93), allowing them so as to make them conform to this project.

COLLECTION OF PUBLIC REVENUE.

"14th. All bonds,* contracts, or other engagements for the payment of money to the United States, as well as all money received by any of its officers or other persons belonging to the United States, shall forthwith and without delay be deposited for collection or safe keeping in such one of the said offices as shall be most convenient to the said officer or other person who may take the said bonds, &c., or collect and receive the said moneys, and as may be designated for that purpose by the Secretary of the Treasury, the Commissioner of the Land Office, or the Agent of the Treasury.

"15th. The Collectors of the several ports of the United States shall daily and every day, as bonds are executed to secure the payment of duties to the United States, deposit for collection copies of the said bonds in such one of the said offices of deposit as may be most convenient to the Custom House of said port, and as shall be designated by the Secretary of the Treasury, and the said Collector so depositing the said bonds shall be charged with the same. The said Collector shall also daily and every day deposit in the said office all sums of money received by him in payment of duties, or on deposit to secure the payment of duties, and all sums of money received by him for fees, fines, penalties, forfeitures, or otherwise being the receipts of his said office, and shall be charged with the amount of the same.

"16th. The said Collector who shall be so charged with the said bonds, or with

* The duties at this time were paid by bonds.

the said sums of money, shall be discharged from the amount of such of the said bonds as shall be paid whenever he shall draw for the same to the credit of the Treasurer of the United States, and also for the amount of such of the said bonds as are not paid whenever they are transferred to the account of the District Attorney of the United States in manner hereafter mentioned. And the said Collector shall be credited with such of the said sums of money so deposited as aforesaid by and charged to him as he shall disburse in the course of the business, or expenses of his office, and as he shall transfer to the credit of the Treasurer of the United States in manner hereafter mentioned.

“17th. All payments by the said Collector shall be made upon the check of the Cashier of his Custom House, countersigned by the Collector or one of his deputies, and made payable to the order of the person receiving the same; and the said check shall on the back thereof contain a brief statement of the account for which the said check is given; whether for a return of deposits, or for payment of salaries, or other expenses.

“18th. Whenever any such bond or bonds shall remain unpaid on the day it falls due, it shall be the duty of the said Commissioner to cause a copy of said bond or bonds, as soon after the said office shall be closed as may be, to be sent to the office of the District Attorney of the United States for the said district, and charge him with the same in account with the said bank, and the said District Attorney shall forthwith put the said bond in suit, and prosecute the same with effect; and the said Attorney shall be discharged from the amount of the said bonds so charged against him, or such parts thereof as shall be paid, and for the residue thereof whenever he shall deposit in the said bank a certificate of the Clerk of the District Court of the district to which he is appointed, that a judgment has been recovered on such bond, and that an execution has been issued therein against the property of the defendant, against whom the said judgment is entered, together with the certificate of the Marshal of the said or any other district, that he has received such execution from the said Attorney, or if none of the parties to the said bonds or their representatives are found by the said Marshal, the said District Attorney shall be discharged from the amount of said bonds whenever he shall deposit in the said Bank a certificate of the Clerk of said Court that a writ has been returned *non est inventus*. The District Attorney shall be paid his costs in such suits to be taxed by the Judge of the Court in which the same is instituted by the Collector by whom the said bond was taken, whenever he shall be discharged from the amount of any of the bonds so charged against him, provided the said costs have not been paid by the defendants in the said suits.

“19th. The Marshal who shall receive the said execution from the District Attorney shall be charged with the amount directed to be levied thereupon, and shall be discharged from the same by payment into the said office of deposit the amount collected by him on the said execution, or upon depositing in the said office of deposit a certificate of the Clerk of said Court and of the said District Attorney, that the said execution has been returned unsatisfied.

“20th. All further proceedings for the purpose of recovering the amount due upon the said bonds or judgments, must be upon a case submitted to the Agent of the Treasury, and by his direction.

“21st. The receivers of moneys for the sale of lands must be required to make deposits, &c., but not being sufficiently acquainted therewith, I omit remark.”

Notes explanatory of the above were sent with the Project.

“1st. *The offices are independent of each other.* These offices are rendered distinct and independent of each other, because there does not arise out of their formation or purposes an indispensable connection. When the funds of the Government are transferred by either to another, such funds will be received as a deposit; and so carried to the credit of the officer of the Government to whose Department they belong; and the transfer will be made in money of standard value or notes convertible into such money. If notes issued upon private deposits, they will be received in any of the offices in payment of debts to the Government, and may be re-issued for public purposes, but there will not be an indispensable obligation to pay them at any other office than that whence they originated. If those issued at New Orleans are carried into Ohio, and then carried to the Bank or Office of Deposit in payment of a debt due to the Government for land, they will be received, and the Government will disburse those funds there; or the office there having these notes, will be enabled to draw through the office at New York, or any other office, upon New Orleans, or through New Orleans upon New York, as the exigencies of the Government or the course of Exchange may require. Or if the planter of Tennessee receives for his cotton the notes of the office at New Orleans, and with these pays his debt to his merchant or to the Government at home, these notes may be transferred by the merchant who obtains his goods at New York, Baltimore, or Philadelphia to either of these places, and then the shipper at such place who purchases and sends the cotton from New Orleans to Europe or brings it to New York or for the manufacturers will seek these notes, as a convenient means for paying his debt at New Orleans, and thus the currency or exchanges between the different parts of the country, so far as the operations of those offices extend, will be sound, and as equal as it ever can be; being subject always to those differences of exchange which depend upon demand and supply, or the relation of Debtor and Creditor.

“As there is no necessary connection, so there is no dependence of one of these offices upon any other. Therefore, and for various other very cogent reasons, the officers of what in the present bank are deemed branches, are not to be appointed by a Principal office; but all are alike selected by, and dependent upon, the Government and its agents, consequently the deep local jealousies excited by the present system will happily be avoided. The number of Commissioners is limited to five, because a greater number is unnecessary discreetly to manage the affairs of the offices, and a less number might not be safe. These officers ought to be paid (except the President, who should be amply compensated for the employment of his whole time) a slight remuneration for their services out of the profits of the office. To avoid this expense in part, I have supposed it might be considered proper to make the Judge of the District, the District Attorney, and the Collector, or one or two of these officers, directors *ex-officio*; of which an additional advantage would be that the District Judge, being permanent, would acquire and carry along in the administration of its affairs that knowledge from experience, which is so important to an enlightened discharge of these duties; and the ground for clamor which must be expected to be raised against this plan, from the extended patronage and power of the Government, through these appointments, would be removed.

“If the Commissioners had the power to make loans or discounts, the strongest and most obvious reasons would require that the number should be far greater

The managers of such an institution should not only be numerous, but they should be engaged in business, as merchants or traders—in order that, by the extended sphere of their intercourse with the mercantile community, they might bring to the Board of Directors an intimate and correct knowledge of the business affairs and character of their dealers, and of the course of the business of the country; whereas, in such an institution as this, where nothing is trusted, where all dealers are received alike, none can from any circumstances be entitled to a preference, or be objects of suspicion.

“The course of the business of these officers would require these managers also to be informed of the situation of the public stocks, and as far as anticipations could safely be relied upon, of its probable future value, in order that the investments they are authorized to make might be judicious; further than this the business of these officers would be almost merely clerical. The 6th, 8th, and 9th Articles refer to deposits by individuals; interest, and deposit fee. The deposits by individuals is authorized in order to create a currency of a sound character, and thus generally to benefit the community; but coupled with the provisions of the 8th Article, it will be of infinite value as a security to all classes of the community, as well the large and small dealers as the thrifty poor. The danger of loss to those who keep their funds locked up at home is great not only from fire or theft, but because being within reach and idle the possessor is induced to expend more liberally in his pleasures or his household than he would do if his means were at interest; he is also, by having his funds in his hands, induced more readily to yield to the application of his friends for temporary loans; or to engage in speculation. Whereas, if he has a safe and advantageous place of deposit, of ready resort, and from which he can draw his money at any time his own interest dictates, it will not be exposed to the dangers to which I have referred, all of which, except the loss by fire or theft, in a limited degree attend deposits without interest in ordinary banks. Persons who are under the necessity of collecting and accumulating their gains in order to meet engagements at given periods, will make their deposits at interest, and will give the notice required, because they will find that they can at any time sell the post note at interest to the amount stipulated to be paid by it, together with a great part of the interest, whenever they may require their funds in order to meet their engagements. The same course will be pursued by those who live upon other means, and those who are under the necessity of keeping funds to be invested in their business, whenever the state of the market or the course of their proceedings may require them to use their funds. Indeed, a course of most obvious reasoning, founded upon the ready convertibility of these post notes into money, the absolute security and these being at interest, renders it manifest that most if not all the deposits will be made for ninety days, at least; and that these notes will form a very large portion of the circulating medium, provided “the warehouse rent” or amount for safe keeping paid on depositing or renewal is not too high; and the interest allowed is not so low as to take away almost all the profit.

“Let us test the truth of this position by a practical illustration: A, a retail dealer, who has a note to pay at another bank of 2,000 dollars on a particular day, say thirty days in advance, receives from his business or his debtors that sum of money; as he cannot invest it in stocks, because of the fluctuations, or in merchandise, because by being compelled to sell at a given period, he may sustain a loss, he cannot loan it to his friend, because he thus incurs the risk of that friend’s solvency

and impunctuality. At present, it is deposited in a bank where it is profitably used, or he keeps it at home incurring all the risks to which I have referred. But should these offices be established, he will deposit his money at interest, pay the fee on depositing it, take the post note, and when the time arrives at which he must use his money he will sell or exchange the note for the principal thereof, and the interest which may have accrued thereon, for thirty days.

“Or this dealer, instead of being a depositor, will, to avoid the fee on deposit purchase a note which has a sufficient length of time to run to meet his engagement, and the interest he pays in addition to the principal for the note on which he will not receive interest, will be compensated by his not paying the deposit fee. These notes will always bear a price in market so precisely equal to their intrinsic value, which will be greater than specie, that they will never be presented for payment until they become due, and thus they will take the place of all notes not of equal security and bearing an equal rate of interest; and to obtain which an equal sum is paid upon their first issue. And thus it is most probable, that the rule requiring notice to be given of an intention to leave the deposit in bank for the required period will be almost nugatory.

“The notice is, however, required to be given, in order to authorize the commissions without the risk of being unable to meet their engagements, to invest the amounts deposited in stocks, and upon advantageous terms, for it is by such investments that they are to be enabled to pay the interest upon deposits. But as it is not intended that the profits arising from the deposit fee on the surplus interest should be a source of revenue to the Government, the amount of the fee will be made as low, and the rate of interest as high, as can be consistently with the payment of the expenses of the several Institutions.

“But as the dividends on stocks purchased by the Commissioners will not be payable except at stated periods, and as the interest or deposits will become due and payable or be reinvested every day, the offices will be required to pay compound when they will only receive simple interest, and as the offices may be required to purchase stocks at a premium, and may not receive more than par, or sell them at a depreciation, and thus incur a loss, it is necessary in regulating the rate of interest to be paid on the notes to take these suggestions into view, in regulating the rate of interest and deposit fee.

“10th. *Power to Commissioners to invest in stocks per cent. of gross receipts.* This power is given to the Commissioners in order to enable them to meet the expenses of these Institutions, and to pay the interest on deposits. There can be no danger that from this provision the Bank will be unable to meet its engagements. The Government deposits will probably amount to twenty-five millions; 10 per cent. on that will be two and a half millions, which is not more than one half of the surplus which has remained in the Treasury for the last five years, and will not be greater; this will remain unappropriated during the continuance of peace; this, therefore, is a fund always at hand to meet a pressure, if one could possibly happen, and the interest on this two and one half millions, supposing there are no individual deposits that are not at interest at $4\frac{1}{2}$ per cent., will yield a sum of at least 100,000 dollars per annum, to meet expenses and interest on deposits. In addition, it may be fairly inferred that a considerable number of the notes not at interest, will be kept in circulation; such notes will be issued on all payments by the Government, and also notes at interest, owing to inattention or from their having wandered too

far from home, frequently and for a considerable length of time remain past due, and will not consequently draw interest, while others will be lost and destroyed. These are circumstances that may fairly be calculated upon as affording a reasonable presumption that no evil or inconvenience can result from this proposed investment of ten per cent. of the gross receipts; or from the payment of interest on deposits at 3%, should it extend even to the whole amount of the deposits made by individuals.

“An objection may be made that these investments are hazardous, because the Stocks of the United States are fast diminishing, and will shortly altogether cease to be a means of investment, when resort must be had to the Stock of the States. In answer to this, it may be said that, whenever the means of secure and profitable investments cease, the offices will cease receiving deposits on interest, and will be restrained from making investments; but although the Stocks of the United States should be paid off, assuredly those of some of the States, will afford appropriate sources of investments, and it is believed they will continue to exist for an indefinite period of time. The amount of investments, the kind of stock, whether United States or States, and which of the States, as well as the rate at which they are to be purchased, are all subject to the determinations of the Secretary of the Treasury; while the character of the Commissioners, and their continuance in office, which will depend upon the faithful and prudent execution of their trusts, affords some security to the public.

“The simplicity of this machine, is such as always to enable the Government to supervise and control its operations. Its actual state is so readily ascertained; the amount of specie, and of stock on hand, and the amount of debts of the offices are susceptible of immediate and precise ascertainment, and in this respect this Project differs most widely from a Bank of Discount whose situation must always depend upon the solvency of its debtors, and is, therefore, if its business has approached the limit of its ability, always uncertain to say the limit of it.

“11th. *Collection of the public revenue.*—1st. The provisions to this end are governed by a conviction that no part of the revenue should remain a moment in the possession of the receiver of it, or subject to his control further than may be necessary to meet lawful and current disbursements; and particularly that he should not have the power of mingling them with his own funds, and thus, under the allurements of even the best founded expectations of returning them, be induced to lend them to others or to employ them himself.

“2d. All Duty Bonds are required to be deposited, and thus, if they are paid, as is sometimes the case, before they become due, as well as when they arrive at maturity, the money is paid into the bank, and there fixed beyond the control of the collector or his agents: again, when the bonds lay over unpaid at maturity, by being immediately charged against the District Attorney, the Collector or his Cashier cannot receive a gratuity for forbearing to put them in suit, or receive a check payable at a future day, as they might now do; they are beyond his control; and another officer receives them, whose interest as well as duty it is immediately to put them in suit, and perhaps there might be properly added an article requiring the District Attorney to make weekly reports of all suits instituted on Bonds, and the Marshal to make a like return of all writs received by him; and thus the one would be a check upon the other, while the weekly returns of the Bank of the Bonds paid, or those put in suit, would be a test of the accuracy of the Collector, District Attorney, and Marshal.

“As soon as a bond lays over, the duties of the Collector in regard to it cease, and those of another officer begin; and the one ought, therefore, to be discharged, and the other charged with its amount, and as soon as there is judgment recorded and execution issued, the duties of another officer (the Marshal) commence, and he is then chargeable with the amount. In this way, the Government will secure the most prompt and efficient measures to obtain judgment and executions, and after executions to obtain whatever amount can be raised out of the property of the debtors, or the best evidence that he has no property. A very large amount of money in some of the collective districts is received daily for duties and fees, and on deposit this money is subject to the control of the Cashier or Collector, and may be carried by either of them under the present system to their private account, and thus be held by them or mingled with their own funds. And they ought, in order to avoid the evils and temptations consequent upon such a state of things, be required to return every day, as soon as the Custom House closes, to the Bank the amount received, with a copy of the entries of such receipts. The returns required to be made by the Collector could be tested at the Treasury by those required to be made by these offices—and thus as much fidelity and accuracy would be obtained as is practicable. It is hardly necessary for me to add that these suggestions are not made in order to correct known evils, but that they are drawn from that course of reflection which naturally results from the fallibility of man, and the frauds which history teaches us all governments have been exposed to.

II. DISBURSEMENT OF PUBLIC MONEYS.

“Under the present system, or rather from the want of Legislative regulations the disbursing officers receive the public funds upon the warrant of the Treasury, or the check of the Treasurer; and they carry them to their private accounts if deposited at all, or they keep them by them. Both courses are irregular, and ought to be changed. Public funds ought always to be carried to the credit of the disbursing officer in his official character, and those accounts with the Banks in which they are kept ought always to be open to the inspection of the officers of the Department to which such disbursing officer is accountable; nay, more, the Bank in which the deposit is made ought to be designated, and copies of the accounts of such officers ought to be rendered to the Treasury at given periods, and all checks which are paid ought, whenever the officer's account is balanced in his Bank book, to be returned to the Department or officer at Washington who settles his account as a check upon his vouchers. In addition, no public moneys ought to be drawn by a disbursing officer from the place of deposit, except on a check payable to the order of the person to whom it is given, having on the back of it a short receipt for the money. The consequence of these regulations will be that, in ordinary times, no officer will be a defaulter, except so far as his vouchers may be irregular, or through mistake he may have misapplied his funds by paying on account which does not come within his sphere of duties.

“January, 1834. -

JAMES A. HAMILTON.”

These efforts to enlighten the President, made at his request, were wholly unavailing. He had determined, before he came to Washington, to destroy the Bank of the United States; and after that was done to use the State Banks as

the fiscal agents of the Government. The result was a most disastrous inflation of the currency, reckless speculation, and the extended ruin of 1837.

MARTIN VAN BUREN TO JAMES A. HAMILTON.

“WASHINGTON, February 11, 1834.

“MY DEAR SIR: The extreme pressure of my avocations has hitherto prevented me from saying what I ought long since to have done, that I appreciate aright your motives in the letter you have written me upon the subject of the removals, &c.; and that although we may not agree upon all points, I shall never think otherwise than well of your disposition and intentions. The President informed me some days since that he had written you; and you will see by the *Globe* of this morning a repetition of his views. The times will be hard, and the struggle a great one; but the patriotism and fortitude of the people will triumph over all obstacles. Be sure of it.

“Yours truly, in haste, &c.”

WILLIAM B. LEWIS TO COL. JAMES A. HAMILTON.

“WASHINGTON, February 18, 1834.

“MY DEAR COLONEL: I have been trying, for the last three days, to acknowledge the receipt of yours of the 10th instant, without being able to do so, and have time only now to say a very few words. In the first place, then, there is no truth in the report that Mr. McLane is going out of office. He has no intention of resigning, I am sure; and I am equally certain that the President does not wish him to resign. Harmony and good feeling exist in the Cabinet, and the President's confidence in its members individually is undiminished. In the next place, the President will not listen to any proposition with regard to a new Bank, any more than he will to the renewal of the charter of the present Bank. He is determined to try the State Banks as fiscal agents. If the Government cannot get along with them, he says it will then be time enough to charter another United States Bank. I think your suggestions with regard to some plan, in case the local Banks will not answer, is marked with sound discretion, and entitled to much weight. An able general never goes into battle without providing the means of a safe retreat in case he should fail in beating his enemy.

“Yours sincerely, &c.”

MONEY RAISED TO SUCCOR THE POST OFFICE DEPARTMENT.

Having been informed that Major Barry, the Post-Master General, was much distressed for want of means to carry on his Department, I addressed a letter to him on the 13th March, 1834, offering, provided the President should approve of my doing so, to raise for him as much money as he required.

On the 15th March, he wrote to me thus:

“I have received your very kind letter of the 13th instant. Have prepared and forwarded several bills, say \$5,000 each, to the amount of \$50,000, to Col. James Reeside, to be signed by him on the Post Office Department, payable to your order, which I have had accepted, with a request that Col. Reeside will repair at once to New York and see you on the subject. This, if the matter can be arranged, will be

of signal service to the Department, and enable it to rub through the present pressure. * *

"The President sent your letter to him to me, and duly appreciates the noble offer you make. It has made an indelible impression on the mind and heart of your sincere and grateful friend,

"W. T. BARRY."

JAMES A. HAMILTON TO THE HON. W. T. BARRY, Post-Master General.

"NEW YORK, March 25, 1834.

"DEAR SIR: In my endeavors to raise funds required on the drafts furnished by Mr. Reeside, I found that they were discredited by the Banks, and generally with individuals. I, therefore, except as to one which I cashed myself, substituted my own notes, secured by 'New York Life Insurance and Trust Company Stock.' The particulars of these operations are as follows:

- "1. My note for \$5,000, dated March 19, payable on the 22d May next, discounted at the Bank of New York. Proceeds..... \$ 4,947 40
 - "2. My note to Mr. Atwater, dated 19th March, for \$20,000, payable in four months, with interest on the face of the note at the rate of 6% per annum. Prime, Ward & King—proceeds at that rate of interest..... 19,590 14
NOTE.—I paid, in addition to the above rate of interest, the sum of \$650, being 3% for usury, ~~4%~~ for brokerage. This amount Mr. Gouverneur, P. M., has agreed to pay me.
 - "3. Mr. Reeside's draft, dated 15th March, for \$5,000, payable 15th May next, discounted at the Manhattan Bank. Proceeds..... 4,947 40
 - "4. My note for \$5,000, dated 24th March, @ 60 days, discounted at the Manhattan Bank. Proceeds..... 4,947 50
- Total amount subject to your order, as per former letter.. .. \$34,432 44

"I will deposit the drafts I hold for collection, or substitute others you may furnish, corresponding with the days of payment of my notes, as you please. The only point of interest with me is, that my stock should not, by a failure of punctual payment, be subjected to a sale, as I should thus incur a loss of several thousand dollars.

"Your friend, &c."

THE HON. W. T. BARRY TO JAMES A. HAMILTON.

"April 12, 1834.

"DEAR SIR: From some queries made by the Examining Committee in relation to Loans of the Post Office Department, I am satisfied that by some means they are informed of your agency, &c., &c. I have left all the matters entirely in the hands of Mr. Gouverneur, P. M., and can know nothing of his and your arrangements, as to terms, &c., &c. I hold the Department bound to guarantee whatever Mr. Gouverneur stipulates for, as he acts upon full authority, and has my entire confidence.

"Sincerely & truly yours."

This effort to assist a member of the administration, gave me much trouble

and some vexation, at the hazard of serious pecuniary loss. The loans I made to obtain funds, were required to be renewed from time to time. I was drawn into a correspondence which commenced in 1834, was extended to 1838, and embraced over forty letters. It is quite unnecessary to say that I was, in no manner whatever, benefitted by it. The books of account of that department were so defective that, when Mr. Kendall went into the office of Post-Master General, I was called upon by him to make a statement of the transaction, which I did in a letter now before me, addressed to Amos Kendall, Post-Master General, dated March 2, 1836, and another to the same, dated the 22d of the same month.

WILLIAM B. LEWIS TO COL. JAMES A. HAMILTON.

“WASHINGTON, March 30, 1834.

“MY DEAR COL.: I am glad you intend exerting yourself at your charter election. Your services are due to the Old Chief, who has *always* been your friend, if not to others. This is his last and greatest struggle, and we should neither desert him, nor even be lukewarm in this, his greatest need. If he succeeds—and I have *now* no doubt of it—in prostrating the Bank, and overthrowing his enemies, his evening sun will be brighter and more glorious than his morning sun. Things are looking well to the South. Virginia, I feel confident, will be regenerated and redeemed. The opposition in the Senate are cast down and look desponding. Clay’s last speech upon his resolutions, was considered a failure by his own friends; but he carried his resolutions, and even Webster voted for them. Yours truly, &c.

“P. S.—Have you any doubt of succeeding at your election? I hope not; yet I confess I have my fears. The strongest ground to take with the people is the fact that, under the existing arrangement with the State Banks, the whole revenue collected through your Custom House is left to be disbursed in your own city, instead of being transferred to a neighboring rival city. Our friends should ring the changes upon this view of the case in every quarter of the city. Tell Swartwout to pull off his coat and roll up his sleeves also; but, perhaps, as he has to go through the ‘glorious Senate,’ it would not be prudent for him to do so. Price, as his nomination will be certainly confirmed before the 8th, must do his own and Swartwout’s part too. The Senate was on Executive business yesterday evening. I have not heard what they have done—perhaps they acted on Price’s nomination, and confirmed it; but I have no information upon the subject. Yours, &c.”

WILLIAM B. LEWIS TO COL. JAMES A. HAMILTON.

“WASHINGTON, December 10, 1834.

“MY DEAR COL.: I know, my dear sir, no reason why you and I shall not correspond with the same confidence and freedom that has heretofore characterized our intercourse. My confidence is undiminished, and my friendship and personal regard the same now that it has heretofore been, and I hope and believe it will ever so continue. I know it is the disposition of some to doubt the sincerity or *fidelity* of all who do not approve *indiscriminately*, every thing that is said and done by those who are called the leaders of the party. Not so with me, nor is it so with him for whom

both you and I have so long and so zealously toiled. Even I, after 25 years' devotion to that individual, am suspected of a want of fidelity by some of the *exclusives* of the present day. I, however, regard them not, and I hope you will be equally indifferent to the slanders of such contemptible creatures. Congress, as yet, has done nothing. I suppose they will get under way next week. The opposition leaders are at a loss what to do in relation to that part of the Message which speaks of our affairs with regard to France. They have the disposition to assail it, but I think they are afraid of the effect it may have both upon our country and France. Besides, many of the leading opposition men are directly or indirectly interested in those claims, and it is believed, if strong opposition is made to the Message, it may encourage France to delay the payment. One of the *on dits* of the day is, that Judge White of Tennessee will certainly be run for the Presidency. I am unable to say whether the rumor is or is *not* well founded, as I have had no conversation with either the Judge or his immediate friends. Of one thing I feel confident, however, that he will not suffer himself to be used, or rather used *up*, by the opposition.

"Truly yours, &c."

COL. WM. B. LEWIS TO COL. JAMES A. HAMILTON.

"WASHINGTON, February 2, 1835.

"MY DEAR COL.: You will have seen an account before this reaches you of the diabolical attempt to assassinate the President. The account in the *Globe* may be relied on as correct, to which I refer you for such additional facts and circumstances in relation to that horrid affair as may from time to time transpire. It is intended to keep the public correctly informed with regard to the matter through that channel.

"Your truly, &c."

This attempt was made by a madman.

JAMES A. HAMILTON TO PRESIDENT JACKSON.

"NEW YORK, February 16, 1835.

"MY DEAR SIR: An arrival yesterday brings us Havre dates to the 13th ultimo. Your Message had reached that place and had been duly forwarded to Paris. We consequently have no notice of its effect upon the government. The opposition papers of Havre affect to consider its tone as the result of an understanding between the Executives of the two countries. The Paris papers, anticipating the tone of the Message, affect to consider it as the result of the efforts of those who are interested in the claims. These preposterous views lead me to believe that the Chambers have not come to their senses, and consequently that there will be nothing left to us but to take such measures as may be necessary to vindicate our rights and honor.

"Under a strong conviction that eventually there will be war, I now proffer my services in any employment, civil or military, at home or abroad, in which I can be useful. I prefer the Army, because there may be more honor won there than in any other line, and in reference to any, however humble, pretensions I might have, allow me to state briefly my course during the last war.

"When the contest thickened, and there was reason to believe that the Army

over which you achieved so brilliant a victory at New Orleans, might be destined for this city; I tendered my services to Gov. Tompkins in any situation in which I could be useful. He accepted them most readily, and upon an emergency appointed me to the humble post of an Assistant Deputy Quartermaster, requiring me at the same time to perform the duty of Issuing Commissary. I cheerfully weighed out beef, pork, and bread for the whole brigade for about a fortnight, when I was appointed its Brigade Major where I served to the close of the war.

"It having been contemplated to raise a considerable force by the State, Mr. Van Buren has the merit of carrying the project out. The governor informed me that he would, when the force should be raised, give me a regiment. I refer to these circumstances, together with my advanced age and condition, and my recent connection with the government, that you may take them into view in giving me military employment, without meaning, however, to make terms with my country, entitled as she is to my best services in any situation in which I can be useful to her.

"With sincere respect,

"Your friend, &c."

COL. WILLIAM B. LEWIS TO JAMES A. HAMILTON.

WASHINGTON, March 14, 1835.

"MY DEAR COL.: Yours of the 11th inst. has this moment been received and read. Although the information you communicate comes from a source entitled to great weight, still I am in hopes the result will be different from that anticipated. It certainly does not accord with the information—private as well as official—received by us in this city. But Gen'l Bernard and G. W. LaFayette may be right, and our correspondents wrong, and I confess it would not surprise me if it were so. I received by the last Havre packet a letter from Levitt Harris, who is now in Paris, in which he says the Ministers count on a majority of from twenty to forty (and that is also *his* opinion) in favor of the appropriation. I received by the same packet another letter which is entitled to still *greater weight*, as it comes from an officer belonging to one of the great departments of the French government, and who is fully in the confidence of the Ministry, as well as of many of the leading Deputies. Herewith I send you an extract, which has been translated by my daughter. From this you will perceive that a majority of sixty votes is calculated on.

"The letter of which the enclosed is an extract is *confidential*, and is intended for your eye only.

"Sincerely yours, &c."

PRESIDENT JACKSON TO COL. JAMES A. HAMILTON.

WASHINGTON, September 17, 1835.

"MY DEAR SIR: I have the pleasure to acknowledge the receipt of your friendly letter of the 12th instant. It brings fresh to my recollection our first acquaintance, at my peaceful Hermitage, where I was in the full fruition of rural and domestic happiness. What situation of life can be compared to that of a farmer? What so independent? What so happy? The description you have given me of your farm, your stock, and your improvements, surrounded as you are with your amiable family, brings fresh to my memory the happiness with which I was surrounded at the Hermitage, when I had first the pleasure of being introduced to you; and increases my

desire once more to return to that peaceful abode, from which you know I was reluctantly drawn by the call and partiality of my country; and where I can with truth say I enjoyed the only happy hours allotted to me to enjoy on earth, and where, if I am permitted to survive my present official term, I will joyfully return, although it has lost, by the death of my dear Mrs. J., its better charms. Your present situation, surrounded as you are with your amiable and promising family, enjoying all the amusements and sweets of rural life, must afford you more real enjoyment and happiness than ever has flown or can flow from official life, even of a President, and all subordinate to him in the Republic. You must be happy. In the enjoyment of your family around you, the amusement which your farm and flocks afford, and then at leisure moments in your library, what more could man ask for here below, to increase his happiness? I answer, Nothing. I sincerely congratulate you on your happy condition. May you long live and enjoy that felicity which your situation affords, and may your amiable family enjoy long life, health and happiness, and participate in all the pleasures your present situation must afford, is the sincere prayer of

“Your sincere friend, &c.

“P. S. It will afford me much pleasure to see you at Washington before I retire, and still more to see you as a private citizen at the Hermitage, which I am rebuilding on its ruined walls, to bear a strict resemblance to what it was when you first saw it. I have had a full description of yours from our mutual friend, Major Lewis.”

THE GREAT FIRE IN THE CITY OF NEW YORK, 1835.

In 1835, I and my family had rooms for the winter at the City Hotel, then on the west side of Broadway below Liberty Street. The following details are found in a paper written in pencil the day after the occurrences happened to which they refer :

I was awakened between eleven and twelve at night, and told a great fire was raging in the lower part of the city; that the Merchants' Exchange was in danger, where was the statue of my father by Ball Hughes; and that I might, by going there, be useful in saving that work. I was at the same time told that nothing could be done to arrest the fire for want of water; the engines, their leaders and the hydrants being all frozen. I immediately said, powder must be used, and went to the fire. I sought the authorities, and meeting aldermen Jourdan and Labagh, urged the necessity of blowing up buildings to arrest the flames. They replied, “powder cannot be got.” I said, “I will procure a letter to Commodore Ridgely, commanding the Navy Yard, requesting powder.” Alderman Jourdan turned to Labagh, and asked him if he would unite with him in that proceeding. Labagh said, “I will not take the responsibility, the Mayor is on the ground, let him do it.” Jourdan said, “then I will,” and turning to me, said, “If you will procure the letter, I will find a man to take it.” The Hon. Charles Livingston wrote the letter, and Mr. Jourdan sent it with an officer. Mr. Charles King accompanied the officer; went with great speed, and returned with the letter, with an order endorsed thereon, directing the keeper of the Arsenal at Red Hook to deliver powder to the civil authorities of New York. During the absence of the messenger, Alderman Jourdan endeavored to get a

meeting of the Aldermen and Mayor at Lovejoy's, corner of Nassau and Cedar streets, and with Mr. * * * a former member of the Fire Department. General Swift and myself went to the different points to leeward where the fire was raging, to determine where the powder could be used most effectually, that we might be prepared to indicate such points to the Mayor and Aldermen when they should meet. Having accomplished this, we went to Lovejoy's, where we found the Mayor and three or four Aldermen. Mr. Jourdan stated briefly what had been done, and that he wished to meet the authorities. The necessity for using powder was admitted by all. The Mayor asked who understood how to apply it. Mr. Hamilton offered his services to apply and fire the powder, but if the Mayor wished the services of a gentleman who from his military education was acquainted with the subject, he could not find a more competent man than General Swift. It was then asked, where powder could be obtained, and in reply it was stated that General Arcularius had sent two boxes with some loose powder and cartridges, which were on a cart at the corner of Wall and Nassau streets, and that more powder could be found at Alderman Greenwood's. The Mayor, and Aldermen Smith and Jourdan went with me to where the powder was; but finding the quantity too small, we went to various grocery stores and got all we could, and sent it to where the cart was standing. I suggested that a written order should be sent by the Mayor to General Arcularius, directing him to bring powder from the Arsenal, five miles from the city, on the middle road. This was done. In the mean time, Alderman Smith and I procured an empty lime cask and threw the powder they had in it, which filled it about one-third. This powder, under the directions of the Mayor and General Swift, was conveyed to Garden Street and placed in the cellar of a four-story store, occupied by a Mr. Swan, as near the centre as could be found. A piece of calico was fastened to the upper rim of the cask, into which loose papers were placed, and we laid the calico on a board along the floor of the cellar to the stuff. A canister of powder reserved for that purpose was used in laying a train from the cask, along the calico to the cellar door, where loose paper was laid. When this was done, all present retired to near Broad Street, except General Swift and myself, when I said, "Who is to fire this?—General, as I got the powder, I must have the first shot." The General, laughing, said, "Well, Hamilton, you shall," and retired. I then set fire to the paper with a lighted candle, and retired to where the crowd stood. The train took fire, and went off without igniting the powder in the cask. I then went up the street opposite the store, found the calico was burning, and retired. In a few moments the blast was made. It threw down the front of the building, a part of the adjoining one—threw off the roof, but did not destroy all the floors. The fire carried up by the floors endangered the next building, and thus rendered it necessary to blow up that building also.

At about this time (5 o'clock in the morning), Mr. Charles King, who had performed a most important and arduous service, by going during a most ter-

rible night to the Navy Yard in an open boat (the wind blew a hurricane, and the cold was intense beyond example), returned with Captain Mix, Lieutenant Nicholson, and a gang of sailors, with six barrels of powder. It was then determined to apply a barrel to the store on Garden street adjacent to that which had been fired ineffectually before. This was done by Lieut. Nicholson. Upon reconnoitering, we determined to blow up a store on the corner of an alley on ——— street, the fire having advanced toward Broad street on the opposite side of ——— street, and beyond where the store was which was to be blown up. It was consequently so hot, and there were so many sparks and fire-brands flying about, as to render the approach to the store extremely hazardous. This was, however, unheeded by the gallant tars, who carried the barrel of powder on their shoulders, passed over the gangway, and placed the barrel in the cellar. A train was laid to the mouth of the gangway, where straw was placed, the persons present having retired. Captain Mix fired the shot. The two previous experiments were entirely successful in arresting the progress of the devouring element to the westward. It was decided to blow up a wooden building at the corner of Coenties alley and Slip, about twelve feet wide, westerly from which there was a range of valuable stores filled with merchandise. A barrel of powder (two hundred pounds), was carried to that store. The owner of the crockery in the store came into the cellar when Swift and I were preparing the work of destruction, and asked permission to take out his goods; the General replied promptly and caustically, "Yes, if you can do it in fifteen minutes." The train was laid with muslin picked up in the street; the General saying, "It is your turn," left the cellar with all others except myself and one of the sailors, who had assisted to bring in the powder. While I was arranging the train, the sailor, with a lighted candle in his left hand, was, with a hammer, endeavoring to knock in the head of the barrel of powder. Seeing that this would be inevitable destruction, I took him by the arm in which he held the light, drew him over before he struck a second blow, and drove him out of the cellar. Putting the candle far out of reach of the powder and the dust which flew up when the head was driven in, I opened the barrel: fastened near the end of its mouth the muslin with my knife, allowing the end to rest on the powder; I laid a stream of powder, about fifteen feet, to the foot of the stairs in the cellar, and then laid the muslin and straw to the top of the stairs and on the sidewalk. The night was clear, excessively cold, a very high wind, a bright moonlight. The people, in great numbers, were standing at the head of the Slip near the water, to watch the effect of the blast. After setting fire to the mass of combustibles, I walked deliberately toward the spectators, they crying out, "Run! run! why don't you run?" This was a little affectation of fearlessness on my part; well knowing that it could not burn down to the train of powder before I could get away. The powder ignited and blew the whole house and all its contents into atoms, making thus a vacant space of many feet from the next burning house and the store, and that block was thus saved. The cold was so excessive that the en-

gines and the ladders were frozen ; the firemen were exhausted and demoralized ; there was much plundering ; merchandise of all kinds was thrown into the street ; the only effort, in many cases, by the owners and their friends was to get out their books. After the blast, there appeared on the ground one engine which was brought from Brooklyn. It was believed that some cotton in the store next westerly from where the last blast was made, was on fire. I urged the firemen to carry their leader into the store to put out the cotton. They were deterred from doing so under a belief that this store was to be blown up. I got on the stoop, addressed them, told them there was no more powder to be used, and that I would go up into the store with them. They then went forward. The cotton was found to be in some small degree on fire. It was put out, and the fire was arrested.

My work was done. My cloak was stiff with frozen water. I was sown down by the excitement that when I got to my parlor I fainted. The scene of desolation and demoralization was most distressing. A suit was brought in New York, and another in New Jersey, against the Mayor ; I was called and examined as a witness in both.

FIRST VOYAGE TO EUROPE—1836.

Having informed my friend, President Jackson, of my proposed visit to Europe, he addressed to me the following, intending that it should be a general passport to the good offices of all our official representatives in Europe. I did not use it, because I did not need their services. My father's name alone was my best passport to society, particularly in England, as the following narrative will prove :

PRESIDENT JACKSON TO JAMES A. HAMILTON.

“WASHINGTON, October 11, 1836.

“MY DEAR SIR: In the prosecution of the inquiries you propose to institute during your absence from the United States, with a view to introducing into our country valuable animals and plants, and information calculated to promote its agricultural improvement, my best wishes attend you ; and I take pleasure in furnishing you with this written expression of them, as well as of the great satisfaction it would afford me to learn that your success had been promoted by facilities afforded by our fellow-citizens representing the country abroad in a public capacity, which they will doubtless take pleasure to extending to you in a matter so interesting.

“I remain, with friendly regard, your obedient servant.”

On the 10th day of October, I sailed for England in the *Quebec*, a sailing vessel of 600 tons. Governor Cass, with his family, went out in the same ship as Minister to France, where he resided some years.

I took a letter from my dear mother to Prince Talleyrand, which was left at his hotel in Paris, he being absent. He afterward acknowledged its receipt by a note sent through my banker at Florence. During my short

sojourn at Paris, Louis Philippe gave me a private audience, when I was presented to his wife and children, and to his sister, Madame Adelaide. The King received me very courteously and unceremoniously; inquired about the health of my mother; expressed his admiration of my father, and referred to his visits at my father's house in New York. I also became acquainted with the Premier, and was invited by him to an evening reception, where I had the good fortune to meet some of the most distinguished people. I was invited about the same time to take tea with the Duchess de Broglie (who was the daughter of Madame de Staël); there I was introduced to Mons. Guizot, who continues to live and to exert a salutary influence upon public opinion. Through the good offices of Monsieur de Neuville, who had lived several years in the city of New York, and also in Washington, as Minister Plenipotentiary from France, which office he received shortly after the Bourbons were restored, I had an opportunity to see several members of the *ancien régime* of the Faubourg St. Germain.

LETTER FROM HIS MOTHER TO JAMES A. HAMILTON.

“NEW YORK, October 24, 1836.

“MY BELOVED SON: How devotedly have I in my mind's eye followed the movements of the ship that contained the favorite son of my beloved departed husband. How often must your mind have been raised to that Great Disposer of the universe who was guarding you on your perilous voyage.” (I was in a sail ship, as this was before steamships crossed the ocean.) “Could my wishes have wafted you more swiftly and smoothly than a bird, your passage would soon have terminated. I have greatly feared your delicate lungs would suffer from sea-sickness. Let me hear particularly from you, and all about my daughter and her children.

“I hope you will have time to examine the police of London. Something may be observed beneficial to this city. My grand-daughters frequently visit me (the mother of their departed father claims a closer union); they are both in good health. Fanny has become a teacher in Dr. Hawks' Sunday-school. This is very gratifying to Mrs. Sullivan. May the Almighty always guard and bless you, prays

“Your affectionate Mother,

“ELIZABETH HAMILTON.”

From Paris we went our way through France by post. This was before the period of railroads in France.

By my note-book we arrived at Lyons, December 11, 1836.

The streets of the city are filthy, narrow, and generally without sidewalks. There are one hundred thousand inhabitants—a place of much wealth, from its manufactures of silks, &c. The people have the busy, bustling air which characterizes a commercial people. There are many soldiers and priests (the minions of power and its supporters) and idlers. I may state here the remarkable fact that, as a consequence of the Revolution of 1798, the lands of France are so divided as that there are *ten millions* of people who own such small parcels that they a pay a tax of only five francs (about one dollar) a year.

At Florence, I had the good fortune to meet with the Duke de Denon, the nephew of Prince Talleyrand. He was living there "en garçon." He invited me to breakfast and dinner, and gave me much information in regard to his uncle and the distinguished persons I here met with. He told me that King Jerome, who was living there, hearing my name, had talked with him about my father and the courtesies he had received at his country-house, and directed the Duke to say, that if I desired to be presented, he would be pleased to receive me.

I assented, and the day of presentation was fixed. The Duke informed me that although Jerome was living upon the generosity of others, say \$10,000 per year, he expected the same observances on these occasions as were due to a reigning monarch. I acquiesced, and dressing myself in full costume, went with the Duke. At the door, we were announced, "The Duke Denon and Colonel Hamilton." This was repeated on the stairs, and at the door of the audience chamber. Denon went first, bowing three times, as is proper—once, on entering, once, half-way up, and again in the presence of Majesty. He introduced me. The King welcomed me most cordially, and, contrary to all etiquette, put out his hand to shake mine. He then talked of the dinner at my father's house, of which I have given an account in a previous part of this work, asked me about my mother, and took occasion to say, "If he could do any thing to promote the pleasure of my visit at Florence, he would gladly do so." I bowed my thanks. Another person being announced, I retired (keeping my face to Majesty). Near the fire-place I found a young lady *sitting*; she bowed to me and pointed to a chair. I civilly declined to take it, saying, "Not in the presence of Majesty." She replied; "Oh! nonsense, do be seated!" This lady was she who was once engaged to marry the present Emperor, who afterward married the wealthy Russian Prince Demidoff. She is now, I believe, known as Princess Mathilde at Napoleon's Court.

The Duke Denon, speaking of his uncle, Prince Talleyrand, told me that he had received a letter informing him that the son of General Hamilton would probably be in Florence in the course of the winter, and intimating that it would give his uncle pleasure if he would show me every attention in his power. Duke Denon was a finished gentleman, and had been a good soldier. My banker in Florence sent me a note addressed to me by Prince Talleyrand, expressing his regret that he did not see me in Paris, that he had many recollections of an interesting character which he would gladly refer to when we should meet.

The Grand Duke of Tuscany is a man of good intentions. He is not talented. His efforts to improve the condition of his people are most commendable. Amid the profligacy of this age in Italy, his domestic life is most exemplary; and in the measures he has taken for improvement—for instance, abolishing imprisonment for debt and the death punishment—he has certainly evinced much discernment and decision: better qualities for an absolute

monarch than genius. He is much beloved. The enjoyment of absolute power is not only dangerous to others, but particularly so to ourselves. The people of Tuscany, generally speaking, hold their lands in fee. They are better satisfied than those of the other Italian States; they are well governed, although grievously taxed. The tax on incomes from lands and houses amounts to 25 per cent. Oil, wine, silk, and straw hats are the products of industry.

Of course, the objects of art were deeply interesting to us. I forbear saying more on the subject than that, to my very great surprise, I found the Italian men and women did not seem to have much knowledge of, or enthusiasm in relation to, their exquisite works of art. I was informed that the young ladies of high rank were educated in convents, and usually secluded from society until a marriage was arranged for them; some having reference entirely to property and rank; that they were then brought out, carried about to public places, and married. This arrangement of marriage for convenience tended to promote that shocking practice of "*cavalier serviente*,"—an association which the husband had probably formed before he was married, but which the lady was sedulously prevented from forming until after the first child was born. I was told by Mr. T. (an American gentleman), that the Grand Duke, in conversing with him in relation to his subjects, complained of this practice as the great obstacle to his efforts to raise up the character of his people. Their lives were essentially spent in frivolities and dissipation. I saw nothing of this, and here let me add in relation to the family to which I was introduced, that they were all people having a just sense of duty to their class and country; it was understood that if Napoleon the First had been successful in the war with Russia in wresting Poland, that he proposed to make a member of this family King of Poland. I believe one of the members of this family has recently been in the diplomatic service of his country.

January 15, 1837.—The Countess Coventry having heard that I was in Rome, I had the good fortune to make her acquaintance and to be invited frequently to dine at her rooms in the Barberini Palace, where I met distinguished Englishmen and other strangers. The last time I dined with her ladyship I met Mr. Austin, who was understood to hold an unofficial appointment from Great Britain. (As the Sovereigns of that country are excommunicated, there is no official intercourse.) This gentleman is an attaché of the Chargé at Florence. I also met Lord Stewart De Rothsay, a peer of the realm—a very clever man, a most thorough Tory. This gentleman was afterward at St. Petersburg, where our acquaintance was resumed, very much to my advantage.

February 11th.—Visited the Vatican Library, by the influence of my friend Father Esmond, to see the old manuscripts. There I met with Mezzofanti, the librarian, an Italian and a priest—the greatest polyglot in the world. He says he speaks thirty-three or thirty-four different languages; he is very affable. He showed me a copy of Cicero de Republica, recently discovered, which he says was written in the fourth century. The book was of parchment. The

original letters were quite large, viz., N E R. An attempt had been made to wash them out, in order to use the sheets, on which was written a commentary on the Psalms in a much finer and neater hand. We were also shown a copy of Virgil, of the fifth century. A part of the Creed interlined with minute representations of the scenes described. These pictures were well executed, and it is believed that the work owes its present existence to that circumstance. We saw a copy, in Greek, of a part of the New Testament, written in golden characters, a beautiful work, said to have been done in the eleventh century. The oldest Bible they have in the library does not go further back than to the tenth century. We also saw the "Defence of Catholicism," written by Henry VIII., of England, in consequence of which he was called, and so are his successors on the throne, "*Defenders of the Faith.*" And then two letters written to Anne Boleyn, when she was in Paris. They are quite absurd love-letters in French. Mezzofanti said, "When Henry got into the hands of a woman, he was lost."

February 17th.—Lady Coventry took me to see a group in marble, which she represented as an antique, and urged me to purchase it, as better worth taking home than any thing of the kind I could get in Rome. I did so, paying for the group of three figures, Mars, Venus, and Cupid, two hundred and twenty piastres.

NOTE BOOK.—The people of Rome, both men and women, are handsome. The former are robust, the latter rather small; bright, dark eyes; the outline of the female face approaching to beautiful; a prominent tapering Roman nose. The expression is full of intelligence and vivacity, voice clear, talk loud; their manners are naturally easy and graceful. The mode in which all classes of men wear the cloak thrown over one shoulder is graceful and sometimes majestic. The infants are bound up after the manner of our Indians, but not as are those of the latter—on a board. They might better be so; because while by the latter mode they can be carried or laid down more safely and conveniently, their limbs would not be so cramped as they are now. I am told they are thus bound up in the morning, and so continue during the day *malgré* all accidents. I am not informed whether their health is improved by this management, but presume it must be, or it would not be continued.

March 23d. Received letters, one a note from Prince de Talleyrand, inclosing a letter of introduction to His Excellency, Marquis Latour Maubourg, Ambassador, and another from the Pope's Nuncio at Paris, to His Excellency Baron Conte Acton, &c., &c.

The following case of Vallatte is interesting. The pictures of the * * * family being offered for sale, their value was assessed and affixed to each by the owner. The picture in question was assessed at sixteen dollars. The gallery was then opened for the sale of the pictures at the appraised prices, and all who wished to do so, took them at the appraisement, or as much less as they could get them for. Vallatte, an Italian artist, purchased a lot including one

picture, which, after having had it nearly a year in his possession on sale, he discovered had been painted upon another picture. He put it into the hands of a man skilled in the art of removing the outer coat of paint, and this being done, the first picture was believed to be one of the Madonnas of Correggio, and, of course, of great value. As such, it was exhibited by its owner, and offered for sale. The original owner * * * * * hearing this, sent an agent to examine the picture, and take such note of it that he might thereafter identify it. This was done without the knowledge of Vallatte, and the original owner insisted that the picture should be returned to him, on the ground that the appraiser had estimated it as a copy, and that Vallatte, having purchased it at an inadequate price, could not hold it. Vallatte knowing how little chance he had of justice before the tribunals of Rome, in a contest with a powerful Prince, became alarmed, and when called upon to deliver up the picture, said he had sent it to England. There is an ancient and obsolete law of the Roman See, which declares that no picture shall be taken out of Rome without the permission of the Government, and that, if it is proposed to be sold to that end, the Government may purchase it at the agreed price, or, if it is offered to be removed, the Government may take it upon appraisement. As soon as Vallatte said (which was not true) that he had sent the picture away, the Government commenced proceedings against him under this law, examined witnesses to ascertain the character of the picture and to find out whether it was, or was not, in Rome; and it was thus ascertained to have been in the city long after it was said to have been removed. The Vicar-General then sent for Vallatte, and told him he was about to put some questions to him under oath, and that he must answer them truly under pain of the law. Vallatte then declared that he had not removed the picture, and his reason for having given that false statement. He was then required to deliver the picture to the officer of the Government, which he refused to do; and he was immediately sent to prison, where he remained six hours, and then, in order to obtain his liberty, sent a note to his brother directing him to deliver the picture to the officers of the Government. He was released from prison, but the picture is retained by the Government, notwithstanding all his remonstrances and those of his friends. My authority is Freeborn Jones, an English banker. This is the justice of the Papal States.

Gambling in Rome is practiced by the people in the open streets continually, and by the Government, by causing a lottery to be drawn every week. The price of tickets is so low as to put them within the reach of the people of the lowest condition. The prizes are, of course, small. The revenue to the Government is not inconsiderable.

During the reign of the last Pope (1837), the corruption in all departments of the Government was so open and shameless, as to render it necessary on his demise, in order to remove popular resentment, to choose as his successor a cardinal of popular manners and character. Pio Nono was eminently of that character. It was understood that the police connived at the use of false weights

and measures by the small traders, and that they participated in the profits of this trade.

I was taken by Father Esmond to the college of the Jesuits, and shown as much there as was permitted. It was well understood that the students, if very proficient, are destined for the Church and become members of the Society. I saw the representatives of every race on earth; and among others, an African. The purpose of the Society was, to secure members of the Society who could speak the tongue of every nation and race, and thus that the influence of this great established Church should be extended throughout the habitable world. I was surprised to learn the extended ramifications of this Society; and particularly the minute, accurate (as it was represented to me to be), and extended information, particularly in regard to individuals of any note, in all countries and climes; it being well understood that every Jesuit who is sent abroad (and they are sent throughout the world), is to make as frequent returns as his means of access will admit, of all persons of note, and of all events and purposes of the individuals and Governments as can be obtained; and that thus the archives of the College are filled with most curious, as well as accurate and extensive information. It was stated to me that a male of an English noble family, very remote from the succession, left his country in his youth under adverse circumstances, for parts unknown. That after some years this person, by numerous deaths in the family, became the heir to the title and estate. The family sought by all the usual means through the English Government officials to ascertain the whereabouts of the man or his death, but in vain. It was then proposed that application should be made to this College. This was done, and such information as the family possessed in regard to the means, appearance, habits, and every thing of a personal character which was known, together with his age and the time of his departure from London, was furnished to the College. Of course, a large reward was to meet the success of the inquiry, and thus compensate the labor of searching the archives; which was attended with such apparent success as to induce the General of the Order to require his subordinates to trace him from the place last seen or heard of. At length the lost one was found, and the honor of the Noble house sustained. I was induced to believe that, for the ends proposed by the Society, there never was a more intelligent plan formed than this Order. There is great intelligence, with adequate decision at the head—industry, and most extraordinary acuteness and skill in the subordinate members. I also learned in this and a subsequent visit to the Holy City, in 1848, during the apprehended revolution, that this Order was more feared and hated than any other in the Church; that as the Vicar-General had unlimited power of restraint and discipline, the system was invested with power almost equal to the odious Inquisition. During my association with my excellent friend, Father Esmond, wandering about the city in pursuit of objects of art or personal interest, we approached the house in which my party lived. I took advantage of this to say to the

holy Father, that I lived in that house; that it would afford me much pleasure to introduce him to my family, and to that end I begged that he would go and dine with me. He promptly replied that it would give him great pleasure to do so. We stopped, and he, looking about, said, "Colonel, do you see that man?" pointing to a person in the garb of his Order. "I cannot go, unless he is invited and will go with us." I replied, "I will invite him with pleasure." He said, "Stay; you cannot speak his language, nor he yours. I will take your message to him." He did so, returned to me, and said, "He will not, and therefore I cannot go. Now, you will be surprised to learn that during all the days we have been together, that, or some other person of the Order, has been with us; that is to say, within sight of me." I expressed my surprise, and he said, "Yes, such is a part of our system."

NOTE BOOK.—Left Rome for Naples.

Naples.—The King, a tall, fat man. At his ball, to which we were invited, I found him of easy, unaffected manners. He went about conversing without restraint, selecting his partners for the dance. The Queen, who is quite young, danced frequently. She is a daughter of the Archduke Charles, of Austria. The King is said to be sordid. He collects about twenty-five millions of dollars per annum; also three millions from salt, which is a monopoly, and very dear, say nine dollars for 195 pounds, and by retail six or seven cents per pound. It is obtained from Sicily, and from the Adriatic. No person is permitted to take water from the sea, lest by evaporation salt should be made. The Mediterranean is said to be much more salt than the Atlantic. Three millions are received from tobacco, which is also a royal monopoly. Snow is a source of revenue. It is not permitted to be gathered up by the people when it falls. The government preserves it in caverns, and sells it. There is an impost on every thing which comes into the city. There is a large State Lottery, as in Rome, and it is drawn every week. Any sum may be ventured, and the chances are ten to one against the ticket holder. The Neopolitans are great gamblers, and expert pickpockets. The Government is purely despotic. The will of the King is the law of the land. He, however, has a Council of Ministers whom he consults. Justice is openly sold. The criminal justice is administered secretly—the civil, openly. The obligations of oaths are totally disregarded. The lazzaroni along the quays are disgusting objects; their rags and patches exceed any thing else I have ever seen. The climate permits them to sleep out of doors. The army, including the National Guard, numbers thirty thousand, of which there are six thousand Swiss, and they are the only troops that can be relied upon. The navy consists of one sixty-four and one seventy-four gun ship; the last is repairing. The public debt is equal to about sixty-four millions of dollars. The impost and some other revenues are furnished by being sold at auction to the highest bidder. I saw in Naples the lowest order of merchandise probably to be found in the world. Men and boys would pick up in the streets the ends of segars and other tobacco that had been thrown away—dry it, and then place it on the pave-

ment, at corners, or near public places, and offer it for sale; and it is bought to be used in pipes. The Lunatic Asylum is a royal establishment founded by Madame Murat. It seems to be perfectly well arranged. The great object seemed to be to act upon the morals—to amuse and employ according to the bent of the patient. For the use of the lunatics there was a printing press, a billiard table, a piano, and other musical instruments; a music master whose duty it was to come every morning to teach such of the patients as would learn to play; twelve masters to teach singing, together, and in good time. Of four thousand patients received from the commencement, fifteen hundred have been cured, and about the same number have died. Some who had been fourteen years lunatics have been cured, and from that period down to sixteen days. The greater number of cases are the consequences of distress from want, but many are the result of religious frenzy. There were some from all classes in society, and from all nations. The women are more difficult to manage than the men. I saw one woman working at a tambour frame. She was handsome, and appeared to be intelligent. She was modest, very delicate, and well behaved; and evidently, when we first entered the room, a melancholy expression passed over her face, with a slight indication of shame at being seen there. She sat almost motionless at her work, without raising her eyes. Her hair, long and dark, was divided neatly in two parts from the top of her head to her forehead, plaited on each side and carried down behind her ears to her neck. She had evidently been a woman of great beauty and delicacy—was the widow of an officer in the King's body-guard, and lost her reason from the moment of his death. The inmates are divided into two classes, those who pay, and those who are unable to do so. The former pay twelve ducats a month (equal to about nine and three eighths of a dollar). The manner of the directors, both male and female, was most admirable, as was that of the Inferior who walked around with us. He was kind, discreet, and adroit. This Asylum is at * * *, five miles from Naples.

I transcribe from my note-book a description of the most disgusting burial-place in the world—a disgrace to a civilized people. It is a square of about four acres, inclosed by a high stone wall, built up and divided into vaults. These are four hundred in number, all of stone, each about twenty feet deep. Every vault has a trap-door of stone, about eight feet square, laid out in regular lines, which are raised by chains fastened to a portable lever, with hooks passed into staples affixed to each door. These vaults are thus opened every day in succession, to receive the destitute dead, and those from the hospitals. The bodies are stripped of all covering as soon as they are carted within the enclosure. As soon as the burials of the twenty-four hours are finished, the door is shut down, plastered around the edges, and so left for a year. The bodies are cast into the vault naked and promiscuously. These vaults have been used seventy-two years, and not more than twenty inches deep are covered by the bones. Two bodies had been just cast into one of the vaults

when I came in, and the door was opened that I might look in ; these were naked, and had fallen near each other, in a shapeless mass. The bones of those before buried were spread over the whole surface. There was a slight stench when the door was raised up. I was shocked, and turned away with disgust.

Left Naples on the 25th April, took the route to Venice, Milan, down the Rhine, and embarked at Antwerp for London, where we arrived on the 24th July, 1837.

London (for the first time.)—On our way up the Thames, we passed thirty vessels lying one behind the other waiting to get up to discharge their cargoes of coal. I learned that there were at this time more tons of coal consumed in this great city, to make gas, than there were raised in America. A large hulk was anchored in the stream below the city, with this inscription, "*Hospital for the Seamen of all Nations.*" This was an emblem of such Christian civilization as rejoiced my heart. On my way through the city to my lodgings, I went to Guildhall where the election was held. The scene was animating. By the politeness of a policeman who was told I was an American, I was taken into the hustings. The voter passes in his name, being registered, and swears that he is the person named, and that he possesses the legal qualifications. There are several inspectors and registers, the agents of the candidates are present, the voter announces the names of the candidates for whom he votes, the agents thank him, he passes on and out.

I left letters of introduction given to me by Louis McLane, late our Minister, to the Marquis of Lansdowne, Lord Holland, Sir Robert Peel, and Lady Nesbit. The Marquis was very civil, and Lord Holland not only attentive, but very useful to me. By the way, these two houses were esteemed the most desirable in every point of view, and particularly from the intellectual characters of their guests. In my recollections of incidents of travels, I have avoided all reference to the works of art, and other interesting objects of attraction with which my note-book is replete.

I was invited to dine at Holland House, "to meet a few friends;" the guests were Lord Melbourne, Premier; Palmerston, Foreign Affairs; the Attorney General, and one other member of the Government; also Mr. Harris, the Librarian, who came from Scotland thirty years before, to arrange the Library, and never found his way back. He was a very learned, intelligent, and excellent man. I had the pleasure to be seated at the right hand of my host. The arrangements of the table were most luxurious. The conversation at first was light and pleasant; Lady Holland, who was very intelligent and well informed, took part. Queen Victoria had recently come to the Throne, and in consequence of the dissolution of Parliament, which always occurs on the demise of a sovereign, an election was going on for the New Parliament. The returns of the election were coming in, and after her Ladyship retired, the letters giving returns received by the different gentlemen, were referred to. The result, I may here state, was very close, not giving to the Whig Ministry more than

about eighteen majority. In the course of the conversation on the subject of the election, I was asked by Lord Holland, if I had given any attention to the elections in the United States. I replied, I had; I was then asked to relate the process, which I did. I gave a detailed account of the proceeding. Happening to state that the respective parties canvassed every evening the votes of the day, to arrive at an approximation of the result, and ascertain the names of persons who had not voted, and were to be looked after (the elections at that time, in the State of New York continued three days), this statement awakened curiosity to know how those of each party could know the character of the votes by ballot which were cast. I gave the details, which I had frequently witnessed and participated in. Earnest inquiries were made as to the character of the ballots, and particularly whether the voter could not conceal his vote. The conversation on this subject suggested the opinion that these gentlemen might wish that by changing the mode of voting, the voter might be exempted from certain influences to which he was extensively subjected in England. I had learned from a member of the Cabinet that the aristocracy, the church, and the moneyed classes were generally opposed to the Whigs. Under this impression, I ventured to express the opinion, that by the Constitution of Great Britain it was well understood that in the House of Commons property as well as persons were to be represented. I saw that the suggestion as to the Constitution of Great Britain, by an American of no pretensions to position, excited much surprise. The librarian commenced a dissertation upon the Constitution, beginning with the Witenagemot. Lord Holland mildly said, "Mr. Harris, it is unnecessary to go through all that, Mr. Hamilton is right." My name was then first mentioned, and, shortly afterward, Lord Melbourne, bowing to me said, "Sir, I have heard the opinion of a gentleman of your name in the United States upon the government of England." Lord Holland interposed by saying, "the father of this gentleman." Lord Melbourne—"I am gratified to know the son of that distinguished American. I will continue. He said the Government of Great Britain was 'the happiest device of human ingenuity.'"

Lord Holland remarked, "as to the suffrage, we hold that the electors vote for themselves, and as trustees for those who cannot vote." I remarked, "With your recognized usage, if the ministry cannot secure a majority of the representatives upon what is known to be a ministerial measure, they are bound to resign." Lord Holland,—“We consider that as a part of the law of our government.” I said, “Organize your House of Commons so that it shall be the representative of the people, and it would give such an effect to their power as to make it a completely popular government. Under our system, and during the Presidency of General Jackson, his partisans were in a minority of both the Senate and House of Representatives for a long time, but his course of policy was not changed.” At the close of this conversation, the Attorney General, who sat next to me, very courteously said, “Mr. Hamilton, you ought to go to Scot-

land." "I intend to do so." "Then let me have your address, that I may give you letters to my friends in Scotland." I was afterward invited to a breakfast at Holland House to meet Sergeant Talfourd. On this occasion, Holland asked me to remain after his friends had left. I did so. He took me into his office, and showed me the manuscript letters of George III. to Lord North, insisting upon the continuance of our war. He said, "I show you these letters to remove from North the opinion generally entertained in your country, that the war of the Revolution was continued by his obstinacy." *

It was my good fortune to meet at Holland House Samuel Rogers, the poet. On one occasion, Holland said to me, "Dine with me on such a day; you will then have an opportunity to meet Prince * * * * *, the Queen's relative." I did so. The dinner was a very large one, of very distinguished persons, and I had the honor to hand to dinner Miss Fox, an aged lady, the sister of the illustrious Charles Fox.

The evening receptions at Holland House were very interesting. At one, I met the Duke of Sutherland and his Duchess, and this incident occurred. Lord Holland was so infirm as to be confined to his chair. While I was conversing with him, he called the Duke, presented me to him, and then said, "Your Grace can render a service to Mr. Hamilton, by giving him a letter to some person in Edinburgh, who will assist him in obtaining a good gardener to take to America." His Grace readily assented, and his Lordship informed him where he would find pen, ink, and paper. The letter was written, and addressed to Mr. Low, who rendered me a great service in that way. Lord Holland gave me letters to his friends in the country, the Earl of Leicester, Lord Panmure, and the Earl of Lauderdale. At my last interview before I travelled, he said, "Mr. Hamilton, you appear to be well informed as to the industry of your own people—I wish you would go into the fields, market-towns, workshops, and other places where you can see the English laboring classes, and let me know on your return the result of your observations." I assented, and did so. I found in the market-places and the fields a race of uncommonly well-developed, tall, and strong men, who moved and worked slowly. They seemed to me to want the knack, skill, and rapidity of movement in their work to be found among the American farmers. I did not suppose his Lordship would remember his request, but to my surprise and regret, when I called upon him on my return, he put the inquiry to me, which I answered hesitatingly, but fairly. He was evidently a little disappointed.

At Lynn, I mailed my letter to the Earl of Leicester, the Hon. Mr. Coke of Holkham (the stage which took me to Holkham conveyed to him his patent of nobility as Earl of Leicester.) This visit was of a most interesting character. The great commoner of England had been an earnest advocate for the recognition of our independence, and as such, in the House of Commons where he represented Norfolk for several years, he made the first movement to that

* These letters were published after this interview.

end. In a speech he made at the hustings where there was a likeness of George III., he apostrophised it as the likeness of a tyrant who had cost his country more blood and treasure than all his predecessors. For some cause not explained to me, I learned that he had refused a patent of nobility from George IV., and William, under a determination not to receive that honor from a direct descendant of the tyrant. He was a finished gentleman of the old school, I suppose eighty years of age, and probably the most extensive and expert agriculturalist in the kingdom. I think he had seven thousand acres inclosed, of which two thousand five hundred were planted by himself. His forest had so far advanced that he had a sale of ship timber just before I arrived, to the amount of £400. I drove with him through a field of turnips of one hundred and fifty acres.

Lady Leicester was of a noble family, a second wife, about thirty-four years of age, very handsome, well mannered, having great good sense, and a sweet temper. She had four children—three boys and a girl—the youngest I believe about five. The present Lord Leicester, the eldest son, a well-behaved lad of about twelve, was called “Thomas Coke” the day before I arrived, and that day, “my Lord Coke.” Lady Bury, a charming woman, the sister of Lady Leicester, was a guest. I learned from my host that Norfolk was considered the most barren country in England. King George said it was only fit to furnish metal for the roads of other parts of the kingdom, and that you might see two rabbits fighting for a leaf of clover. Before Mr. Coke went to Holkham to reside and to improve that vast estate, the land was rented at eighteen pence sterling an acre, and by the improved system of cultivation introduced by him it was, when I was there, leased for £3 per acre. The sheep-shearings of Holcomb are celebrated (see Mr. Rush’s account of the one he visited). As the guests of Mr. Coke, the Prince of Wales and Charles Fox were frequently with this very distinguished gentleman and agriculturalist. I passed three days most agreeably; the Earl was very interesting and communicative. His private conversation cannot be repeated. His agricultural skill, and the management of his estate was a system so excellent, that there were three young men at that time living with his overseer and manager, attending upon him in order to learn the system, and thus fit themselves for a like employment. I saw these men going about with the manager, and their being there was so accounted for to me by the Earl. The first morning, while the Earl was talking with me, the ladies and children left the room. During the morning, walking with Lady Bury in the garden, she said, “Why did you not go to prayers with us this morning after breakfast?” I answered, “Because, when you left the table, you did not invite me to go with you, and I did not know where you were going.” She said, “Well, to-morrow morning go with us; the Earl remained because he did not choose to leave you alone.” In the course of the day, she said, “The chaplain is going away to-day with one of the boys, and he may not be back to-morrow; however, if you see us go, go with us.” Of course, I assured her

that I would attend her with much pleasure. The next morning, as soon as breakfast was done, I rose with the others, and we walked out of the room through another, and into that part of the chapel devoted to the chaplain and the family and guests. Below there were about sixty people—servants, laborers, and villagers. The chaplain being absent, Lady Leicester went into the desk, and read the service in a most excellent manner. At its close, all were going out; I waited for her Ladyship, and she took my arm. I expressed my gratification at what I had heard, and asked her whether this was an accustomed practice among persons of her rank. She said it was, and added, "My husband is going to give you letters to his friends, and you will find the same course at the houses of all these persons."

From Holkham I returned to Lynn, and thence went to the house of Mr. Whitaker, where I arrived on the 20th August, 1837. This substantial farmer and extensive breeder of short-horn or Durham cattle, was the first man whose cattle of that breed were brought to this country. On my arrival, I found Mr. Hare Powell, of Philadelphia, an acquaintance, who had first introduced these cattle to public notice in the United States. Mr. Whitaker was a very substantial farmer—of good sense, well informed, and of frank manners. I passed a night and part of two days at his house. He instructed me in regard to the raising of cattle; and showed me the cattle in his neighborhood, where I purchased a bull and cow. He informed me that he lived in a parish which included a large number of operatives who worked in the neighboring woolen and cotton mills; that in order to get rid of taxation, landholders (noblemen) had destroyed the cottages on their estates in that neighborhood, and thus had driven that portion of the populace called cottiers into the towns, or elsewhere. Speaking of taxation, Mr. Whitaker informed me that he had been taxed to the extent of six shillings on the pound. With astonishment I asked how that was. He replied that when the work is dull at the mills, and the operatives could not earn sufficient to support their families, they were thus driven to seek support under the poor-laws. I asked him to explain how that was done. He replied, "If a laboring man, having a family, could not earn ten shillings a week, he went to a justice of the peace and was examined under oath. The justice's duty then was to inquire into the facts; and if he found the statement correct, he made an order upon the poor-master to pay to the laborer the amount which, with his wages, would give him ten shillings a week." I remarked, "And thus the manufacturers were induced to reduce the wages of their operatives to the lowest possible sum, well knowing that the taxes upon the land-owners and others would pay, in part, for his work." It is well known that the poor-rates in Great Britain are excessive at this day; and that the laborers are sustained by these rates. The *modus operandi* is changed, but the fact and its effects are the same. It tends to degrade the laboring classes, by impairing their independence and self-reliance, and by aiding the manufacturer to make his fabrics at a less price, the raw material being as a general rule the one half, and the wages the other half of the value of the cloth, &c.

I went to Edinburgh, where I had the pleasure to make the acquaintance of Sir William Hamilton—an eminent scholar—Lord Jeffries, and the Earl of Lauderdale, who were there to attend the election of the sixteen Scottish Peers to represent Scotland in the House of Lords of Great Britain. We went to Holyrood House to witness this election. There were not present more than thirty of the Scottish Peers. There was no presiding officer. All was informal; their action seemed to be merely to vote. The Justices of Sessions, in scarlet robes, were present; and the Clerk of Sessions recorded the votes. He administered three oaths: 1st, Of allegiance to the Queen; 2d, Renouncing all allegiance to the Pretender; 3d, Denouncing and abjuring the supremacy of the Pope. The Peers then present voted *viva voce*, and many of them "myself." This was disgusting. The Marquis of Tweeddale was the only person voted for, who did not vote for himself. A gentleman was there who claimed to have the right to vote as Lord Sterling. A protest was entered against his right to vote by the Duke of Buccleugh and Earl Lauderdale. The Earl of Man protested against the name of any Earl being called before his. Several voted by proxy; and some by lists, duly signed and witnessed, as the Act of Parliament requires.

My most interesting visit was to Grange, in Ayrshire, the residence of Alexander Hamilton, who was a cousin of my father. My grandfather, James Hamilton, had lived on this place—not in the house the Laird now occupied, but in a large stone house of which the ruins still remained, covered with ivy. I am the only descendant of my grandfather who ever visited the home of his ancestors, which he left probably more than one hundred years before to seek his fortune in the West Indies. The relative whose guest I was, then eighty years of age, was most hospitable. I had there probably as good an opportunity to see the domestic life of a Scotch gentleman of the old school as in any other house in Scotland. The clergyman of the parish, and several other gentlemen, visited him while I was there. They addressed him as "Grange" and as "My Laird." He had living with him Captain Wright, and two young maiden ladies—relations; also an ancient, very clever woman, a visitor. The Laird showed me the portraits of many departed members of the family, and among others, Sir John Pellick, of that ilk. His two waiters were dressed in small clothes and plain livery. He said to me, "Cousin, as you have been in Paris and London, I fear you will not find my cooking agreeable, for, to say the truth, my cook has lived with me forty years." A very agreeable and singular reunion of the family was as follows: At about nine o'clock at night, all the party sat around the dining table; the Laird had a plate of oatmeal for his supper; before each gentleman, Captain Wright, my son, and myself, were placed a small carrat of whiskey, a goblet, wine glasses, sugar, and a silver ladle with ebony handle; warm water was in a tea urn within reach, and a plate with soft biscuit before each person. This reunion was for conversation. Each gentleman made his whiskey toddy in his goblet, and with the ladle filled one or more of his

glasses with the mixture he had prepared, and sent it to one of the ladies of his choice. This simple and agreeable tippie occupied the party for an hour or so in lively chat. The elder lady repeated to the Laird a gossiping story of another lady, to which he replied, "Ah! she is a rinsing hussy." I write according to the sound. The whiskey was far better than any I had ever tasted, and wishing to send some of the same to America, I said, "Laird, this is the best whiskey I ever tasted. Where do you get it?" After a pause, he said, "Cousin, that is a question never asked nor answered in this part of Scotland." I felt that I had made a blunder. He said shortly afterward, "Cousin James, to-morrow morning before breakfast, if you go down to the entry you will probably find on the marble table a few black bottles well corked, and if you go round the house you may encounter a naked-legged Highland man." The next morning I was up early, and found all things that had been intimated. It was obvious why such a question was never asked nor answered. At breakfast, I laughingly said, "Captain Wright, I found this morning a very civil Scot walking round the house in a costume I had never seen before, except on the stage. I should like to have a cask of any liquor he might have, put into my coach." Wright replied, "I think I can manage it." The Laird said promptly, "Hout, man, they would find it and seize the carriage, cask and all. Cousin, stay here and enjoy the liquor, but do not attempt to carry any away in any other manner. Nothing can escape the vigilance of the excise man." The explanation was that the bottles were placed on the table, and the naked-legged fellow was found near the house and received payment for his liquor.

I said to the Laird, "Cousin, is not the Duke of Hamilton the chief or head of our clan?" "I believe he is," he replied. "Do you not, as a liege, go sometimes to pay your respects to your chief?" "Nay! cousin, not I; he is a damn Whig Radical." This good gentleman was so high a Tory that he would not allow a questionable newspaper to come into his house.

I returned to London, and to the society of my dear friend, Samuel Rogers. I had the pleasure, in the course of my five voyages to Europe, to visit London eight or ten times, and until the last two, in 1847 and 1848, always breakfasted at his house, and enjoyed much of his society. His father, as he told me, was accustomed to have family prayers. When he heard of the Declaration of Independence, he added a prayer for the success of the Colonies, which he repeated every day until the peace. He believed the feelings which prompted this prayer were more common in England than is generally supposed. He said, when an armament was ordered to be taken from the tower to be sent to America, the officer in command resigned the place, rather than to be instrumental in subduing the Colonies.

The Recorder of London, when he heard of the outbreak of the rebellion, went to order a suit of mourning. His tailor expressed the hope that his Lordship had not met with a serious loss. "Yes," was the answer, "my country's loss, by the rebellion, induced by injustice and tyranny."

At one of my early visits he asked me for the names of all my children, and sent to each of them (five) a copy of his works, with their names written by himself. I refer to my social intercourse at this time in London to relate an incident of a peculiar character. I was invited to dine at Lansdowne House with a large party of very distinguished people. The host asked me to take his daughter in to dinner. I did so, and devoted myself (as was my duty and pleasure) to her. She sat next to her mother. At length the nobleman who handed the mother in to dinner, and who was, of course, the person of highest rank at the table, invited the daughter to drink wine with him. I turned to my next neighbor, a large, burly-looking man, who directly turned to me and said, "An American, I perceive?" "Yes, sir, I have the honor to be an American." "Well, sir, there is an account up there (pointing with his forefinger) which your country will find it very difficult to settle." I understood his allusion, and being a little nettled, I retorted by saying, "*Slavery*? If that account is properly entered, your country must settle it. You brought slavery upon us, and when, as Colonies, we asked to be permitted to abolish it, our parental government refused to allow us to do so. And let me add, too, in India the English Judges have decided that the Hindoo law which sanctioned slavery was the law of the land, the law of a British territory. If I recollect aright, we are informed by the best authority that, in a great famine in British India, the women sold their children to obtain bread." My tone was earnest, and my manner so emphatic as to invite the attention of others. The company rose to retire, and the Marquis said, "Macaulay! Colonel Hamilton! what! what!" I thus learned who my antagonist was. He afterward met me at a breakfast, and when introduced to me, apologized.

Our country was frequently attacked on account of slavery. I will only refer to one case at a subsequent visit to London. Lord Brougham was very attentive to me. He proposed to take and introduce me to Lord Lyndhurst, then Lord Chancellor, Lord Denman, Chief Justice of the Queen's Bench, Lord Jeffrey, and others, who were to meet me at dinner at his house. When we got to the Chief Justice's house, we were received in his library, and after a little chat Brougham said, "Col. Hamilton, I wish to talk with you frankly upon an interesting subject to your country if you will give me leave." I said, "Certainly, my Lord,—slavery, I suppose?" Denman smiled. Brougham said, "Yes! if you have no objection." I said, "Certainly not any; and now let me say, I consider it a great social and political evil and a crime; here we all agree, and now the only point worth discussing is, how to get rid of it, and I now put the whole power of the Government into your hands, and call upon you to say how we can get rid of it." Denman said, "My Lord, nothing can be fairer than that. Col. Hamilton meets the subject in the handsomest manner." Brougham said, "I admit that, and now ask, Why does not your Government pass a law abolishing slavery?" I answered, "Do you mean the State Governments?" "Yes." I then pointed out to him that the men who

controlled the States were slaveholders to a man, and that it could not be expected they would pass a law which would break up their whole social system, and consequently impoverish them and their children; surely, that is more than can be expected from poor human nature. Besides, they have been accustomed to it for centuries, and do not think of it as you and I do." Brougham—"Well, then, why does not the Federal Government abolish it?" Hamilton—"That Government has no power under the Constitution to do so." Brougham—"Then why does not Congress alter the Constitution?" Hamilton—"The Congress derives all its power from the Constitution; it has no power to enlarge or diminish the powers of the Constitution." I then went on to explain that the Constitution could only be altered with the consent of the State Legislatures. Brougham rose, took my hand, thanked me, and was about to take leave, when the Chief Justice interposed. "I wish to talk with Mr. Hamilton on another subject." He asked me if I was a lawyer. I said, "Yes." He then said, "I have introduced a bill to authorize parties in suits to be examined as witnesses. Allow me to give you a printed copy of that bill, and to hope that you will give me your opinion on the subject." I received it with thanks, brought the bill to New York, and put it into the hands of a learned lawyer. I believe this originated the Act passed by our State Legislature on that subject. Lord Denman was one of the most gentle, kind, and interesting men I ever saw. I visited him afterward, and had much conversation with him in relation to public affairs. Lord Brougham presented me with a portion of his works. The dinner came off. To show how Brougham's very extensive knowledge was generally conceded: conversing with Earl Spencer, we differed as to a question of fact. Spencer said, "I am not sure, but Brougham will tell us how the matter is." On one occasion, I met with Sir * * * who was Minister of Woods and Forests. Talking about the various languages in the kingdom, he said, "I was a candidate in Yorkshire, and at the hustings when I was to speak it was necessary for me to have a person near me to interpret the questions put to me in the language of the people." There are four different languages spoken in the kingdom, exclusive of that spoken in Yorkshire, and the people who speak English do not understand the language of the Irish, Scotch, or Welch. Our system of Common Schools would do away with this evil. The Established Church has been the obstacle. She has insisted that she must control the education of the people.

Lord Holland told me that he had seen much of Prince Talleyrand when he was Ambassador in England in 1832. Talking of the distinguished men he had met, he said the three most powerful intellects were Napoleon, Charles Fox, and Alexander Hamilton. His affection for my father was unbounded. Holland asked me if I had seen the Prince; I told him of the unsuccessful efforts I had made to do so, and intimated that perhaps he did not care to see me. He replied, "You are mistaken; you owe it to him as well as to yourself not

to leave Europe without visiting him. It will afford him very great pleasure to see you."

From England I went to Paris. On my way to Dover, I rode with the driver as I most often did when I travelled in the stage coaches. Expressing my regret to the driver that I did not know where to purchase a good terrier to take home, he said there was no difficulty in getting them well-trained and cheap in London. I asked him what a dog and slut would cost. He replied, "the best, five pounds," (about \$20). I then told him the ship *Westminster* lay in St. Catharine's Dock, I was to sail in her for America on the 8th October, that my carriage and servant were on board of her, and if he would purchase for me two good terriers, and put them on board the ship, I would give him my name and the five pounds. He said he would do so. I gave him the money and my card, writing upon it the name of the vessel, &c. When we stopped to change horses and the driver, I said to him, "Now my good fellow, do your duty to me." He offered me his name, I told him that was useless, we should never meet again, and I left the whole matter to him. I had confidence in his honesty. When I went on board the vessel, at Portsmouth, on the 10th October, the dogs were there. The male, called Boxer, was a famous rat-catcher. I record this evidence of the integrity of John Bull with great pleasure.

On my arrival in Paris, I addressed a note to Prince Talleyrand, then at Valençay, proposing to visit him whenever it would be agreeable to him to receive me. He promptly and courteously replied that it would give him pleasure to see me any day that I should come to Valençay. I replied that I would be there on a given day. My son and I left Paris, and posted to Valençay, travelling night and day, and arrived there at 11 A.M. of the day I had mentioned. We were received by a son of the Duke Denon, the Prince's grand nephew, who told us that his uncle had taken his accustomed ride; that he dined at four o'clock, but wished me to be in the drawing-room half an hour before that time, that he might see me before his other guests arrived. This circumstance did not tend to remove my distrust of his sincerity. I amused myself; was dressed, and went to the drawing-room before the appointed time. One of the three or four rooms *en suite* had the pictures at large of Napoleon, Louis XVIII., Charles X., and Louis Philippe. That of Napoleon was the original from which we see the Emperor in his full royal robes. On another part of the walls were the portraits of other kings and distinguished men which had been presented to this most distinguished statesman. Waiting in that room I heard the wagon in which he was rolled along coming over the marble pavement of the large hall. It stopped. I determined that it was becoming in me to walk out to meet him, and that in doing so I might take him un-awares. He was standing up leaning against the hand-rail of the stairs. I held out my hand, he took it in both of his, and said with evident feeling, "Thank God, I see the son of my dearest friend!" This was conclusive. I

had done him injustice. Nothing could be more kind and affectionate than he was during the three or four days I remained with him. My son, who spoke French, was always seated at dinner at his left hand. I always handed his niece, the Duchess Denon, in to dinner, and sat next to her. She spoke English with as much ease and as readily as I did. On one occasion, speaking of the Prince's Memoirs, she said, "You will be gratified to see them. He speaks of all the distinguished men he met with in your country, and particularly of your father." She told me there were three copies of them—she had one, Debacour (whom I had known when Minister Extraordinary in this country) had one, and one other copy was in England. They were not to be published until thirty years after his death (which happened on the 17th day of May, 1838). The Prince when I visited him was, I believe, eighty years of age. He appeared to be toothless. The little hair he had was white; he wore a large white neck-cloth which came on his chin. I endeavored to find in his face the index of his great mind, but in vain. His conversation was animated, and his temper kind. His coat was a frock. He was lame from his infancy, and so much so, that he walked with some difficulty, although he told me he had been a good horseman in his day, and followed the hounds with success. His lameness happened this wise. When an infant, he was sent to the family estate to be nursed—a very common practice among the nobility of that day. While in the hands of his foster mother, his ankle joint was injured. The nurse, fearing to inform his parents, attempted by bandages to make it right. When he was brought home, seeing that he was to be a cripple, his parents were advised to destroy what had been done, and to set the joint again. This was tried without success, and left him in a worse plight than before. His conversation was instructive and interesting. I can only repeat some of the incidents and anecdotes he related. I told his niece I wished his autograph; she said he never wrote. "Every day a courier comes from Paris with letters to him from the King, or one to the Ministers. You will observe he retires for a short time every evening about eight o'clock, this is to receive and answer letters. He has two persons to whom he dictates—one letter to be sent, and the other to be retained." He told me, when he was engaged with public affairs he ate but one meal—his dinner—but before he went out in the morning at about ten o'clock, he drank a large cup of coffee and milk. This sustained him without at all influencing his mind, and thus it was that he was capable of getting through with his immense labor. His evenings were given to society.

When he was about to sail for America he was detained some days at Dover, and being informed that there was an American gentleman who had rooms in the hotel, he said, "Being anxious to learn something more than I knew of the country to which I was going, I sent up my name, and was invited to come up. I found the gentleman well informed of the localities and of the distinguished men of the country, of all of whom he spoke frankly and sincerely. After my visit was too much prolonged, I said, 'Sir, I sail in that ship to-morrow, for

America, and will, with pleasure, take letters or any thing else you please to send to your friends in America.' He replied, 'I thank you, sir, but I am of all men the least likely to have a friend in America.' I went to the landlord, inquired the name of the gentleman I had seen—he was Benedict Arnold. An upbraiding conscience." One day he said to me, "I wish you to go to my office with me, to see a likeness I have of your father; you remember him?" "Certainly, well." He rose, and I offered him my arm. "I cannot be better supported." He took from the mantel a miniature on Sèvres china, and handed it to me. I said it was younger than when I knew my father, but was very like. "If you will permit me, I will relate what occurred in connection with that miniature, and that *scélérat* Burr." I bowed assent. He continued: "When I was Minister of Foreign Affairs, Burr came to Paris. I knew of his arrival. He addressed a note to me expressing a wish to call upon me. I had known him in New York; he had been Vice-President of the United States. As Minister of Foreign Affairs, it would not have been proper on my part to refuse to see so distinguished a man—the wretch—I hated him; he had deprived me of my dearest friend. I sent one of my attachés, and instructed him to say to him: 'The Minister of Foreign Affairs will receive Col. Burr at his hotel, at four o'clock to-morrow afternoon; but he thinks it is due to Col. Burr to inform him that the miniature of General Hamilton always hangs over his mantel piece.' I did not see him. I knew where he was, and when he left the city. I ordered his letters to be delivered to him when he got five leagues from Paris. This is the miniature to which I referred. (It was afterwards sent to me, and I now have it.) The original, and a copy on Sèvres china were sent to, and received by your good mother. I will state further, 'time soothes our sorrows.' My dear friend, your father, promised to send your eldest brother to pass two years in Paris with me, to finish his education. I had his rooms all prepared at my hotel, and the vessel by which I expected he would arrive brought the news of his death. I dwell with much pleasure upon all these events; they bring back the recollections of my friend, your father, altogether the greatest intellect and best man of his country." At a large dinner, the Duke of Allara, aid-de-camp of Wellington in the Spanish War, and afterward Ambassador from Spain to London, being the distinguished guest who handed the Duchess in to dinner, at the close of the dinner, the Prince addressed him in these words: "Monsieur le Duc, it is generally believed that the people of America are a mere matter-of-fact people. I relate what goes to show they are a people of sentiment. On the tower of Independence Hall in Chestnut street, Philadelphia, there is a nightly watchman who calls the hour of the night, and the state of the weather. When Cornwallis and his army were taken, after the battle of Yorktown, in which the father of my friend, Mr. Hamilton, took a distinguished part, a messenger with the news, at two o'clock at night, galloping through Chestnut street, announced to the watchman that Cornwallis was taken with all his army. The watchman on the tower immediately cried out, "past two o'clock,

Cornwallis is taken." And from that time, at the anniversary of that day and hour, up to this time, the watchman repeats the cry, "Past two o'clock, Cornwallis is taken." This was all given with emphasis, and the Prince then turned to me, and asked if that was not so. I had never heard of it, but not wishing to destroy so good a story, I replied, "it was a very interesting anecdote." We took leave of our friend and his family with regret, on our return to Paris. Left that city on our way to our home on the — day of —, 1837. The Duchess Denon, on the 30th May, 1838, addressed a letter to me in French, of which the following is a translation :

"Sir: Madame la Duchesse de Denon, now Madame la Duchesse de Talleyrand, would have been happy to have restored to you sooner the interesting papers which you have been pleased to confide to her, but the bad state of her health, and that of her daughter, has not left her leisure to do it, and she is at this time so much affected by the misfortune which has just befallen her that she has not strength to write herself. She therefore commissions me, sir, to tell you that she retains a very agreeable recollection of your visit to Valençay; that she was not ignorant, on the other hand, of the friendly relations which had existed between your father and the Prince de Talleyrand, and that she remembers well that her uncle took pleasure in proving to you, sir, the esteem and consideration which he retained for the memory of your illustrious father. It is from the influence of these feelings that Madame la Duchesse de Talleyrand begs you, sir, to accept a lock of the hair of the Prince, cut after his death, and the glasses which he sometimes used in the latter part of his life. She pleases herself with the reflection that these things will be received by you with pleasure, and preserved as a precious memento of the friendship of the Prince for your father. Accept, sir, the assurance of the most distinguished consideration, with which I have the honor to be,

"Your most humble and obedient servant,

"W. COLMACKER,

"Former Private Secretary to the Prince de Talleyrand."

These precious mementoes were received. On the envelope of the lock of hair is written, "*Cheveux de M. le Prince de Talleyrand, coupé après sa mort, 17 Mai, 1838.*" To which letter I replied as follows :

"NEW YORK, October 1, 1838.

"MY DEAR MADAME LA DUCHESS DE TALLEYRAND: I had the honor recently to receive, by the hands of one of the gentlemen attached to the American Legation at Paris, the very pleasing letter you caused to be addressed to me on the 30th May last, inclosing the manuscripts I left with you, and accompanied by a lock of the hair of the illustrious Prince de Talleyrand, and his glasses which he sometimes wore in the latter part of his life. I am indeed, dear Madame la Duchesse, most happy to accept these precious mementoes of the friendship of the Prince for my father, which will be preserved, and as such transmitted to my latest posterity. My visit to Valençay is filled with recollections of the most interesting character, and not among the least of them results from the time, short as it was, which you were so good as to allow me to pass in conversation with you. How unceasing is my regret

that it is not possible for me to express to you the sympathy I feel for your misfortune, and that I have not the power in the slightest degree to alleviate it. Time and the consciousness that you had devoted your whole life to this great and good man will be your surest solace. Do me the favor, my dear friend, to make my best respects to your son and daughter, and to remember me, with the truest devotion,

“Your friend and very obedient servant,

“JAMES A. HAMILTON.

“P. S. These articles were accompanied by a likeness of my father on *Sèvres china*.”

JAMES A. HAMILTON TO GOVERNOR MARCY.

“DOBBS FERRY, January 7, 1838.

MY DEAR SIR: The extraordinary events on our frontier call upon every citizen to render such services as may be in his power. Under this conviction of my duty, I beg leave to say that if I can be of use to the State, either in a civil or military capacity, I hope you will command me.

“I served during a part of the late war, holding the rank of Major, and was afterward appointed by Mr. Van Buren one of his aids. I mention these not important circumstances merely to show that I am not wholly ignorant of the duty of a soldier, should circumstances require the frontier to be defended.

“Our course is a plain one: to repress aggression on the part of our own citizens, to fulfil our duty as neutrals by enforcing the laws against previous offenders, but, above all, to be prepared to punish the recent outrage, if it is not satisfactorily atoned for, without delay.

“I have the honor to be, with very great respect,

“Your Excellency’s obedient servant, &c.”

PRESIDENT JACKSON TO JAMES A. HAMILTON.

“HERMITAGE, February 23, 1838.

“MY DEAR SIR: I have just risen from a sick-bed to which I have been confined for some time, to acknowledge the receipt of your kind letter of the 3d instant. I sincerely congratulate you on your safe return to your country and friends with your amiable family, all enjoying that greatest of blessings, good health, and having been pleased and gratified with your journey. I am happy you are well situated on your farm, the happiest situation in life, and engaged in its improvement. The barrel of wheat to which you allude came safe to hand, with your instructions accompanying it, that it was to be sown in November. The water being too low when I was informed of the mistake in sending it to me, through a letter from Mr. Van Buren, there was nothing left for me but to try and preserve the seed by sowing it. I could get no one in the neighborhood but Major A. J. Donelson who would join in sowing it. In last November we divided, and after preparing the ground, will sow it. The season was fine, but not more of that than one grain in twenty vegetated; it has been now two weeks covered with snow, and if any of it matures, rest assured I will send you a part. I regret I had not sowed some of it, but I fear it was injured, for some other foreign wheat sowed at the same time all came up well, and bids fair for abundant yield.

"I have no fear of a collision with England growing out of the Canada insurrection; our Government will continue to maintain a strict neutrality, and Great Britain will punish those who have infringed upon our national honor and independence by the outrageous capture of the *Caroline* within our Territory. The north-eastern boundary, if not soon settled, may lead to evils that neither our Government or that of Great Britain can control. With a tender of my kindest regards,

"I remain very respectfully, your friend, &c.

"P. S. The Col. Ward, lately murdered by his four nephews Jones, was the same gentleman that conducted you to my house."

Washington, Thursday, February 14, 1839.—Mr. and Mrs. Rives, Mr. Legare, Mrs. H.'s two daughters and I, went to the President's last evening to make a visit (by previous arrangement between Mr. Van Buren and myself). It was rather awkward but amusing to me that we should find there a large number of ladies and gentlemen of the Administration—Pontoise and the Vespucci, and among others particularly, Mr. and Mrs. and Miss Wall—as a day or two before there had been a sharp encounter between Mr. R. and Mr. W., and as Mareschall, who went with us, met Vespucci there, whom he had before refused to take in to dinner. While we were conversing together afterward, Mr. Payne Todd, a blundering fellow, Mrs. Madison's son, came rushing into the room with a parcel of papers in his hands. The President immediately pressed up to, and stopped him in the midst of his speech; but not until he had mentioned the name of Hamilton in connection with the papers, which I heard distinctly. After a part of the company had retired, the President told me that Mr. Todd had brought him a letter written by Mr. Madison to Mr. Coles, respecting the removal of the deposits and other matters. The truth was, he brought that and other papers; and the others, I believe, referred to my father. Perhaps they were his drafts of a constitution to be published at this juncture to affect the discussion upon Crittenden's bill to prevent office-holders from interfering in elections.

Saturday Night, February 16.—I am confirmed to-night in what I state in regard to the papers having referred to my father by Mr. Van Buren talking of the ludicrous *contre-temps* of Todd's visit. "Yes," said he, "and what made it more so was that Mr. Todd should just then have brought papers in which you were interested."

Washington, February 26, 1839.—President Van Buren sent his Maine Message to Congress. It wants decision and recommends Maine to negotiate with New Brunswick, which is wholly wrong. It was referred to the Committee on Foreign Relations after a few speeches in which a strong determination was manifested to sustain the administration against the enemy should there be war. The course of Great Britain was denounced as unwise and unjust. Mr. Evans, of Maine, showed conclusively that Jackson had yielded most unnecessarily to Great Britain on this subject, and had produced this state of things.

I dined with the President in company with General Scott, Mr. Rives, Mr. Legare, and will it be believed, Nicholas Biddle, who handed Mrs. H. to the table. I told the President that that arrangement was induced by the association of the name of Hamilton with the banks. He said, "No, Mrs. H. is the most distinguished person here who has not official rank, and so she was given to Mr. Biddle, the most distinguished gentleman." This dinner went off very well, Biddle evidently feeling as the conqueror. He was facetious and in intimate converse with the President. We afterward went to Mrs. Taylor's and returned home, wearied with the excitement of the day, at half-past 11 o'clock.

JAMES A. HAMILTON TO PRESIDENT VAN BUREN.

NEVIS, September 25, 1839.

"SIR:—I have the honor to send you a printed statement of the steam naval force of Great Britain which has been accumulated within the last very few years. In doing so, I have taken the liberty to presume it possible, owing to the multiplicity of your engagements, that these facts may have escaped your attention, and to express the opinion that they call for your serious attention. I have long supposed that the successful navigation of the Atlantic by steamers had materially changed our position in regard to Europe in the event of war; and among other things that our coast defences, however admirable, having been arranged in reference to winds and currents, might, in reference to this change in the mode of attack by steamers, be found to be entirely ineffectual. The point is at least deserving of great consideration.

"I have the honor to be, with very great respect, your ob't ser't."

JAMES A. HAMILTON TO DANIEL WEBSTER.

"NEW YORK, February 22, 1841.

"DEAR SIR:—I have the honor to inclose a letter containing information which seems to me clearly to indicate that Great Britain is preparing to increase her Lake armaments. Whether this is a violation of the letter or spirit of her understanding with us or not, I cannot judge. It, however, proves that she considers the present condition of our differences as tending to the last resort of nations, to which Mr. Pickens' report so directly invites her.

"I will embrace this opportunity to present to you one or two considerations in connection with this subject that may be of use, taking the chance of their having been anticipated by you.

"It was generally understood when I was at Washington that there was to be an extra session for the purpose of providing means to pay the debts, to repeal the Sub-Treasury law, &c., &c. It has occurred to me that there is a higher duty for such a call than any resulting from these objects to which the public mind has been directed, and one which in the future party conflicts will be incapable of being misrepresented by demagogues or by party slang to be used against us with as much effect as those can be. As to the debts to be provided for, they will take issue upon the fact, and refer to Mr. Van Buren's Message and his Secretary's report, and they will insist that Mr. Wise's Treasury Note Bill did all that was necessary, &c. But

if to those motives for a call is added and made the most prominent, the necessity for arming the Nation, of defending her against hostile attack, the facts cannot be denied; and party leaders will be afraid, reckless and bold as they are, to go to the people against so patriotic a course. The feelings of our countrymen on this subject have been too clearly indicated to allow party politicians to mistake them, and very few can be found at this day who have firmness, even when their duty may call upon them to do so, to resist war measures; and let me add that to provide the means for defence you must adopt such measures—to obtain money by loan, by revenues, by increasing the duties, to improve the currency and to relieve the States—as are called for by the actual condition of things; and thus those measures will be adopted for a purpose which will more probably unite the Nation than any other.

“One other consideration suggested by the subject, and I will no longer intrude upon you.

“Two or three years ago, I sent to Mr. Van Buren a statement of the actual condition of the Steam Marine of Great Britain, and intimated to him as worthy of consideration that the employment of this new agent in this manner and to the extent of navigating the ocean had perhaps rendered it necessary to revise our system of coast defences, the position of forts, and to defend our harbors which are to be attacked. Sail ships might be wholly useless where steam vessels are employed, from considerations that will be so obvious to you as to forbid their repetition. I will merely bring to your view a few facts. The Russian Steam Frigate, building in this port, will carry a larger armament than any other in the world. She draws sixteen feet of water, and is supposed to be a match for any 120 gun-ship drawing 27 to 30 feet water. The *Cyclops*, at the bombardment of Acre, carried from Constantinople 1,500 soldiers, and with her complement of men was supposed to have on board when she went to the attack at least 2,000 men. She and her consort did the decisive work in that attack.

“Cunard’s steamers, drawing twelve feet water, could be made to carry two large guns to 10-inch balls of 90 lbs. each, and four or six smaller ones.

“Take the case of Newport harbor. The entrance upon which our fort is to bear is wide, deep, open, and accessible to vessels of all sizes, but there is another entrance around the island which carries throughout twelve feet water, although very narrow. Such vessels as Cunard’s steamers can navigate it; and thus command the towns of Newport and Providence with the adjoining country, regardless of our present fortresses.

“With very great respect, etc.”

CHAPTER IX.

MARCH, 1841—JULY, 1844.

Letter to President Harrison on our relations with Italy, &c.—The Constitutionality of a United States Bank—Opinion of Wm. Beach Lawrence—Letter to Henry Clay—Second voyage to Europe—Visit to Russia—Object of the journey—Difficulties with the Russian officials—An Appeal to the Emperor—Successful result—Notes on Russian manners and customs—A Ball at the palace—Journey to England—Interview with Lord Aberdeen—Letter from Mr. Seward—The Dorr Insurrection.

JAMES A. HAMILTON TO PRESIDENT HARRISON.

“DOBBS FERRY P. O., March 9, 1841.

“SIR: As I was not so fortunate as to obtain a personal interview with you when I called upon you, I take the liberty to bring the subjects I intended to touch upon to your notice in this form.

“Having contributed in some small degree to the happy issue of our late contest, I feel that I owe it as well to myself as to the country to sustain your administration by all means in my power, so long as it shall be governed by the great principles for which we contended.

“During my connection as District Attorney and otherwise with the administration of General Jackson, I learned some things which I am at liberty, without violating any duty, to communicate.

“In the first place, I know that it was from the beginning a part of Mr. Van Buren’s policy to draw to his support the Catholics of this country through their priests here, who were to be operated upon by the head of the Church abroad. I say this with perfect confidence; and most striking events of the last election proved how successful he had been. This was in truth the last card upon which his friends in this State relied (the Glentworth affair was got up as a mere cover), and but for the great changes among the people of the country it would have been successfully played. You will recollect that the first diplomatic communication ever made to the Papal See was by Mr. Van Buren as Secretary of State; and that our Consul at Rome, Signor Chicinani, who had been such for a great number of years, was removed to give place to a young American who had married an Italian woman. This change was not made to promote the interests of the person appointed.

“I was in Rome when the change was made, and know all about the emoluments

of the office; but to promote Mr. Van Buren's purposes, the former Consul being an Italian who had never been out of Rome, could not convey to the Government of His Holiness the knowledge necessary to enable it to act efficiently and secretly. There being no diplomatic intercourse authorized between the two countries, the Consul must do the work; but in addition Mr. Troop, Mr. Van Buren's most confidential friend, was taken from the Custom House (Naval office) in New York, and sent to Naples, as Chargé d'Affaires, where he has been continued for about four years, although no diplomatic agent was sent from that power to this (I hope you will recall him, and not send another in his place, at least until the King of Naples sends his representative to us). From Naples, I have been informed that this gentleman made frequent journeys to Rome where he was received in the most friendly and confidential manner, and it was probably through him that the work was done.

"Should it be deemed proper to counteract these measures by conveying to the Pope a knowledge of the fact that the administration, and, consequently, that the power has changed hands; which would be all that is necessary, inasmuch as that Church always follows power, and attaches itself to the existing government, I would advise that the person appointed as Chargé to Sardinia, now a vacancy, should be selected for his discretion, skill, and *fidelity*, that he go hence to Naples in a public ship, thence by land to Rome and Florence and to his post, under instructions in writing to acquire such information as may be useful to his country, with verbal directions to present himself to the different courts in his progress; that the fact of a change may be made known, and such other facts as may be useful. It is quite manifest that nothing can be more injurious to the Catholics as a body than any interference on the part of their priests in our elections; and of that their great spiritual head ought to be made aware, and thus this very dangerous and very pernicious influence may at once be checked.

"I am aware that nothing can be more delicate, and require greater secrecy than this whole proceeding, and it is therefore well that I can communicate this information directly to yourself without having conferred with any other person on the subject.

"When I was District Attorney of the Southern District of New York, I saw things which induced me to inform General Jackson that the public moneys were not safe in Swartout's hands, and at the same time to point out a course of measures which would tend to greater security in that office, and also in that of the office of District Attorney. It would afford me pleasure at any time to go to Washington to confer with the Secretary of the Treasury, or to write to him on these subjects.

"I must beg your indulgence before I close this already too much extended letter to express the opinion that, in making selections for offices of pecuniary trust, there can be no security against defalcations except in the previous discreet management of his private affairs, and the good character of the person appointed; and, therefore, that no man ought to be appointed to such places who is desperately involved.

"In my note, asking a personal interview, I informed you that I did not want office. I think proper to qualify that assurance by requesting that if there should be war, or imminent danger thereof, I may be appointed to command a regiment, having during the last war attained the rank of major.

"I have the honor to be, with very great respect, your obedient servant, &c."

JAMES A. HAMILTON TO WILLIAM BEACH LAWRENCE.

“NEVIS, DOBBS FERRY P. O., April 12, 1841.

“DEAR SIR: I am endeavoring to collect, in an authentic form, the opinions of the men of our country, who have been distinguished by rank or character, on the question of the constitutionality of a Bank of the United States. To that end I must beg the favor of you to repeat in writing the opinion expressed by Mr. Jefferson to Mr. Gallatin on that point; and if you can refer me to any act or declaration of Mr. Monroe's on that subject, you will oblige me by doing so. I shall then have those of all the Presidents.

“Mr. Van Buren, whose opinions, by the way, can, as authority except from his rank, add very little to any side of any of the great questions before the country, is the only man, I believe, who was, while in that office, opposed throughout to the bank; although, in 1829, he declared to me that he agreed with Mr. Madison in the opinion that ‘the cotemporaneous and continued exposition of the Constitution by all the departments of the Government had settled that question,’ and in 1816 he and Governor Tompkins wrote to Judge Betts, then a member of Congress, as the latter informed me, urging him to support the Bank Bill.

“With great respect and regard, your friend, &c.”

WILLIAM BEACH LAWRENCE TO JAMES A. HAMILTON.

“NEW YORK, April 18, 1841.

“DEAR SIR: I have delayed my reply to your favor of the 12th instant in order to obtain the consent of Mr. Gallatin to give a written statement of the conversation to which I alluded as having taken place with him. For reasons, however, which I will explain when we meet, he does not feel at liberty to grant the desired permission.

“Without reference to what Mr. Jefferson would have done in a contingency in which he was not called to act, we may infer what his course would have been by his decision as to the bills which were presented to him in relation to the first bank of the United States. These were, as you are aware, an Act supplementary to an Act entitled ‘An Act to incorporate the Subscribers to the Bank of the United States, March 23d, 1804,’ and ‘An Act to punish frauds committed on the Bank of the United States, approved February 24th, 1807.’ These laws recognized the Constitutional existence of the Bank, and the former enlarged the scope of its operations.

“The first memorial from the first Bank for a recharter was presented to Congress in April, 1808, and referred to the Secretary of the Treasury, who did not report on it till March, 1809, a day or two before the end of President Jefferson's term. The subject was acted on at the next session of Congress (Mr. Madison being President), and lost, as you will recollect, by the casting vote of Governor Clinton, Vice-President. The only official papers of Mr. Gallatin respecting the Bank are his report of March 2d, 1809, above referred to, and his letter to Mr. Crawford, Chairman of the Committee of the Senate, of January 30th, 1811. The bill to recharter the Bank of 1791 was reported by Mr. Crawford.

“I have just finished the voluminous evidence before the Committee of the House of Commons as to banks of issue, and the result at which I have arrived is a con-

firmed conviction, not only of the importance of establishing forthwith a national institution, but also to the expediency of forming it substantially and without material alteration on the basis of the one of which your illustrious father was the author, and which was copied in its essential details in the Act of 1816.

“I am, dear sir, yours truly, &c.”

Mr. Gallatin stated to a gentleman of credit, whose letter, dated June 30, 1868, read as follows: “All that I now remember as to Mr. Jefferson’s views of a Bank as derived from him (Mr. Gallatin) is that he (Mr. Jefferson) requested Mr. Gallatin, in case the act should pass during his administration for a renewal of the charter of the old Bank of the United States, to have it done sufficiently early to enable the Bill to become a law without his agency. He was unwilling to sign it.”

The records of the day prove that Mr. Gallatin was anxious that the Bank should be rechartered.

JAMES A. HAMILTON TO HENRY CLAY, Senator of the U. S.

“DOBBS FERRY P. O., June 23, 1841.

“DEAR SIR: I cannot withhold the expression of my approbation of your plan of a Bank, although I am aware that in doing so I trespass uselessly upon your valuable time.

“The separation of the small business of discounting notes from the high national duty (by making the Directors of the Bank a Board of Control), of watching the course of trade of this and other countries, and thus regulating the currency, &c., is truly wise, and will be found practically very useful in shielding the Bank from the odium of dealings alone of a private and personal character. I forbear to point out various other advantages that press upon me in consideration of my duty to you, and because they must be present to your mind. There is no difficulty in preserving a bank from suspension, unless under some great national calamity, if its discounts are confined to paper, the result of business transactions of not over ninety days to run, and confining the extent of discounts to the amount of bills receivable and of deposits; that is to say, let no more go out at one end of the counter than is received at the other.

“By confining discounts to business paper, you arrive at the great end of banking—to wit, facilitating the circulation of capital instead of loaning capital.”

GENERAL WINFIELD SCOTT TO JAMES A. HAMILTON.

“WASHINGTON, July 20, 1841.

“Thank you, my dear Sir, for your note of the 14th. I now merely acknowledge it that you may not imagine that I can be indifferent to your wishes.

“Are you in earnest about a fighting commission in the event of war? You have certainly the highest hereditary right to military employment; and in the contingency alluded to you have nothing to do but to report your wishes, and if Mrs. Hamilton will allow me, I shall be ready to launch you against the enemy.

“There has been here, even in high quarters, quite a feeling of uneasiness in

respect to our relations with Great Britain. At least two of the open questions present great difficulties. Mr. Webster, however, when I last conversed with him, seemed confident that peace would be preserved; and I see that Sir R. Peel, the probable future Premier of England, deprecates war with the United States in terms of great earnestness. We, nevertheless, are about doing something in the way of preparation for the worst. This can't be wrong—nay, we should do much more. I have only time to scribble a line or two. My compliments to Madame.

“Yours with great esteem, &c.”

SECOND VOYAGE TO EUROPE.

VOYAGE TO RUSSIA.

Robert and George L. Schuyler were employed by the Russian Government to build a steamship of war, the *Kamschalka*. When nearly finished, the Russian minister was not in funds to pay the contractors and the material men. The last, as the laws of New York authorized them to do, libelled the ship. Under these circumstances, the contractors were induced by their regard for the interests of the Government of Russia to borrow a large sum of money to pay off all these claims, and thus save the vessel from being sold. When their accounts were fully settled by the Russian minister, Bodisco, there was found to be due to them the sum of \$55,089.42; and it was agreed that the ship should go to Russia, Mr. George L. Schuyler being made by the ship's papers owner and captain, but the acting captain being J. E. Van Schauts, of the Russian navy, who came to New York to superintend the building of the ship and to take her home. The latter part of the arrangement could not be carried out because of the above-mentioned indebtedness; consequently, it became necessary that George L. Schuyler should go out with the ship, the understanding and agreement being, that she was to remain in his possession until the above amount was paid. Mr. George L. Schuyler (my son-in-law) addressed the following letter to me at Dobbs Ferry :

“NEW YORK, Sunday night, September 26, 1841.

“DEAR SIR: I received your letter late last night, inclosing the letters of introduction. We have endeavoured to protect ourselves as well as we can, but have agreed to let the ship sail on certain conditions. Come what may, however, I shall not give up the possession after my arrival until the balance due is paid. If force is used, I must throw myself for protection upon the American Minister.

“Under such circumstances, you can easily imagine how agreeable and important to me would be your presence at St. Petersburg, to say nothing of my prospects in other countries, which would be so materially enhanced by your assistance. I shall not encumber this letter with any details of my plans, as I hope to see you before I go, which I now think will be on Wednesday morning. I trust you will decide to go; for I think it would be of great service to your health, as well as to my interests.

“Very truly yours, &c.

“GEORGE L. SCHUYLER.”

I went to New York on Monday morning, and although out of health, was persuaded by the members of my family to take the voyage. We sailed from New York, on Wednesday the 28th September, 1841. Our relations with England at that moment were very hazardous, in consequence of the "*Caroline* affair;" it being understood that if McLeod was executed, or subjected to Lynch law (of which there was much danger), his death would be considered as war on our part.

I met Mr. Webster, then Secretary of State of the United States, in New York the day before I sailed, and received from him a letter of introduction to our Minister at St. Petersburg. Understanding that we were to go to England, he authorized me to say, that he had been assured by the Governor of New York, that if the prisoner was tried and found guilty he would be pardoned, and that measures had been taken to protect him in the jail by an armed force. In consequence of this fear of war, the Russian Minister Bodisco directed that the ship, in order to avoid Halifax, should deviate from the usual course of a voyage, to the British Channel, by running in a southerly direction. I mention this because by following these orders we ran into the centre of a most furious tornado, which very materially damaged the upper works of the vessel. We could not lay to, because the Russian Captain, at the beginning of the gale, had housed all his spars and upper masts. We were, therefore, under the necessity of forcing her ahead by the engine, at the rate of two knots, against a head-sea which swept our decks. The peril was so imminent, that I was requested by Mr. Schuyler to ascertain how many inches of steam we were using, how many revolutions we were making, and our course; to write it down and put the statement in a bottle corked up, to be thrown overboard. As I went on deck to do this, I saw a ship lying so near us, that as she rose on a mountain wave, I read her name without a glass, "*Tiger*, of Boston." We considered this a fortunate circumstance, as she would announce us when she arrived at her destination. The vessel was foundered in that gale, which continued forty-seven hours.

From Southampton, where we remained a few days to repair and take in coals, I went up to London to make pecuniary arrangements to meet expenses in Russia. There I visited my friend Sir Charles Vaughan, late British Minister in America. I repeated to him what Mr. Webster had stated to me. He expressed much gratification, and asked permission to repeat it to the Premier. I assented, and the next day Vaughan called upon me, and informed me that the Premier wished I would call upon him. We went to the Foreign Office; his Lordship asked me to repeat to him what Mr. Webster had stated to me, which I did. He expressed much gratification that the affair had taken that turn, and said to me, "Mr. Hamilton, do you believe your government wishes to get into a war with us?" I said, "Certainly not." He replied, "I rejoice to hear you say so; for, where there is a will, there is a way."

He then invited me to a party for the next evening, where I had the good

fortune to meet Lytton Bulwer, and to see the people of the highest rank in full costume.

We sailed from Southampton, and arrived at Copenhagen on the 3d November, where we remained a few days to clean and paint the ship. I quote from a letter addressed to a friend in New York such parts as are interesting in relation to the society and government of this, the capital city of Denmark.

Copenhagen, November 6th, 1841.—From the hour of departure from Southampton until our arrival at this port, we were involved in thick clouds and darkness, and were, consequently, compelled to sail by the lead, throwing it every half hour. We groped our way like a blind man with his stick, or, rather backing and filling, like our ship of State, under the command of Captain Tyler. The ship came to anchor in the roads in the evening, and we took our boats to go on shore, but were required by the port regulations to report ourselves to the commanding officer of the outer work, a strong water-battery which forms a breakwater. In going into these quarters, we very innocently awakened the sentinel on his post, and alarmed the garrison. Von Schauts went on shore, and after much ado about nothing we received a written pass, and went our ways, hoping shortly to enjoy a warm supper and a good bed with dry sheets, and luxuries we knew nothing of on board our magnificent craft—then the most formidable steamship in the world. When we arrived at the quay, however, the only place of landing, two soldiers advanced and took us in charge, detaining us until the harbor master could decide whether it was safe at ten o'clock at night to admit a lady (the Captain's wife) and three gentlemen to this city of our pirate progenitors. So difficult a question could not, of course, occupy this official less than an hour. As soon as we were set free, we hurried to the Straus Hambourgh, the best hotel in the city, kept by a Scot. The domestics not speaking any language we could command, we had some difficulty but much amusement in making our wants understood. I soon learned that, although thrown into a city I never expected to see, I had friends there. Le Chevalier Huygens, Minister Plenipotentiary of the King of Holland, received me, as did his wife (a very clever woman) and their daughter in the most cordial and affectionate manner. The latter being *Dame d'Honneur* to the Princess, who is the King's sister, and wife of the Landgrave of Hesse, informed me that the royal family were to be at the theatre that evening. She immediately wrote to the director for two seats, and it was arranged that after the theatre (9 o'clock) we should come to her rooms, to meet some of the society of Copenhagen. We went there, and met our chargé d'affaires (Mr. Jackson), a most excellent young man, and his wife, who was of the Carrol family of Maryland.

Mr. Schuyler having a letter to a Mr. Ryan, a merchant, he immediately invited us to dinner, and there we learned much that was useful and interesting.

In the evening, we went to Chevalier Huygens' house, where we met a large assemblage of good society, and, among others, the Princess of Hesse, her husband, and daughter, to whom we were presented. Fortunately, for me, these

people understood English. The High Admiral and Secretary for foreign affairs were there. We made an appointment to meet the Princess and suite *incognito* the next day on board the ship, and did so. We had the distinguished honor to take them through all parts and places, and to explain every thing to them, in all which they took a very deep interest. The King, with two officers, went on board at an earlier hour *incognito*. Not being recognized, the Lieutenant, when he asked permission to go below, told him he might do so if he would wipe off his feet. His majesty readily complied, and was admitted to our superb residence.

The Danes are a quiet, inoffensive people, and very polite. They have light hair and eyes, with brilliant complexions. We were informed that they are generally taught to read and write, but such is the censorship of the press that they are not permitted to have books or newspapers. The government is absolute, and the people poor, dependent, and indifferent to their rights. The present King, when Viceroy of Norway, which country before the great deed of settlement of all Europe, the treaty of Vienna, formed a part of this kingdom, gave to the Norwegians the freest constitution in Europe, not excepting that of England, and which they insisted upon preserving when they became a part of the kingdom of Sweden. Consequently, when he came to the throne, it was expected that he would give a Constitutional Government to the Danes, but, alas for poor human nature! he has become more absolute than his father. The only submission he made to public opinion was, to allow the people of Copenhagen to choose their municipal officers, which they do at a general election. All vote who are freemen of the city. At the first election, the people appeared pleased with, and exercised the privilege, but it soon fell into neglect and almost disuse. The truth is, the information and independence of position and feeling which are necessary to freedom do not exist here nor elsewhere in Europe, except in England.

There are most extensive and well regulated public charities here; hospitals for all conditions of people, for widows, orphans, the infirm by age or disease. There are also public schools, at which the children of the peasants are taught to read and write. All religions are tolerated, although the Lutheran is the religion of the State. The revenues of the crown are derived from very heavy taxes upon property of all kinds, not assessed upon the income, but upon the capital itself, real and personal, duties upon imports and exports, and the sound dues, which amount to about £150,000 sterling per annum. The vessels of all nations are required to submit to this most serious exaction which is collected at Elsinore, in the Categat, about twenty miles from Copenhagen. We, of course, passed without interruption. We passed Elsinore, rendered so familiar and interesting by being the scene of the tragedy of "Hamlet," just as the sun was going down; and when he gave us the first glimpse of light, the scene was a beautiful one. The castle which commands the pass of about two miles wide, is situated on a point of land, and is a very old and most picturesque object.

It was once the summer residence of the Kings of Denmark, and there you see the platform on which Horatio and his fellows met the ghost; the spot where was the garden in which the King was accustomed to take his afternoon repose; the high cliff to which it was feared the ghost might tempt Lord Hamlet.

Cronstadt, November 11, 1841.—We arrived here early in the morning. Von Schauts went to St. Petersburg, and came back the next day. We were led to believe the Emperor would come down to see the ship. He did not come, in consequence of a snow storm. The next day, another captain came on board with two hundred men to take command of the ship, and put her into the naval dock-yard. As this was a violation of the agreement with Mr. Schuyler, viz., that he was to retain the possession of the vessel until the amount due was paid, he protested against the vessel being taken out of his possession. The answer was, that if she remained where she was, she would be endangered by the ice, which was forming so fast that in a few days she could not be removed to a place of safety. The new captain hauled the ship up to the gate of the naval dockyard to ascertain if the entrance was broad enough to take her through. After bringing the vessel, by working half a day, to the entrance, the captain ascertained that she was too broad. She was, therefore, hauled into the dock through the commercial gate. It would have been much easier and wiser to have asked what her breadth of beam was, and what the measure of the opening was.

The Russian sailors wore gloves, I suppose to keep their hands warm, boots, and long coats. They were serfs. Their bread was made in rings, with salt water, and was very dark-colored. They had no beds; yet, in spite of their hard fare, they were healthy-looking men. Their captain stood on the wheel house, and was scolding nearly all the time. When he found the vessel could not go through the opening, he threw his hat down, stamped upon it, and swore most awfully. The hauling was by eleven men in a string. No means were used to take up the slack and thus secure what had been gained. The piers were excellently built. The basin was large and commodious, and well armed to resist an attack by water. The ships of war appeared to be good models. As soon as the vessel was carried to her berth, we went to the hotel (much difficulty at the Custom House as to our baggage). We immediately took measures to pay off our crew, and to secure passages to America for such as wished to go there. Several went to Norway, Sweden, and other parts of the continent. Some of the American colored men went into the service of officers, who were anxious to employ them.

The people of all classes were very civil in their deportment to each other. One practice at the hotel was unusual elsewhere—I may say objectionable to the fastidious: a servant sent to light a pipe took a few whiffs, and handed it to the guest who had ordered it.

The Custom House was open on Sunday after one o'clock. The billiard rooms were also open, as were the officers' club rooms on that day. The Russian

stoves in hotels are so placed as to warm two or four rooms. The outsides of these stoves are of porcelain. A servant comes very early in the morning, and makes a wood-fire in the stove. It burns very rapidly, and as the heat revolves through the openings in the brick-work, the great mass—probably four feet square and eight feet high, becomes thoroughly heated. At a later hour, he returns and gathers up all the unconsumed pieces and places them on the coals, in order that every particle which can make a smoke shall be consumed. When this is done, he returns and shuts a damper to prevent the heat from passing up the chimney, and it thus passes from the bricks and stones into the rooms. The houses are generally very well warmed. On going ashore at Cronstadt, our passports were sent to the Admiral, who was Governor. He sent them to Petersburg, and gave to each a pass. Von Schauts had, to the Governor of Cronstadt and Count Nesselrode, Prime Minister at Petersburg, cracked me off as a most distinguished person, who had been Secretary of State, and probably would be President of the United States, &c., &c. In my pass I was described as "formerly Secretary of State of the United States, &c." This pass was shown at the Custom House at our departure from Cronstadt. We visited the Admiral, and were treated with marked civility. We left Cronstadt in an open boat to cross the bay, about seven miles, and were much obstructed by ice on our way to Petersburg. At the public house, when we landed, I first saw hot tea prepared to be drunken from a tumbler. This is very common.

St. Petersburg.—Our passes were delivered to our landlady, who sent them to the police. We were required to go the next day to the Chief of Secret Police to give an account of ourselves. The Chief was Count * * *, a brother to Princess Leiven, to whom we had a letter of introduction from Bodisco. He was very civil to us. The day being a half fête day, we were not received. On Monday, we went with our passes to the same place. On mine there was a long indorsement in the Russian language. Here we signed our names, were treated with great politeness, and sent with another paper to the police office in another quarter of the city, where I was asked if this was my first visit, where I was born, etc. I was required to sign my name again, and there we received a ticket of residence with our pass, which was delivered to our landlady. This proceeding costs one pound sterling.

In the evening, we went to see Taglioni, the famous dancer, in one of her great pieces, and truly she was great in it. The dresses and scenery were magnificent, surpassing all I had before seen.

On Tuesday, Schuyler called upon Prince Menschikoff, but could not see him. In the evening, we went to the "Theatre Michel" (vaudeville). The house was not full; the people were very silent. We now had the first opportunity to see the Imperial family. As we did not know the Emperor was expected to be at the theatre, and there was no manifestation by the people when he entered, we were not apprized of his presence until, turning toward the private box, I saw a face which was familiar to me. I had, again and

again, examined with care the portraits of Nicholas. Turning to Schuyler, I told him who I thought was there, and desired him to ask the person next him. I was right. It was the Emperor—an uncommonly handsome man; the Empress, Madame the Grand Duchesse Marie Nicholaievne, and her husband were also there, as was the heir apparent and his wife.

November 12th-24th.—Captain E. Poothattin, of the Russian Imperial Navy, and aid to Prince Menschikoff, called at an early hour on behalf of the Prince, alleging, as an excuse for the Prince's not having received us, that he could not speak English. The captain wished to see the accounts of the building of the vessel. Schuyler told him he had no accounts; he did not come here to settle an account, but under an agreement made with Mr. Bodisco and Captain Von Schauts, which was in writing, and which he would show to him, to receive the sum he had advanced for the Emperor, to save the ship from a sale under an arrest. Schuyler then produced the original and a copy of the agreement. He gave the captain the copy, which he read. I then read the original emphatically, he following me reading the copy. I showed him the original. The captain kept the copy, in order to show it to the Prince. Schuyler, as an excuse for his importunate visits, explained to him that the money advanced had been borrowed in New York, and was to be paid there on the 1st of February next; that if his notes were not then paid, he would be ruined, and Mr. Bodisco, the Minister, would be disgraced; that this agreement had not been communicated here by us to any one as a matter of delicacy to the Emperor. He wished to know for what this money became due. I explained that it was for balances due to mechanics for building the ship, for the engine and boilers, &c. I explained the right Von Schauts had to reject the boilers and engines, if, after trial, they were found deficient, and the propriety of keeping back a balance of such payments until the last moment. I explained the laws of our country giving to mechanics the right to seize vessels through the Courts of Admiralty, and that process to that effect had been taken out. Schuyler then stated that Mr. Bodisco, not having the funds, and being unable to raise them, applied to him to do so, which he consented to do upon the positive assurance that the money would be paid immediately on his arrival in Russia; and added, that he did not doubt it would be paid, to which the captain replied, "Oh! certainly, it will be paid, but the Prince wants to know more of the accounts." The answer to this was, "Captain Von Schauts has got them at Cronstadt; they were rendered monthly, with the vouchers, which will be found to show how every dollar had been spent, and a wish was expressed that he might be ordered to come here with the accounts and the vouchers." The captain's reply was, that the intercourse was cut off by the ice (Captain Pepin, who came over in the ship and was with us the day before, told us he was going there, and that the communication was open). The captain left us, saying he would take the papers and would inform the Prince of what had passed; that he was to go to-day to see the Emperor at Tsarkoe Selo (his summer residence, twenty miles distant from the city). We knew, on the contrary, that the Emperor was in the city.

November 14-24.—I drew this day from Baron Steiglitz, Banker, against my deposit with him of £100, the sum of 174 silver rubles, which is nearly thirty pounds sterling.

Not having received any communication from the Minister of Marine, directly or indirectly, since the visit of Captain Poothattin, a letter was prepared by me on the 18th of November, reciting all the particulars which had been given to the captain, and laying the whole case before his Excellency in the clearest, but at the same time most courteous language. This letter was signed by Mr. Schuyler, and sent by him to the Minister.

“ST. PETERSBURG, November 18-30, 1841.

“His Excellency PRINCE MENSCHIKOFF, Minister of Marine, &c.

“YOUR EXCELLENCY: After my communication to your Excellency of the 11-23d instant, Captain E. Poothattin called upon me in your Excellency's name, and to him I had the honor to make known for your Excellency's information all the circumstances of my demands, and to deliver to him a copy of the agreement executed by Captain Von Schauts, dated September 28th, after the same had been compared by him with the original in my possession, in which it is distinctly declared that I am the owner of the ship *Kamschatka*, and that she is not to be transferred to his Imperial Majesty, either directly or by implication, until the sum of \$55,089.42, which is therein certified to be due to me, shall have been paid. I subsequently received a visit from Captain Von Schauts, and was requested by him to assist in preparing a statement of the cost of the ship from the accounts in his possession, which accounts—your Excellency has, no doubt, been informed by him—were duly rendered to him at the end of each month, fully examined by him with the original accounts and vouchers, and certified by him to be correct. And here allow me to add that no contracts were entered into by us with builders or others which were not first submitted to him and received his sanction, nor was any money paid on such accounts until he examined and allowed them. Greater caution to preserve entire fidelity could not well have been observed. With this request from Captain Von Schauts I have cheerfully complied, and this summary thus prepared, when examined by your Excellency, cannot fail, as regards its clearness and accuracy, to be entirely satisfactory. Not having been honored by a second interview with Captain Poothattin, and from the pressure of your Excellency's engagements not having been permitted to have a personal interview with your Excellency, and thus fully to explain the peculiarity of my situation, I now address this note to your Excellency, to inform you, and through you his Imperial Majesty, that after the lapse of — days from this date it will be too late to remit the money to the United States to arrive in time to meet the engagements I assumed there in order to enable me to make the advance for his Imperial Majesty, to which I have referred. I fear your Excellency will deem me importunate in making this second communication, but I trust I shall be excused by your Excellency when you learn, as I now assure you is the case, that unless the money is remitted in time to reach the United States before the 28th day of January next (new style), on which day my notes will become due, that if they are not paid, my credit will be destroyed, and I shall be exposed to inevitable ruin. I do not present myself to your Excellency, nor to his Imperial Majesty, to

settle the accounts of the ship *Kamschatka*; that was, in fact, done; and, from the nature of the transactions, was necessarily required to be done in New York, where, by her completion, my connection with her as her constructor, and the accounts thereof entirely ceased; but, I have come here to ask his Imperial Majesty to cause to be paid to me the sum of \$55,089.42, which was advanced by me to his Imperial Majesty, to save the *Kamschatka* from a legal arrest and a sale, or a long detention in the United States, and much additional expense; an advance made by me at the earnest request of Mr. Bodisco, his Imperial Majesty's Minister in the United States, and under the most positive assurance from that Minister that, immediately on my arrival, the amount I had so loaned to his Imperial Majesty would be repaid—a condition of the loan which kindly required such assurance, as it necessarily resulted from the honorary nature of the transactions, and that the ship would be accepted by his Imperial Majesty, and transferred by me to him in such manner as should be advised; of all which I take the liberty, with great respect, from what passed between his Excellency, de Bodisco, and myself, to say he promised to inform your Excellency in the despatches which Captain Von Schauts delivered to your Excellency on the evening of the 1st and 2d instant. And allow me to add that I am now entirely uninformed whether his Imperial Majesty will accept the ship, pay the amount due to me, and receive a transfer of her, or whether she is to remain in my possession as the owner thereof, to be disposed of by me, as such owner, as future circumstances may dictate.

“In closing this note, allow me to intimate with as much delicacy as referring at all to the character of the transaction will permit, and as I most sedulously desire to observe toward his Imperial Majesty and the high functionaries of his government, that I was not constrained to make this advance as an act of duty. On the contrary, I might have required all the debts of the ship to be paid before her departure from the United States, and have folded my arms to await that result. But, not regarding my own interest or convenience alone in this matter, confiding in the assurance of his Majesty's Minister, and with unhesitating reliance upon the honor and integrity of his Imperial Majesty, and to promote his wishes for the prompt arrival of the ship, I assumed this, to me, heavy pecuniary responsibility, and thus I did an act which, instead of being one of duty, may, I trust, without ostentation or assuming too much, be characterized as one of gratuitous and laudable service to his Imperial Majesty which, allow me with great respect to say, may be supposed to deserve at least a prompt requital. I well know how numerous and important must be the claims upon your Excellency's time, and I beg leave to say that, were it not from the peculiar and urgent nature of my position, I have too much respect for your Excellency thus again to press myself upon your attention.”

On our return to our lodgings we found a note from Col. Todd, American Minister, saying: “In consequence of an inquiry made by Count Nesselrode (the Minister of Foreign Affairs) it may be of consequence to you to have a conference with Col. Todd in the course of the day, in the event that you may wish to be presented to the Emperor.” Schuyler immediately went to see the Colonel, who told him that Count Nesselrode had suggested that we might be presented to the Emperor, if we wished, at the same time with him—probably on Sunday next. We assented to this most reasonable wish of his Majesty to see

us, and the Colonel is so to inform the Count. We dined this day with Baron Steiglitz,—a very handsome French dinner. The American Minister and his Secretary (the now celebrated Motley); four others who spoke English—one an American, the Baron's sister, and his son with his young wife, three months married—a very agreeable party. I had some conversation with Steiglitz about the country. He says Nesselrode was born on board ship in the Tagus. He is 56 years old. The English, Portuguese, and Russians, claim him. He is a very wise man, and has great influence with the Emperor. The people of Russia have a religious veneration and love for the Emperor. They are taught this by their prayers;—"God and the Emperor." The sudden and great changes he made in the monetary system proved this. The Baron feared it would produce an *emeute*, but it was immediately acquiesced in. The debt of Russia is at an average of five per cent. interest and at London it is thirteen per cent. above par.

I quote from the indorsement on the draft of the following letter: "Petersburg, November 10, 22, 1841. I had a conversation with Von Schauts this morning, in which I expressed the views stated in this draft of a letter. At his request, I prepared the within copy which was handed to him. The last paragraph being erased, he said it was satisfactory, and left me to communicate it to Prince Menschikoff."

TO CAPTAIN JOHN E. VON SCHAUTS, &C., &C., &C.

"ST. PETERSBURG, November 10, 22, 1841.

"MY DEAR SIR: With the same desire I have manifested on former occasions to preserve harmony and produce results by means the least disagreeable, I address this note to you. The protests which Mr. Schuyler has on two occasions addressed to you were made under my advice, in order to preserve unimpaired his possession and title as Captain and owner of the ship *Kamschatka*. This title results as well from the papers which were issued to him under the laws and by the authorities of the United States as by his agreement with you of the 28th September last; by which last paper it is distinctly declared that he is the owner of the ship, and that she is not to be transferred to his Imperial Majesty, either directly or by implication, until the sum of \$55,089.42 (fifty-five thousand and eighty-nine dollars and forty-two cents) which is therein certified to be due to him, shall have been paid to him. I fear, from what has passed here, that Mr. Schuyler's true position, and the exigency of his situation, are not clearly understood, and therefore now call them to your attention. He does not come here to settle the accounts of the ship—that was, in fact, done, and from the nature of the transaction was necessarily done in New York, where, by her completion, his connection with her as her constructor, and the accounts thereof, necessarily ceased; but he has come to receive from his Imperial Majesty the above mentioned sum advanced by him to his Imperial Majesty, to save the *Kamschatka* from a legal arrest, and a sale, which you know she was in a condition by the laws of the United States to be subjected to, or a long detention in the United States at very great additional expense—an advance made by him at the urgent request of his Imperial Majesty's Minister Extraordinary in the United'

States, who had not the ability to raise that sum, and upon the express condition that it should be paid to him on the arrival of the ship. You well know that in order to render this gratuitous, and, allow me to say, this meritorious service, to his Imperial Majesty, Mr. Schuyler was under the necessity of issuing his notes payable in four months from the 25th September, which notes will fall due on the 28th day of January next, new style, and I assure you that unless he is repaid before the 20th instant (20th December) it will be too late to remit the money to the United States, to meet the payment of the notes. The duty of Mr. Schuyler was to cause the ship to be built, and settle the accounts in New-York; and, having done so, he might have folded his arms and have said, 'now pay what is due, and take the ship'—and here all his obligations ceased.

"With very great respect and regard, your friend and servant,

"JAMES A. HAMILTON."

On the 23d day of November, Captain Von Schauts called upon me (Schuyler being absent). He told me, he had communicated the letter I wrote to him to Prince Menschikoff, who informed him that the papers were sent to the Minister of Finance, and advised us, from the Prince, that we should go to him. I replied, "that is very satisfactory; does Prince Menschikoff authorize you to say this?" He answered, "He does." Von Schauts then continued: "Colonel, you have held a high office in your own country, and you probably know that there, as well as here, and in all governments, where any money is paid out by any department, it is customary to pay to the chief of that department and his subordinates a small portion of the amount so received, in the nature of a compensation for their trouble. I replied, "Captain, I understand you to intimate that Prince Menschikoff, Captain Poothattin, you, and others in that department, are to receive a portion of the amount due to Mr. Schuyler?" He replied, "Certainly." "Well, Captain, I am gratified by your frankness, and now I intend to be equally frank. I know of no such practice in the United States, and am quite sure there is none such there. I understand you to say it is an accustomed practice here. Now I wish you to understand me. We intend to receive the amount due to Mr. Schuyler under his agreement, and we do not intend to give Prince Menschikoff, yourself, or any other subordinate in his department, a single ruble; and further, if the money cannot be obtained without making the payments suggested, that Mr. Schuyler would, as owner of the ship, take her to London, and sell her for whomever it might concern. And, further, let me say to you, that my connection with public affairs has taught me never to leave to the recollection of parties important conversations; but always to reduce them to writing at the time. I will, to that end, retire and put into the form of a letter what has now passed between us—you will remain here to receive it." Von Schauts said, "Oh! no, Colonel, that is not necessary." Hamilton, "Yes, sir, it is; and if you do not remain, I shall send the letter to you, and you will thus lose the opportunity of correcting my statement."

He consented to remain, a draft of the letter was made and read to him, he agreed that it was correct, but wished me to strike out the last part which was a threat to which, as an officer of his Majesty, he could not listen. I erased that part, made a copy, signed it, and delivered it to him. When Schuyler returned, I told him what had passed, showed him the letter to Von Schauts, and then said, "our only course now is to go to the Emperor. He is a just man, and will not permit this attempt to enforce a contribution from you to these people. I believe all this delay is to be attributed to this attempt upon you." I then advised him to go immediately to our Minister, and urge him to ask Count Nesselrode, the Premier, to permit us to be presented to him. Todd immediately wrote to Count Nesselrode, and we were very soon presented, with Mr. Motley, who, as Secretary of Legation, had not been presented. It was previously arranged that Mr. Todd was to say that Mr. Schuyler and Mr. Hamilton wished to have an interview with him on business, whenever he could receive them. This was suggested by Todd. The Count acquiesced, and said that the present was the most convenient time. The Minister and his Secretary took their leave, and we were conducted by the Count to his private office, where Schuyler stated his case clearly, and I stated what had passed between Von Schauts and myself, and that I had addressed a letter to him reciting the conversation. The Minister promptly said, "Mr. Hamilton, repeat what that letter contains." I did so, and added that, as I well knew the Emperor was a just man who could not sanction such practices, I had advised Mr. Schuyler that our only course was to get to his Majesty, and with that view we had sought this interview with him. He directly said, "Gentlemen, send to me a copy of the agreement you have referred to and (*emphatically*), a copy of that letter," pausing a moment he said, "No! you must send these papers to me through your Minister, I am then bound to communicate them to his Majesty." The copies of both were immediately prepared, and with the originals Mr. Schuyler took them to Col. Todd, who assented to what was proposed. A letter was prepared and sent by him with the papers.

Five days afterward, Count Nesselrode addressed a note to Mr. Todd, requesting him to inform Mr. Schuyler that if he would call upon Count —, Minister of the Treasury, that he would receive fifty-five thousand and eighty-nine $\frac{4}{100}$ dollars in rubles. This was communicated to Baron Steiglitz, who sent his porter with Schuyler, who, after going through the forms of office, received the amount in rubles at a most favorable rate, and deposited the same with the Baron, who afterwards said to me, "I knew what you came for on your arrival; and well knew that, according to the accustomed course of business here, you would be detained at least six months: and here you have got your money, at the most favorable rate, in less than thirty days."

I now proceed with my journal.

A change of a most important character has been made in this Government

since the death of Paul who was strangled by his courtiers. Formerly, the nobles governed the Emperor and people. Now, the Emperor, having attached the people to him, and by the influence of an army of a million of men, governs the nobles and the people. The wish and effort of the Emperor is to improve the condition of the country, and to raise up the people; but he fears to do so by the direct and usual means. He wishes the mind of the nation to advance generally, but to stand still and remain in ignorance as it respects the authority of government. His absolutism is inconsistent with his desire for improvement. He draws foreigners and their improvements to him, but is opposed to allowing his subjects to go abroad. These subjects pay a high tax for a passport. A nobleman told me that he was delayed three months before he could get his passport. The purpose of this delay was to deter him from leaving the Empire. This policy is founded upon the fear of introducing liberal opinions, and to compel the nobles to spend their money in the Empire.

The schoolmaster will not do his work among this or any other people, on these terms.

It is generally, almost universally, conceded that the Emperor Nicholas is a good man—that he would command the respect and esteem of all who know him, if he were in a private station. He is averse to ostentation, and shows himself everywhere as a private gentleman without any attendants. I have seen him often, walking and driving about, alone. The people give way to him, and he returns the salutes of gentlemen who meet him. His army is the object of his supreme attention.

As far as I can judge from the people in the streets and at the theatres, the men are large and athletic, but fat. They wear coats, and trowsers, and overcoats made of sheep-skin with the wool on, which, in winter, is turned to the skin; also woolen caps. Their feet are covered with shoes and large, coarse, knitted stockings, fastened with thongs about the ankles and legs. I have seen men at work, when a crow would alight near them, put their hands to their foreheads, and make an obeisance, a superstition which was not explained to me.

The women are large and fat, and generally pretty; faces broad, noses short, eyes and hair black. I refer to the people you meet on the streets, those I saw at the theatres appeared to be luxurious in their habits, well covered with rich furs. The property of women remains theirs after marriage as it was before, and cannot be touched by the husband without the wife's consent.

There were no railroads in 1841, although one was in contemplation between St. Petersburg and Moscow. It is now completed. In travelling between these two cities, the higher order used their own carriages in which they had beds, and they carried their drinking water.

The Serfs.—As this is a subject of the deepest interest, I have endeavored to acquire the most correct information. Almost the whole peasantry are slaves to different masters who own from one or two to twenty thousand. They

are transferred with the land, sometimes without it, bartered for horses and other personal property; this is very exceptional, and an abuse. They are allowed, and, it is said they have a right, upon engaging to pay a certain stipulated price (the amount is at the will of the master, and depends upon his estimate of their capacity, and varies from three to one hundred dollars) to go off and seek their own living. If they do not make the payment regularly, they are denied the privilege. Each one has a written pass, without which he is liable to be taken up as a runaway by the police. Some of them have become men of fortune. One of the largest fruiterers in St. Petersburg is a serf who has offered his owner thirty thousand rubles for his freedom—more of him hereafter.

I was informed by the proprietor of a large iron manufactory that they are apt to learn their trades, but when they have acquired their art, being under the necessity of returning to their homes at the end of two years, they lose what they have acquired. In a manufactory of arms, etc., I found women at work, as well as men. On the estates, they are said to be lazy and induced to work by the lash alone, which is applied without restraint by the drivers. During four days in the week, they are required to till the lands of their owners, during two days, the land adjacent to the houses they occupy, which is set apart for them, and from which they are required to raise as much as will support them and their families. They have houses and fire-wood, nothing more. In cultivating their own land, they have not the use of cattle, consequently, there have been instances where the man holds the plough, and his wife and children draw it. In Italy, I have seen a cow and women hauling the plough, and a man holding it. Very frequently, on the continent, women are seen with a basket hanging from their shoulders on the back, into which they collect the horse-droppings on the roads.

The serfs belonging to the crown, of whom there are a great number, are treated more indulgently.

The liability of the serfs for sale without the land is certain in the German provinces. Alexander, after his return in 1815, made all the serfs in these provinces free, as an experiment, whether with compensation to their owners or not, I do not know; the effect, however, is understood not to have bettered their condition, because now, instead of their owners or the proprietors of the estates receiving from them a rent or capitation tax, and being in cases of failure of crops compelled to provide for them as heretofore, they charge them a rental for the lands and the houses they occupy, which is higher than the feudal service they before rendered. It is agreed on all hands that they do not work industriously; the nature of the system of servitude necessarily induces this, here and in my own honored land.

The proprietors are required to furnish soldiers, according to their wealth; they send their serfs. The persons who are to go, are decided by drawing lots; sometimes, when there is on the estate a bad man, he is sent.

The carpenters and house builders receive sixty rubles a month wages,

out of which they provide their food, which consists of black (rye) bread, salt, and quash, a very thin malt liquor almost as tasteless as the rinsing of a tumbler of brown-stout. In the city, this drink is very cheap, not over a copeck a bottle, and on Sunday they indulge themselves with soup made of meat, a small portion of cabbage and onions, with salt. I went into the house of one of the poorer class in St. Petersburg, and found they were frying sauer kroust in train oil—the atmosphere was filled, as were my clothes, with the offensive uprising. The adults are taught to read and write; measures are now in progress to teach the children. They have no beds, but, rolling themselves in their sheepskins, sleep very sweetly on the floors, with a log under their heads. In the summer, owing to the vermin in their houses, they go to the fields to sleep.

One of the great sources of revenue is derived from the sale of liquor. The country is divided into several departments. The government sells the right to sell liquor in each department; of course, the price depends essentially on the number of inhabitants who will drink. The association which purchases a department, undersells divisions thereof, counties, towns, or villages, as we should say, to different persons, who open shops in all quarters and places. It thus becomes their interest, and the interest of the government, that the people should drink to excess. Liquors of all kinds are sold at low prices in great quantities, and the people are rapidly becoming drunkards. This consequence and its effect upon the lives of the people, which are computed to have been shortened ten years upon an average, was forcibly presented to his Imperial Majesty by the philanthropist Baird with great effect. His Majesty said to him, "Point out to me another source of revenue equal to this, and I will substitute it." This was a politic answer, though others could be found. I believe the improved navigation of the Volga might afford this substitute. This is a subject of vast importance.

The jurisprudence of this country is as corrupt as possible. I have most reluctantly permitted myself to believe this, being aware, as a traveller, how readily we are imposed upon, and how imperfect, and oftentimes how unfair, are our sources of information; but I hear this from all quarters, and one resident (a man very much disposed to mitigate what was said, and to put the best appearance on all that he told me) said it was unquestionably true that the judges constantly expect and receive bribes. There are no open discussions in courts; the pleadings are submitted to the judges in writing. This gentleman told me he had two cases of plain justice, which were both decided against him, during the pendency of which he was told by various persons that his only course was to go to the judges, talk with them about his case, and, at his departure, leave a package of money on the table. His adversary did so, and succeeded in both cases; various other persons told me the same thing. Cases of much importance, and involving certain great principles may be taken to the Emperor, who always judges and decides uprightly. It is quite certain that frauds have been openly practiced heretofore, in all departments of the govern-

ment, and that the prevailing opinion here is, that most persons who are engaged in receiving or paying out the public moneys, *steal more or less of it.*

Count Cancreaux, Minister of Finance, has been of great service to his country in correcting these abuses. He found the receivers of the customs were very inadequately paid, as are all the officers of the government. Proceeding upon the conviction that if they were not sufficiently paid to support themselves, they must "pluck the goose," he has so raised their salaries that they are now, as a class, better paid than any other officers. He then established checks; among others the following, which is worthy of imitation. He requires one original invoice and bill of lading of every importation, to be sent to him on the arrival of every ship. One copy of each is given to the custom house, another to the consignee or owner, and one other copy of the bill of lading is kept by the Captain. He then requires an account to be opened, in books kept at the treasury, with each vessel; with which account he compares that rendered by the Custom House, and as the duty each vessel ought to pay is known, he is thus enabled to ascertain the amount of duties which ought to be received and accounted for by the collector.

The Army.—One other evil to which the serfs are subjected. The Empire is divided into two grand departments, and recruits for the army are drawn, one year from the lower, and the next year from the upper department; the serfs, consequently, who are permitted to go abroad to work, as before stated, are required to return to their villages every two years, to be present and take their chance of being drafted, which is a loss to them of several months of their time and, if they are artisans, to a loss by want of use of the aptitude and knowledge they had acquired. This is a complaint made to me by a large iron manufacturer, who spoke of it from his own knowledge as an evil from which he had suffered much.

The women work in the fields and in the shops as artisans. Schuyler saw them burnishing, for which work they receive one and a quarter rubles a day of fourteen hours, deducting two hours for their meals. The best artisans, at the best smith-work, receive fifteen dollars a month, and find themselves. Imprisonment for debt is allowed. The creditor who causes the imprisonment is compelled, however, to pay three and a half silver rubles a month for the support of his debtor, which effectually mitigates its duration and severity.

Education.—The universities and other establishments to educate the higher classes are very extensive. Teachers and men of science are well paid, and drawn from all quarters of the world; and the Russians are encouraged to make themselves competent to fill these stations. These sources of education are open to the children of impoverished nobles without price; and to those who can pay for the small sum of one hundred rubles (about twenty-five dollars a year). This plan was recently adopted, in order to render the migration of young men of this class to seek an education, unnecessary. The Government fears liberal opinions more than a pestilence.

If the inheritors of a title shall not through three generations have served in the army, the title is destroyed. Very generally, the nobility are unable to sustain themselves by the incomes of their estates. A Lombard bank has been opened in many of the departments, where money may be deposited at four per cent. interest; and where money is loaned out at six and seven per cent. upon real estate and the pledge of chattels; and thus the nobles, who are expected by the Government to be profuse in their expenditures and magnificent in their style of living, particularly when they come to the capital, have become, from their necessities, indebted very generally to these institutions, which are Government organizations—and from this it is said and believed, that the nobility are generally indebted to the Government; and thus their estates, when they are called upon for payment, belong to the Government.

The possessions of the Emperor are vast, and in every part of the empire; and it is said a large portion of St. Petersburg belongs to him.

Lord Stewart de Rothsay, the English ambassador, sent his card to inform us that he received on Monday and Tuesday, between twelve and three o'clock. We went there, had a little chat, and saw princes, counts, and high officers of the Russian Government, with foreign ministers dressed in most gorgeous uniforms. We learned their names, but could not procure them. At a private interview with Lord de Rothsay, talking of the Russian character, and particularly of their habitual exaggeration, he said their disregard of truth was so great that he had been instructed by his Government to inquire whether they were to be guided, in their intercourse with them, by what they said, or what they did. Mr. Schuyler was at a dinner at a noble house, where one of the guests was an aid of the Emperor. A gentleman, sitting opposite, told a most extraordinary story. When he had concluded, this aid said, "Sir! that is an untruth, and you know it!" This did not appear to be considered as an offence. The person to whom it was said seemed only to feel that he was called upon to sustain what he had said.

The Greek Church—the religion of the Empire.—All sects are tolerated. If either father or mother be a member of the established Church, the children must belong to it. The office of patriarch of the Greek Church no longer exists. Peter the Great abolished it, and made himself the head of the Church. The highest order of dignitaries are called the White Clergy. They are forbidden to marry; and are said to be, in general, very distinguished for their learning and piety. The lower orders, or priests of parishes, are required to marry; they are unlearned and brutal, and so esteemed by the mass of the people, who are very attentive to their religious duties; the nobility are not so. When the wife of a priest dies, he is compelled to quit his parish, and betake himself to a monastery, where, if he has the inclination and ability, he may become eminent for his learning and piety, and be advanced to the distinction of the White Clergy.

There is a proverb in Russia, applied to any subject of sedulous attention. It is "As well cared for as a parish priest's wife."

The revenues of the church are very large, and so is its power over the people. The New Testament has been printed in Russian and Slavonic; the last edition is now exhausted, and the synod of the church has decided that no more shall be printed. It is said that the Bible Society of London has offered to furnish copies if they will permit them to be sold, but this offer has been rejected. The Emperor pays marked respect to the clergy. Yesterday he crossed the river (Neva) to visit the metropolitan bishop, to congratulate him on his birthday. We were invited to go and see the exercises of the horse-guards and infantry, which were under cover, it being mid-winter. In the first place, in an immense building, were paraded several hundred of the Emperor's body-guard of cavalry—the best dressed men I had ever seen—black helmets, white coats very much stuffed in front, with a single row of buttons, striped with red on the lappets, which were very short, large gloves, sword-belt of black leather, trousers perfectly white, large Hessian boots and spurs; the horses were not in the building. The men were formed in a hollow circle, and inspected by a general officer who conversed with them out of the hearing of the company officers, asking them whether they received their dues, and he did the same with the company officers, an excellent system. We then went to the infantry drill—this was in a room one hundred and twenty-five feet broad, and nine hundred feet long, where there were said to be four thousand men in several ranks. Among them were about a dozen Circassians—five on horses in the costume of their country—armed with a short gun, and bows and arrows. The men and horses were under size. The Russian infantry went through their manual with the greatest precision. Their marching was faulty; they did not wheel at all in line, but at the turns became a confused mass. Their equipment was very well; there were with them two platoons of sailors. The term of service of the soldiers is very long. When they are discharged with a good character, are wounded, or have served out their time, they are placed by the government in civil positions of an inferior character; watchmen, ferrymen, gate-keepers, gardeners, &c. The government furnishes the flour, cloth, leather, and other raw materials, and men must be found in each regiment to make clothes, harness, bread, &c.; so that men, originally serfs, leave the army freedmen, and many having a trade. In St. Petersburg I saw a very large building appropriated to the storing of wheat and other grain for the food of man, which the Government provides and holds as a resource in case of scarcity. It was said that in the other departments the large land-holders were required to have like stores of food, to be used in like cases for the support of the serfs.

Having observed that money was brought to us from our bankers by persons in the condition of porters, we found upon inquiry that they were commonly trusted with large amounts, because they were of the "Artelchick," an association of the porters and runners of all the business men in St. Petersburg. In order to be received as a member of the association, it is necessary to have served an apprenticeship, and to have acquired a character for integrity, as the

association is answerable for the fidelity of each "artel." Every one, on entering the association, is required to deposit a small sum as his security, and each one pays into the treasury the amount of wages he receives, and his New Year's presents—this fund is annually divided among the members. I inquired with care, and learned from all quarters that the members of this association were most generally employed by men of business, and that they were not only faithful, but dexterous and industrious.

Murtsic is a term applied to all laborers and artisans about the city. They are all allowed, if they can put on a decent suit of clothes according to their condition in life, to visit the Imperial palace, and to see the Imperial family on New Year's day. They all wear the beard long.

It appears to be a matter generally understood that all the people about the Court and Government are to receive from persons employed in doing any work for the Government a compensation or reward for what they consider their good offices. When I objected to this, it was observed by my friend Dr. Handyside, my informant, that it was like the case of your servant being paid by your baker and butcher, or the shopmen who served you—it was a thing of course, and not to be considered like bribing the judges.

The Police.—These are considered the greatest rascals on earth. One of the consequences of a despotic government is, that although the chief or head may be governed by principles, a regard for his reputation, and, in many cases, by the good of his people—the further you go down in the scale, the more oppressive, slavish, and brutal it becomes. Mr. G., our Consul General, told of a case he had heard of. A droskey-man (hackman) charged him ten rubles fare, which was five times as much as the law allowed. G. went immediately to the police, and made a complaint of this attempt at extortion. The policeman asked G. to pay ten rubles, which he did, and the policeman took the hackman by the beard, and thrashed him well, and turned him off without any fee.

A workman in Mr. Baird's factory had accumulated two hundred rubles which he kept in his chest; this was stolen from him (this was last summer), and the poor fellow complained to the police. Officers were sent to the shop; they called upon all the inmates of the dwelling house to give up their keys, which they did, and with them they tried the lock of the chest. Four keys were found to open it, and the owners of these keys were required to pay forty rubles each, and the informant twenty, all of which the police officers put into their pockets, and thus the matter ended! All these workmen were serfs, and Mr. Baird, who saw the transaction, said if the man's master had lived here, and they had complained to him, he might have obtained justice against the police, but being otherwise, it was impossible. The serf lost his two hundred rubles, and the twenty rubles he paid to obtain justice. Violent deaths by accident or murder are never made public; the police take cognizance of them, punishment may follow, but the public know nothing further of the matter.

The punishment of death is abolished; and perpetual banishment to Siberia

and working in the mines, substituted for heinous offences. Periodically, droves of men and women, well guarded, may be seen going to their destined abode until death. For lesser offences, imprisonment and the knout are the usual punishments—the last is a degrading punishment with the lash. The condemned are confined, and brought out from day to day, to be punished, and most usually on the Sabbath. For a fee to the executioner, the infliction of the punishment may be seen. The convict will be brought out, his back naked—tied up to a post around which his arms are stretched and tied. The instrument is a long whip, the handle of hickory or other pliable wood, the thong of leather hardened at the end by fine or twisted wire. The executioner stands off some six or eight feet, but just far enough to strike the naked body with the end of the lash, which is so sharply struck and jerked back, as by every blow to wound the skin and flesh. The pain is excessive, and this punishment is repeated from time to time, until the sentence of the court is satisfied.

The Secret Police.—Prince * * * * * to whom I had a letter of introduction, and who treated me with much civility, is the head of this department. He has unlimited power, and is said to exercise it with great efficiency, propriety, and delicacy. For instance, if a foreigner talks of matters which are considered dangerous to the peace of the empire in public places he is sometimes cautioned, and if he persists, he is ordered immediately out of the empire, and sometimes (as was the case with the Jesuits) is taken out of his bed at midnight, without noise, by the minister of the police, conveyed to the frontier, and there permitted to go at large, under orders never to return. If a Russian subject is considered troublesome (they all belong to the army, although not in active service) he is sent to serve in the Caucasus, where there is very little likelihood of his being troublesome, or of his ever returning. The Caucasians are sharp-shooters, and are carrying on a successful guerilla war at great expense to Russia, in men and money. Hitherto, Russia has been frequently foiled.

We read every day the *Journal de St. Petersburg*. It is the official paper, printed in French, under the censorship of Count Nesselrode, Minister of Foreign Affairs. During all the time we have been here that war has been waging, but it is never noticed in any way in this paper. I met Captain S——t, a British officer, who had been sent by his government to learn the condition of that contest. He informed me that although the Russian army made advances into the country, they did not make conquests of any value; the people retired as their enemy advanced, but returned in the rear to cut off supplies. He stated, as a fact of his own knowledge, that, in order to send home despatches, the commanding general was compelled to send with the messenger a squadron of cavalry to guard him to the Russian frontier.

An incident in regard to their secret police. I met Prince * * * the head of that police, at the royal ball, who, after the ordinary civilities, said, "Col. Hamilton, I wish to ask a favor of you." Hamilton—"I am gratified to

learn that I can serve you in any way ; please to let me know how." Answer—" You will do me a favor if you will not permit persons who come to your rooms to speak disparagingly of this government, nor to participate yourself in such conversations. A gentleman from Holland visited you two days ago, who probably left Russia the next day." I said, " Let me understand more of this." He said, " I can go no further than to say that, with any other foreign gentleman, it would have been my duty to have sent officers of the police to take him to the frontier of the empire." I thanked him for his forbearance. He then walked around with me, pointed out the distinguished persons, and among others Prince Menschikoff.

The following statement will explain what was reserved by the chief of police :

Mr. Huygens, the son of Chevalier Huygens, who entertained us at Copenhagen, and whom I well knew in America, was on a visit to St. Petersburg. His father gave me a letter to him. He called to see me, and passed some time conversing with me. I was confined to the house several days by indisposition. He indulged in some very severe criticisms upon the Emperor and his government. I rose while he was talking and closed the door of a passage-way between the parlor and my bed-room, where our *valet de place* usually sat. Huygens seeing me do this, asked, " Why did you shut that door ? " I said, " The valet usually sits there." " Is he there now ? " " Yes, he is." Huygens got up immediately to take leave. I had not given him the letter, and desired him to stay until I went to my room to get it. He said, " No ! please send it to our Minister ; I must be off." The next day I went to the Minister with the letter ; asked where I could find young Huygens ; " I have a letter for him." The answer was, " He went on his way to Holland this morning in great haste." Our valet was undoubtedly a spy of the secret police, and had reported the conversation to headquarters.

In this connection I quote from my note-book to show that this despotic government is not an unmitigated evil. I have stated that one of the great fruiterers of St. Petersburg was a serf. The governor of the city was a rough, but a good old soldier, and was appointed to that office as a reward for gallant services. There was a countess in the city who was what would be called in New York a fast woman. She had issued invitations for a party, and sent an order to this fruiterer for a large supply of expensive fruits for her party ; she was already indebted for fruit in the sum of three thousand rubles. The fruiterer refused to give her any more fruit until her debt to him was paid ; the countess complained to the governor, who immediately sent a message to the serf to supply the fruit. He did not do so, and the governor sent an officer to close his shop, arrest him, and put him into jail ; this was done. On the evening of the next day, there was an informal reception at the palace— young and old. This event was the subject of conversation by the young men who treated as a good joke the influence of the handsome countess over the

rough soldier, and it was more than intimated that there was a love affair between them. The atrocity of his conduct did not seem to strike them. The owner of the serf, Count Cheremitiff, was announced. When he came into the room, his acquaintances ran up to him to inform him of what had been done to his serf. He had heard of it, and came to see the Emperor on the subject, who was not in the saloon. The Prince, after he had made his obeisance to the Empress, asked if he could see his Majesty. She sent one of the attachés to the Emperor, who desired the Prince to come to him. When this was done, her Majesty beckoned to an American gentleman who was present, to come to her. He did so. She asked him if he understood the conversations of the young men. He replied that he did. She said, "That gentleman who has gone to the Emperor is the owner of the serf who has been so wretchedly treated, and now you will see the working of this 'imperial despotism.'" Ere long, the Emperor came into the room, attended by the Prince and others. Her Majesty went up to her husband and asked him what had been done. He replied, "An order has been sent to the governor to release the fruiterer immediately, to place him in his shop, and to give notice to the countess, that if her debt to the fruiterer is not paid in twenty-four hours, she must be put in jail." Shortly after her Majesty had heard this, she sent for her American guest, told him what had been done, and said, "Could such exact and speedy justice have been done in America?" He said, "No! it would have been a long and expensive process to have arrived at all these results." Her Majesty said, "Well, I am pleased that you have had an opportunity to learn that we live under a government where the rights of the lowest order of persons are vindicated, and the highest are compelled to do justice promptly."

The Organization of the Government.—There is a council of State having a President and a Secretary, and composed of high officers. They must discuss measures, and make reports to the Emperor, through their Secretary, and the Emperor decides ultimately on their reports. The opinions and votes of the different members are stated. This council does not initiate. There is the council of Ministers or heads of departments—a sort of special committee, they make reports on matters respecting their respective departments to the Emperor, who receives each member with his port-folio, on one or two particular days of the week. The Senate enrolls the ukases (decrees) of the Emperor, and is a sort of judicature in the last resort.

During Alexander's reign, an attempt was made to change the form of government by the Council of State. They proposed to the Emperor that before an edict (ukase) should be issued, it should be submitted to the Council, and become a law when approved by them. He replied, "Well! you desire to retain your peasants?" That intimation ended the matter; they found it would not do.

The population of Russia.—By the tenth census of the people of the Empire of Russia, the total of the population under the sceptre of the Czar amounts to 63,931,728 souls.

There are primary schools in the villages, kept by the parish priests, and there are public schools for the children of the nobility, to which they may go, but they are not compelled to send their children. There they can receive a good education, such as will fit them for the army, the navy, and civil, naval and military engineering. The boys are taught that their highest duty is, to love and obey the Emperor. This was represented to me as a great source of power.

The Emperor.—Among the gossips, it is said, Nicholas was not the son of Paul, but of a Russian nobleman who died two months ago. There was, it is said, a very strong likeness. I am told that her Majesty was not *sans reproche*. There is not such evidence, however, as to induce a belief. Nicholas is certainly a man of much higher order than any of his family. Paul was a madman. The stories of his mad pranks are numerous and amusing. His acts of tyranny were so extreme and general that his friends found it necessary to destroy him—he was strangled in his own chamber.

The money of Russia.—The coin of Russia is of two denominations, kopecks and rubles. The kopeck is a copper coin of the denomination of one, five, ten and fifteen. A kopeck is the one hundredth part of a ruble. A silver ruble is worth seventy-five cents of our money. A paper ruble is worth twenty-five. It varies—three and a half paper being equal commonly to one of silver. The paper rubles were issued in the time of Catharine; the par was seventy-five kopecks, they having depreciated. This currency is issued by the government bank. The business of this bank is to receive on deposit the public revenue, to issue and pay out for public expenses.

The revenues of the Empire result from salt, sales of liquor, capitation tax (which is from fifteen to twenty-seven rubles upon every male born in the Empire), from import duties, which are very high (indeed, in order to encourage their own manufacturers they are essentially prohibitory), from privileges to travel, payments to belong to a guild, taxes on passports, a tax of ten per centum upon all sales of real estate, from very high stamp duties and from gold mines.

The gold mines in Russia are in the Ural Mountains in the heart of Siberia. There are immense alluvials at the foot of the Ural Mountains, and in the valleys of the more elevated chains of the Altai Mountains. Gold is there in its native state, disseminated in small quantities in sand and gravel. The zone where it is found, has a diameter of a little more than nine hundred kilometres or half a mile, and in length several thousand kilometres. We learn from Herodotus, that they were worked by the ancients, but they were lost sight of until the year 1823, when they were re-discovered by accident. Since then, they have been regularly worked by the crown, and by individuals. Those belonging to the Government, are worked for its sole benefit by criminals sentenced to confinement in Siberia. Those worked on private account, pay a tax, being a percentage of the amounts worked out of the mines. In St. Petersburg, there is a cabinet where large amounts of gold in bars are stored. It is shown to strangers, by permission of an officer of the Government.

In 1845, the product, according to an official statement was 18,803 kilogrammes. Allowing for what passes off clandestinely to avoid the payment of duty, the product of that year may be stated at 22,564 kilogrammes, equal to \$15,540,000. A kilogramme consequently represents about \$600. In 1846, about 30,000 kilogrammes, or \$18,000,000, which is about the quantity thrown into the market from other sources.

Salt is produced by evaporation from lakes in the Crimea, in Bessarabia, and elsewhere. In 1840, the salt of the crown from the lakes and the boilers amounted to twenty-six millions of ponds (a pond is thirty-six pounds), and that made for individuals, five millions. Salt from the lakes costs the crown $\frac{4}{5}$ to 5 kopecks silver, or two to seven and a half kopecks per pond, and by evaporation, six to fifty kopecks silver, per pond. In 1840, the crown sold 22,070,738 ponds for over twenty-four millions rubles. The net receipts in the treasury by that operation amounted to fourteen and one half million rubles. The mean amount sold for interior consumption is twenty-five million ponds, or eight hundred and seventy-five millions of pounds.

The revenues from the private property of the Emperor and his family are enormous, but whether his living is supplied thereby, or by a civil list, I could not understand.

The expenses of the Government are enormous. It is said, the army costs a million rubles a day. The pensions are very unimportant.

December 6-8. The Presentation.—We went with Col. Todd, the American Minister, who arrived late. The Emperor and family had gone to the church with the Court and all his attending officers. When we came into the throne-room we were arranged with others (there were many to be presented), in a semi-circle; our Minister was placed near the other diplomats, on the left, and Schuyler and I in the least important place. Shortly, all the officers with the females of the Court, in their splendid attire, in passing through the room went in review before us; the Emperor and Empress went to the throne, and the family were near them. Their majesties bowed, and those who were in the circle, to be presented, bowed in return. The Emperor, attended by a chamberlain, commenced on the left of the circle, where the diplomats were, and addressed the British Ambassador; thence he went to the next person, who was presented by name by the chamberlain, and thus, bowing to each person in turn. The Empress followed his Majesty, having a page to hold up her train. Each person was presented to her by name, and she presented the back of her hand to be kissed by each person in turn. The following story was told to me in relation to the presentation of John Randolph, who was appointed Minister Plenipotentiary to Russia by President Jackson. When he was presented to the Empress, and she put out her hand, he went down on his knee, and having on tight gauntlets, he was for some time in that position, tugging at the one on his right hand in order to take her Majesty's hand and kiss it, it being contrary to etiquette to touch the lady's bare hand with a gloved hand. This took him so long, that her Majesty

smiled, and the courtiers laughed out. Randolph soon took his leave, and left Russia.

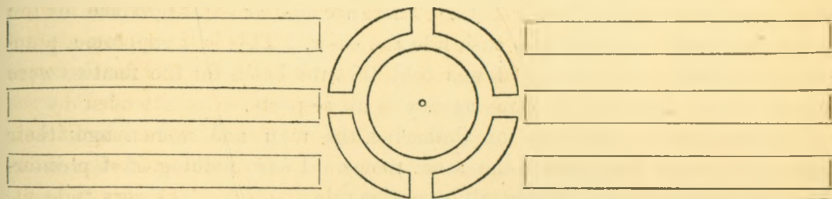
When the Emperor got through he went off, and the Empress did the same, bowing as she went out, and the courtiers followed. We, and those who had not been presented before, remained, and were subsequently presented to the Grand Duchess, in the gold-room, and afterwards to the Grand Duke, now the Emperor Alexander, in his private room.

We were invited by the Prime Minister through our Minister, to a ball at the palace, on the 7-19 December. We went with Col. Todd. The entrance was by a most magnificent stone staircase, which brought us to the second story; thence we went through various rooms, led by a page, until we came to the ball-room, and were placed near the door of entrance with the diplomatic corps. After a while, this door was thrown open, and their majesties, attended by the family and suite entered. The costumes, male and female, were magnificent. His majesty wore a red coat, plain gold epaulettes; a brilliant star of precious stones, a broad green ribbon over the left shoulder, black stock very tight fitting, white cassimere trowsers, and large hussar boots. His coat was single-breasted and much stuffed. His walk was stately, but his manner was affable. The dress of the Empress was white, and her jewels were splendid. There were various rooms open—tea and coffee at command.

In the course of the evening her Majesty the Empress took the arm of her married daughter, and walking across the room to where I stood, bowed to me. I immediately advanced a few paces to where she stood. She said: "Col. Hamilton, you were presented yesterday?" "Yes, your Majesty, I had that honor." "Have you passed your time agreeably in St. Petersburg?" (this was all in French,) I ventured to say, "I believe your Majesty speaks English; if you will allow me, I will reply to you in English." She said, "Certainly. You know I was a German Princess, and I learned the Russian language, and if you can learn that, you may learn any thing; however, it is not as harsh as it no doubt seems to your ear when it is spoken in the streets." She then repeated a few lines of poetry in Russian. I, of course, assented. She then asked me, "Are you gratified by your visit here?" I replied, "I am deeply interested in what I learn of the people and government, and am very much gratified by one evidence of the regard of the people for their Emperor, and of his confidence in their loyalty." "What do you refer to?" "I have seen his Majesty going about on foot, and in his open carriage, unattended by guards or servants, unlike any other Sovereign in Europe. The Magistrate of a despotic government mingling with his people, as does our President, with a mere semblance of power, is interesting." She then said, "Have you seen my children?" "I was presented to the Prince Imperial and his wife." "You must come to the palace in the evening, and see our domestic life. When you come, direct the person at the door to take your card, and deliver it to me; if there is not a ceremonial, you will be conducted up and presented to me." I thanked her for this condescension. She bowed most courteously, and retired.

This act of attention by her Majesty, made me so much an object of remark that the persons I approached, in returning to where I stood before, opened the way for me, and I heard "Amerikanskey" repeated again and again. To get away from the observation, I walked to the dancers, where I came upon the quadrille in which the Prince was dancing. He saluted me, the dance was stopped, and we conversed together.

The supper tables were prepared for twelve hundred guests. There was a round centre table, at which the Royal family and the high officers of the government sat.



In the centre of the round table there was an orange tree with blossoms and fruit. As these were at the long tables, about that in the centre, there was a circle of tulips rising up gradually. In the gallery a band of music, with wind instruments, discoursed soft, sweet airs. The Imperial Tokay was handed around, and as I was placed with Mr. Todd at the head of the long centre table, a bottle came as far as that table, and I got a glass. The attendants were expert, prompt, and noiseless. The dishes were placed on the table when we sat down, then removed to another part of the room, cut and put on plates, and handed around. The wines, with glasses, were brought in on silver trays, and thus the guests took such of several kinds as they liked. After supper the guests marched back to the ball-room, when the Polonaise was walked. Count Orloff was much with the Emperor. He was said to be his favorite. We were afterward presented to the Grand Duke Michael, and invited by Count Waronsow to a ball given by the nobility.

To my good friend, Dr. Handyside (whose wife and a lady friend called to see how I was taken care of, when I was confined to the house by illness), I was indebted not only for his valuable professional services but several other advantages. He took me through the hospital. It was well arranged as to light, warmth, and ventilation. The patients were numerous, but perfectly well cared for. I was admonished not to go through the ward in which were many patients having the consumption, because that disease was believed to be catching. I learned that the faculty had made all imaginable experiments with their cholera patients, and that the people taking it into their heads that the disease was occasioned by poison in the water, they were disposed to treat all persons who wore camphor bags around their necks as the poisoners. This went so far as to amount almost to a riot. I was advised when convalescent, to take the vapor bath, and the doctor went with me to the bath-house. It was a large

room, with steps in a semi-circle, rising as an amphitheatre to within seven feet of the ceiling. The doctor left me, admonishing me not to go very high, as the steam would be too hot for me, although the Russians, being accustomed to the heat, went up to the highest platform. In this large hall there was an oven, into which stones were placed. The fire being made, and circulating between these stones, they became very hot, and upon them water was thrown by a man, who came in from time to time for that purpose. This went off in steam, which filled the whole room, and the upper part soon became very hot. The natives having enjoyed the hot bath as long as they will, rush down to a closet in which they sit and take a cold shower-bath. There are similar baths provided for the people by the government, who rush into the snow. This is, I suppose, a practice which must kill or cure. I was told that the baths for the females were furnished with steam by the same agency in all respects.

It is said that in the time of Catharine, the men and women took their baths at the same time, and in the same rooms. I saw nothing in the intercourse of the sexes which was at all exceptionable.

A winter amusement of which the Russians, male and female, and of all classes, are desperately fond, is the Russian Mountain. Societies are formed for the purpose of building the mountain, and providing the accessories. In vacant places in the city, well-fenced, and with convenient apartments where the members and invited guests assemble, a strong frame of wood is erected within which there is a circular stairs to get to the platform at the top. From that platform a steep inclined plane is carried down to the ground and out as far as is necessary, forming a line with the upright stretch and forming an angle and extending according to the length of the lot or the wishes of the participants. On this plane, which is about three feet wide, there are strong sides about a foot high, reaching from one end to the other, and between these sides cakes of ice are laid and water is thrown upon it, which by freezing fastens the cakes together and makes the whole surface as smooth as glass. The sleds are made of a proper width—less of course than the sides—and long enough to hold two persons. A gentleman sits behind and a lady before him; one of his arms is about her waist, and the other directs the sled by moving the hand. The rapidity is little less, than falling through the air. The excitement is extreme and most pleasing, as is always the excitement of rapid motion. The sleds are hauled up to their places, and the parties take their turns to go down. The women seem to be very anxious to ride. On the Neva, the public authorities build a mountain for the people which is not so rapid but much larger.

The fat cattle are driven from the southern and more fertile country towards St. Petersburg in the winter (I was there only during that season); they are driven sometimes (depending upon the state of the cold) not nearer than one hundred and fifty miles, where they are slaughtered and dressed, and from thence conveyed to the city on sleds. I saw great masses of frozen quarters of beef piled up in public squares where the butchers go to purchase. They cannot be injured by the weather.

Having accomplished what we came for, in obedience to law we advertised our intended departure for ten days—took places in the public stages for a particular day. We sought our passports in the usual form. The Governor refused to let us have them, until we provided for some of the sailors who came out in the ship, and would not return, preferring to remain at Cronstadt, when we offered to pay their passages to America. We called upon our Consul, Mr. Gibson, stated what had been done, and further, that as these men came out to navigate the ship for the Emperor, we were not called upon to provide for their return. Mr. Gibson soon put the matter right, and obtained our passports, but too late for the stage for which we were booked, and had paid. All this, however, proved to be the greatest good fortune, for, hearing of our difficulties, Captain Wright, formerly of the British Army, with whom we were acquainted, very kindly offered to take us with him. We not only thus enjoyed the society of a right good fellow who spoke the language, but went directly through—he having, as is usual, an order from the Government to the post-horse providers along the road to furnish him with horses without delay. So imperative was the order, as the Captain told us, that if the horses of the post were out the others were to be obtained from the stables of any person in the neighborhood.

We left St. Petersburg with him on the 28th December at half-past nine p. m., and travelled continuously (except part of a night we were detained by the ice on the river opposite to Tilsit) during eight nights and seven days, stopping only to change horses and get our meals. At one breakfast, in Russia, we were called to the table before Wright came in. For our breakfast there was the usual coffee, milk, bread and butter, and, in addition, a dish of dark-colored meat which was presented as beef. I cut a piece off it, began to eat, found it tasteless, dry and tough. As soon as Wright came in to the table he said "Stop! Colonel, that is horse-meat," and berated the woman for daring to put such stuff on her table. She then produced some game birds, which were cold, and very good.

At about midnight, we came to the north bank of the river. Being unable to get over, we were shown into a back room in which was a stove, where we could sit until morning. To get to that room we passed through a large passage-way, the floors of which were covered with the bodies of sleeping men and women, in their clothes, their heads to each wall and their feet extending out so far as to leave a passage-way of about two feet wide. That was the coldest night I had felt—the thermometer (Reaumur's) was thirteen degrees below zero, equal to about twenty-eight of Fahrenheit. I found that sleeping on my hand, my elbow, which pressed against the curtains of the carriage, was frozen.

As Captain Wright had previously promised to a German gentleman a place in his carriage as far as Tilsit, we purchased a Tallago with four wheels, four seats with a cloth covering—cost thirty dollars. At the dawn of day, leaving our carriages we took our luggage, and crossed in a row-boat to Tilsit, where the Captain got a carriage with seats for three persons. After breakfast, the keeper of the

house came in, and inquired what he should do with our Tallago. I promptly answered, "Sell it for what you can get for it, and give the money to the poor." He hesitated, as if he did not understand. Wright repeated what I had said. The man then asked "And to whom am I to say we are indebted for this kindness?" Answer: "To an American gentleman!" "But the name!" "No name." Some years afterwards I saw Captain Wright in New York. I think he took home the Treaty of Washington negotiated by Lord Ashburton. He told me he had been asked by divers people in Tilsit for the name of the American gentleman. The secret excited much curiosity and speculation.

We arrived at Berlin early on January 4th, having travelled eight nights and seven days.

So much for Russia. I have written down here all that I had noted of this very interesting journey. I must say that I found the Russians the most civil and obliging people I ever met with.

The present Emperor Alexander had just married. He has performed successfully the great and glorious work his father wished to do; but could not—the emancipation of twenty-three millions of people.

Berlin.—I here met Dr. Julius, a friend whom I had well known in America, a man of great knowledge and intelligence. He gave me much useful information. The people of Prussia are, generally, so far educated as to be able to read and write. Indeed, I was convinced, from what I learned, that the education of the people there, is as general as it is in the State of Connecticut, where all the native-born read and write. The misfortune of the Prussians is, there are no cheap newspapers, or literature; at least, this was the case in 1842. They were like the mechanic who had tools, and knew how to use them, but had no materials to work upon. The Doctor took me to see the Winter Garden, an establishment I have long wished might be introduced into New York. I was there in mid-winter. All classes of people are admitted, for the smallest copper coin. It is extensive and well covered. I there saw whole families, mothers at their knitting or sewing, their little ones playing about them; young men and women walking about and sitting under trees and bowers; nothing is furnished to eat or drink—at intervals a band of music would come into the orchestra, a place raised from the floor with seats and desks for music, and lights. As soon as the horn announced the presence of the band, all persons would rush to the front to enjoy the music, and when the pieces were ended they would disperse. This place was warmed and lighted from four in the afternoon until ten o'clock at night, and thus these people, old and young, male and female, were saved the necessity of having lights or fires at their homes. The old and young enjoyed each other's society without expense, and all were gratified by exquisite music, and thus they were refined in their tastes. Music and painting must have that effect; particularly upon the younger and less improved classes.

In New York, the young men seek the drinking places, other dens of vice, or are driven to walk with their female companions in the common streets.

The wheat of Prussia and the continent is not so good as that of America, because it is exposed to too much wet weather; it is, therefore, not so flinty.

I visited the distinguished Humboldt, a very aged and infirm man. His conversation turned upon the United States. I told him I had one of his letters, addressed to my father Alexander Hamilton. He said, "Yes, I knew him well, by reputation; and it has been a subject of deep interest to me to know how his system of finance adapted to the condition of the country with three millions of people, should have the capacity to conduct the business of a country five or six times that number, and so vastly extended."

The population of Prussia is said to be so numerous already (1842) that measures are taken by Government to repress its increase. Among others, it is forbidden to young people to marry unless there is a vacant house, within their parish, which they can obtain to inhabit. (See Lane's Travels, on this subject). The people of all ranks must belong to the army for six years.

London, 1842.—Having learned that upon the death of her husband, his widow, Lady Holland, was living in her own home (if I recollect right, in South Audley street), the first visit I made was to her; in acknowledgment of the kindness and attentions I had received from her husband. The next visit was to my dear friend Samuel Rogers. He was pleased to see me, engaged me to breakfast next morning, and before I left intimated a wish that I should call upon Lady Holland. I said I had made that my first visit. He replied, "I am glad of it; she gives next week a *trial dinner* to which you will be invited." "What do you mean by a *trial dinner*?" "To ascertain whether the distinguished people you used to meet at Holland House dining with her husband, will dine with her."

I was invited, I have no doubt upon his suggestion, and that such was his purpose when he said "You will be invited." I went to the dinner. The guests were numerous. Most of them I had met before. Sydney Smith was overflowing with anecdote and wit. Lord Palmerston had married—his wife was there. When the dinner was nearly ended, the table being in a roar of laughter from Smith's wit and anecdotes, her Ladyship cried out, "Stop, Sydney, do stop, you will kill us." This being done, she called out to me sitting the length of the table from her, "Col. Hamilton." "Your Ladyship!" "I have heard of an incident connected with the battle of New Orleans given to you by General Jackson, will you do me the very great favor to repeat it to our friends here?" I had been impressed by what I had myself seen, and heard from Fenimore Cooper, that she sometimes took occasion to put her American guests in an awkward position,—the idea of an American talking about the *battle of New Orleans* at an English dinner-table! However, I determined to make the statement as palatable as possible; and I replied, "I will with pleasure relate what you refer to, stated to me by General Jackson on the battle-field." One of his guns (a thirty-two pounder) was commanded by a Barrataria pirate who was a skilled artilleryist. He had been tried, found

guilty, and sentenced to be hanged; and Jackson, when he gave him the command of the gun, promised him his pardon if he performed his duty well. When the enemy advanced to assault his works, (in part formed of cotton bags) this gun being loaded with grape and canister (when fired swept through their columns making a wide gap; which was filled up instantly by the British soldiers. This gun was fired with great accuracy and rapidity, and the gaps were each time filled up without hesitation. I never saw such dogged courage in my life. Nothing could exceed the advance to certain death. At length, from mere exhaustion, there was a moment's hesitation, and then I said, 'By God, I have them!' No men could face death longer than these men did." When I had closed, her ladyship rose and said, "Col. Hamilton, I thank you with all my heart." Mr. Howard, a member of the distinguished family of the Howards, introduced himself to me to shake hands. Lieut.-General Grant came to me, was introduced to me, and said, "I was in that battle, and now thank you for this tribute to the bravery of our gallant soldiers. Please give me your address." The company shortly rose and went to the drawing-room. Lady Holland called me to her; and presented me to Lady Palmerston, who, when I was about to take my leave, said "I shall be pleased to see you at my home on * * * evening next. I will send you a written invitation." This was done.

During my stay in the great city, I breakfasted with Rogers again and again. On one occasion, Thomas Moore, the poet, being present, the question was put to me as to my father's having written most of Washington's public papers. I replied, "I can only say, I have indisputable evidence that he wrote the Farewell Address." Moore, as appears by his diary published by Earl Russell, put down the whole conversation of that breakfast, and exaggerates what I did say, by quoting me as saying my father wrote all Washington's public papers.

JAMES A. HAMILTON TO LORD BROUGHAM.

"March 3, 1842.

"I accept, my dear friend, with great pleasure the works which you have been so good as to present to me.

"Although I have inherited from my father nothing but his illustrious name, it would afford me extreme pleasure to hear the discussion to which you refer. I am engaged to dine with Bulwer at half-past six o'clock, which will, I fear, deprive me of that pleasure.

"I have the honor to be, with great respect,

"Your Lordship's most obedient servant, &c."

I went to the House of Lords. Lord Brougham's card gave me the entrance and a seat at the foot of the throne. The discussion was interesting.

Lord Brougham was very civil and attentive to me, as he had been on a former visit to London. We were invited to dine with Sir Fleetwood Pillow. There were among other guests, an Under Secretary of State by the name of

Hamilton, and another who had held that office, and who, upon leaving it, was knighted. The conversation on the part of these gentlemen was very interesting, relating to the course of business in their particular department, and the characters and habits of their chiefs. It was understood that Under Secretaries were to continue in office for a long period, and thus to convey to each chief in succession, upon a change of ministry, the traditional as well as actual condition of the business of the department. Talking to Lady Pillow, I found she was the sister of Lady Holland; had heard of my being at the "trial dinner," and of my success in the account I had given of the battle of New Orleans. Lady Pillow was going that evening to the party at Lord Palmerston's. I told her I was going also. Walking about the room she took my arm, pointed out the distinguished people, and introduced me to some of her acquaintances. At length, while talking to her, I saw coming into the room alone a lady in a rich black dress, with beautiful black hair plainly dressed, and I directly asked who that beautiful woman was. She said, "Don't you know her? that is the Honorable Mrs. Norton; shall I present you to her?" "Certainly." She did so, and thus I became acquainted with that very talented and much injured woman. Our conversation (standing together where I was presented) was animated and interesting. I asked if she was writing anything. She said, "No! I am in chancery." "What do you mean?" "I am endeavoring to induce the Chancellor to allow me to have my children (two boys) with me at all times, that I may direct their education. At present they only come to me for an hour or two on particular days." "Allow me to say, madame, I have a remedy for that. I think you said you wished to go to the United States." "I intend to do so." "I am to sail next week from Liverpool; I care nothing for your Lord Chancellor. The day before, when your boys are with you, I will come to your door, take them in my carriage, post to Liverpool, go on board ship, and you can follow them as soon as you please." This badinage excited and pleased her. She remarked, "We had better take seats, we are much observed." We did so, and continued our chat until I observed General Fox, Admiral Napier, and other gentlemen looking on, and anxious, as I supposed, to join her; fearing to intrude, I asked her address, which she gave me, and I retired.

Moving about to see the magnates, Lord Palmerston joined me, saying, "I presume, seeing all these gentlemen in their fine toggery, (that is the Duke of Wellington, whom you see there with all his orders,) is new to you?" I said I had seen much of all that in Russia and other parts of the continent, but not in England. "I will explain to you. The Speaker of the House of Commons receives once a month; the members of Parliament and other distinguished officers of the government, consider it their duty to pay their respects to the Speaker as the representative of the Commons House, and etiquette requires them to dress in as full costume as they would when presented to the Queen." He then gave me the names of some of the distinguished persons we met, and presented me to Lady Palmerston.

I had the pleasure to see Mrs. Norton at her own house; she called at my hotel and left for me a copy of several of her works, and among them:

"A plain letter to the Lord Chancellor, on the Infant Custody Bill; by Pierce Stevenson, Esquire." (Note on my copy in her handwriting) "Was written by Caroline L. Norton,—a name adopted, as I feared if they knew it was a woman's writing, it would have had no weight. Dated December 15, 1838, printed for distribution to members of Parliament—not published."

This lady, the granddaughter of the illustrious Sheridan, was distinguished for her talents and beauty. Her figure was commanding, her hair was soft and jet black, her countenance very expressive, her manners easy and in all respects correct. No woman was so wickedly traduced as she was, and without cause. She was separated from her husband, who held some place in the police of London.

JAMES A. HAMILTON TO PRESIDENT FILLMORE.

"NEVIS, DOBBS FERRY P. O., April 29, 1842.

"SIR: I have the honor to inform you, that when I was in London, about a month ago, I was presented to Lord Aberdeen, her Majesty's Minister of Foreign Affairs, who sought an opportunity to converse with me in relation to the affairs of our respective countries, in which he manifested the strongest interest,—I may say solicitude—that the points of difference should be adjusted in such a way as to preserve the peace. As to the Eastern boundary line, he plainly intimated that if the difference could be settled by purchase, they were ready to pursue that course, and in regard to all the subjects of difference, after inquiries as to the disposition on our part he said, "Well, although there may be great difficulties yet, to use a homely phrase, where there is a will there is a way."

"Afterwards, at dinner with the Lord Chancellor, he spoke to me of the Eastern boundary question, wishing to know if we were willing to settle it? I replied we were; that it was too clear under the treaty of 1783 to raise an argument, as his lordship well knew. He replied, (without admitting that point) he would ask whether I thought our government would sell the country? I replied that with the assent of the States interested, we probably would. He then said 'Well, would half a million purchase it?' I replied he had better say a million. 'Oh! no!' he replied, 'I understand the country is very barren and worthless.' 'Yes,' said I, 'but it is very valuable and indispensable to you, and you, my Lord, well know—having been born in Massachusetts—that we are pretty sharp in a bargain.'

"I have thought it my duty to communicate these conversations to you for what they are worth. They produced on my mind a very distinct impression that they were prepared to pay the sum named, or more, if necessary, and to do whatever justice might seem to demand, in order to settle all the other points in controversy. On the other hand, I was satisfied from the language of Louis Philippe, that if there should be war between the United States and England, the French nation would be forced into it on our side; and that to avoid such a calamity, the King of the French would most gladly arbitrate between us.

"I have the honor to be, with very great respect,

"Your most obedient servant, &c."

WILLIAM H. SEWARD TO JAMES A. HAMILTON.

"ALBANY, June 8, 1842.

"DEAR SIR: Your letter of the 1st instant was duly received and read with gratitude and sincere pleasure. It has been an occasion of much regret, that important public interests have suffered in consequence of the difference existing between the branches of the appointing power. What you describe as having happened in Westchester County, has occurred, if I am rightly informed, in several other counties. I fear that there will be losses of the United States deposit fund, in consequence of a failure to make appointments of Commissioners.

"The consequences of the falling back of the Whig party at the last election in this State, are mortifying indeed. The State, rich and powerful, and in the fruition of advantages of the enlightened policy hitherto pursued, has given way under a panic, and is submitting to losses and vacancies on every side. If ever a party acted without consideration of public interests, our opponents did so during the last session of the Legislature, and they are now proving what we all know very well "à priori," that they cannot correct their errors. My letters from various parts of the State, assure me that the Whigs are recovering from the shameful lethargy which was perhaps, a natural consequence of the intense excitement of the Presidential contest, and the unhappy dissensions which followed it. I cordially agree with you, that to obtain success, we must forget the Presidential controversies and National politics, and rally upon the local interests and policy of the State. Whatever I can contribute to the adoption of such a course, shall be cheerfully rendered.

"It has always seemed to me inexpedient to hold, or to try to hold a great party to the interests or care of any leader. When I entered upon my trust, it was with an intention to show that I could as cheerfully resign as accept that high public trust, and I never intended to exact further support than what was afforded by the first election, and at most, a re-election upon the merits of my administration,—I therefore announced immediately after the latter event occurred, that I should not again be a candidate. I could not have the vanity to believe that the reconsideration of that decision could in any degree be beneficial to the common cause, and if I could, the necessity of devoting myself to my private affairs, so long neglected, in such trying times, is a matter of ever paramount obligation. I tender you my thanks for the assurance most gratifying to me, of your favorable opinion; such assurances are the only permanent gains of public service.

"It will afford me very great pleasure if you can make me the visit you propose between this time and the next session of the Legislature, and the more as your advice will be useful to me in regard to some questions of deep public interest, which I wish to leave in a proper situation, to be beneficial to the Whig cause.

"I am, my dear sir, very respectfully and sincerely yours, &c."

COPIED FROM MY JOURNAL UNDER THIS DATE.

June 27, 1842.—It was reported and generally believed in New York that the Dorr insurrection in Rhode Island would immediately come to a military contest. I suggested to Mr. G. L. Schuyler that we might be of service there, and proposed that we should take the afternoon steamboat for Providence; there

the parties were arrayed against each other; where the fight was to be we did not know. We arrived in Providence on the morning of the 28th of June, when we learned that Dorr had made a cowardly escape during the night, leaving over one hundred men, a part of his force, who were taken prisoners.

We reported ourselves to the commanding officer of the State troops, who was very civil, and presented us to Governor King and others, who thanked us for our good intentions. The people of the State turned out with great alacrity. Four lives were lost in this foolish and wicked outbreak; the State was put to much expense, and much hot blood had been excited. The men, and particularly those who held the meeting in the Park in New York, who sympathized with Dorr's treasonable acts and purposes, have to answer in some measure for his crimes.

I was moved to go on this expedition, first, because I felt it was my duty to show a readiness to risk something in support of law and order; second, because I wished to give this public demonstration that I did not concur in the views entertained on this subject by my brother Alexander, who was one of the Vice-Presidents of the Park meeting, and lastly, because I desired to be in a fight to know how men do and how I myself would behave on such an occasion. I had made up my mind to be in the hottest of the fight, if there should be one, which there was every reason to believe would be, when we left New York. The surprise was how Dorr could avoid fighting after he had become so deeply pledged. "Conscience makes cowards of us all."

CHARLES R. VAUGHAN TO JAMES A. HAMILTON.

"5 Hertford street, May Fair (LONDON), 1st July, 1844.

"MY DEAR HAMILTON: It was my intention to have written to you, by your son, but when he left London my letter was not ready. It will, however, I dare say, be carried to New York by the same steam packet which is to restore him to his family. It has given me great pleasure to have made his acquaintance. He is a very intelligent, pleasing person, and such I assure you is the impression which he has left upon all those to whom he was introduced. If some one of your fluctuating administrations in the United States would make it worth his while, I should think he would be very useful in the Diplomatic service.

"The news which you sent me in your letter, delivered by your son, has been proved to be very correct by subsequent events. After the result of the Democratic Convention at Baltimore, I presume that Mr. Clay will have no opponent for the Presidency, and I see that the Senate has refused to ratify the annexation of Texas. Indeed you will require all the talent and spirit and honesty of Clay, to set you right after the strange vagaries of Mr. Tyler.

"So far as Great Britain is concerned, his pretext for the annexation of Texas is most flimsy and false. We do not seem to take the least interest here in that proceeding, excepting in the question of its releasing Texas from any obligations under the treaty by which we acknowledged its independence.

"The voting for Cass at the Baltimore Convention and the test motion in the

Senate, of Mr. Benton, seems to me to indicate a stronger party for annexation than I could have supposed, followed, as it must be, by a war with Mexico and the disturbance of your valuable commerce in the Gulf of Mexico by all sorts of unprincipled marauders in the shape of privateers. France, I hear, does not by any means look so quietly upon annexation as we do.

“The English newspapers will have enabled you to form a correct judgment of our political state in England. We have a strong government, which has placed our finances in an excellent condition, and no nation can be respected or powerful in a crisis of financial difficulties.

“It would give me great pleasure to see you again in England, and if there is no hope of that, I shall be glad to hear from you whenever you are disposed to tell me how you are going on in the United States, for I take a very deep interest in your politics.

“Believe me, most truly and sincerely, yours, &c.”



CHAPTER X.

FROM JULY 1847 TO APRIL 1848.

Offer of services to the Government—The Chicago Internal Improvement Convention—Letters from Daniel Webster—Affairs in the Papal Dominions—To England and France—Arrival at Florence—Outbreak of the Revolution in Tuscany—Governmental Institutions in the Papal States—Financial affairs—Military force—Population of Italy—Memorandum submitted to the Pope—Memorandum from an English gentleman—Reflections by J. A. Hamilton upon the political condition of Italy—From Rome to Naples—An interview with Ibrahim Pacha, Viceroy of Egypt—A messenger of the Italian Liberals—Mr. Hamilton determines not to join the Committee—A warning of the rising—The Vienna Revolution—General uneasiness throughout the Continent—Holland—The Harlem Sea—Incident of the Revolution in Paris—Letter from George Sumner.

JAMES A. HAMILTON TO HON. WM. L. MARCY, Secretary of War.

“ July 20, 1847.

“ DEAR SIR: I have been urged by an officer in the Army, who has seen some service in Mexico, to write this letter. He informs me that a brigadier-general is to be appointed. If this be so, and no selection has been made, allow me to beg the favor of you to present my name to the President for that place.

“ I desire most ardently to serve the country in a military capacity; and if opportunity should be afforded, to end my life on a field of glory.

“ With great respect and regard, I have the honor to be,

“ Your obedient servant.”

E. CURTIS TO JAMES A. HAMILTON.

“ GADSBY'S HOTEL, 10 P. M.

“ MY DEAR SIR: Mr. Webster will call to see you in the morning between nine and ten o'clock, if you can receive him. Pardon my late visit—I have been prevented from coming at an earlier hour, and also from acknowledging your note, by a succession of company through the whole evening.

“ Yours truly, &c.

“ P. S.—Of course I should give notes to our friend.”

The object of Mr. Webster was to confer with Mr. H. as to the propriety of submitting a resolution to Congress. At Mr. W.'s request, the following resolution was prepared by J. A. H. for Mr. Webster:

“By bill as a substitute for the bill under discussion, or by joint resolution, declare that the war is not prosecuted by the United States for conquest; that the acquisition of territory is not desirable or desired; that the interest or the honor of the United States does not require its prosecution further than to secure indemnity for the wrongs of her citizens.

“That the President be and he is hereby authorized, to appoint three commissioners to meet such commissioners or other agents on the part of Mexico, in the city of Havana, or such other place as the parties may agree upon, to treat of peace and the differences between the parties, and to settle the boundaries between the two countries upon terms the most just and liberal; and that the sum of \$50,000 is hereby appropriated to be applied by the President to carry out these important and humane purposes.”

CHICAGO CONVENTION, JUNE, 1847.

As a delegate to the Chicago Convention to promote internal improvements, I sought advice from the best minds in the country; and to that end I addressed a letter to Daniel Webster, and received the following reply:

“MARSHFIELD, June 17, 1847.

“MY DEAR SIR: I received yours of the 13th instant, last evening. I am glad you are going to Chicago; and though not in very good working order, I will try to give in some form my sentiments on the subjects there likely to be discussed.

“There are two difficulties: First, as to the form of making the communication.

“I have an invitation from two or three hundred individuals, of all factions, inviting me to attend the Convention, and recording in complimentary terms my votes heretofore in favor of harbor and internal improvements. Shall I say what I have to say in answer to this? Would it be better that you should write me a letter, asking for my opinions, &c., which you could commit to the Convention? I do not see how I could presume to address the Convention itself. Think of this.

“Second.—I have discussed these subjects so often, and recently in my speech at Philadelphia, that I have nothing new to say. I could only repeat what has been said before.

“I am a little afraid of the results of this Convention, in a party point of view. The Whigs have now the advantage of being that party which sustains Internal Improvements. Is it not possible that this Convention may take from them this vantage ground? All that has been done for the country on these subjects has been done by the Whigs, this is now getting popular. The Whigs are entitled to this popularity in justice; now as leading men of the other side will be there, and will be prominent, can we afterward claim this wise, beneficent and now most acceptable policy to be exclusively Whig policy? In other words will not the character and probable proceedings of the Convention relieve the other party from the odium of Mr. Polk's vetoes? This point ought to be well considered.

“As to the other topic of your letter, I think there is nothing at all to be done at present. There is a strong popular feeling in favor of General Taylor. It must be allowed to take its course for the present undoubtedly. It may outride, but it must be left to events.

“Pray give me a line containing your thoughts on the matter of the Convention at an early day.

Yours very truly,

“DANIEL WEBSTER.”

I went to the Convention. The Honorable Edward Bates was made President. His address was a most excellent one. I, of course, played the subordinate part of taking care that the course of proceedings should be systematic; and to that end when about to proceed to business I proposed that a Committee should be appointed, to which all propositions should be submitted without debate, further than to allow the proposer to explain his proposition; and that this Committee should report such a plan of action as they deemed best, or something to that effect. I write from memory, not having a copy of the proceedings.

This course was adopted and the Committee was appointed. Subsequently the Hon. John C. Spencer took the lead.

General Cass wrote a letter stating that circumstances did not permit him to attend the Convention.

The letter, Appendix B, dated August 30th, 1847, was written with some care—not for publication. It is now given for what it may be considered as worth:

HON. DANIEL WEBSTER TO JAMES A. HAMILTON.

“NEW YORK, July 1, 1847.

“MY DEAR SIR: I concluded upon the whole, that my best way was to say what I wished to say, in a letter written to the Committee of Correspondence, in answer to their invitation. Such a letter was mailed last night, but I had not time to write to you.

“I know not how the Convention will relish my letter. It is pretty stiff in asserting the doctrine of internal improvements as a doctrine of our side; though this is done, I think, in a way to give no just offence. Mr. Curtis thinks the letter about right.

“I have no doubt the Convention originated in a plan for giving the Northwestern branch of the Loco-foco party the lead in that party, and making a N. W. President.

“The Convention may, or may not, print my letter. If not, Mr. C. joins me in desiring that you will cause it to be printed in the Chicago papers.

“We look for your proceedings with a good deal of interest.

“Yours very truly.”

THIRD VOYAGE TO EUROPE, 1847-1848.

JAMES A. HAMILTON TO PRESIDENT JAMES K. POLK.

“NEW YORK, October 11, 1847.

“SIR: I have the honor to submit to you the following suggestions connected with the existing state of things in the Papal Dominions. I go in the steamer of the 16th instant to England, and thence directly through France to Italy, to pass the winter there. I have given some attention to the course of events in the peninsula.

“Under the government of Pius IX. the people of the Roman States are endeavoring to break their chains, and their example has inspired those of the other

Italian States to make an effort to throw off the iron despotism of their princes, which is sustained by the power of Austria.

“In this state of things it has occurred to me that the expression of the sympathy of the people of the United States, which is deep and universal, through their Government, would have an effect useful in very many ways to those people and to us.

“I am well aware that without the action of Congress, diplomatic relations could not be established, nor do I advise that course; but, should the President, in his message, referring to the struggles for liberty in this most interesting portion of the globe, suggest to Congress the propriety of opening such an intercourse, it would be of important service to these people and to human freedom, and it would give the Catholics of this country, and the world, the utmost gratification. Should you deem such a course proper, and should you direct the Secretary of State to send a copy of your message to me, with instructions to communicate it to the Pope, with such other instructions as you might think proper, it would afford me very great pleasure to be the humble (and if you please, private and confidential instrument) in such a beneficent policy, without any view to compensation or ulterior employment.

“I have the honor to be, with great respect, yours, &c.”

I received no answer, and perhaps did not deserve one. I arrived in London in November, 1847, the day, it was said, the Privy Council found it unnecessary to relieve the Bank of England from the restraints of Sir Robert Peel's bill. I passed over to Paris, where I arrived early in November, 1847; remained in Paris a few days, thence to Marseilles, and on the 6th December left Genoa for Leghorn, in a steamer. On the boat, met a drunken dandy, full of affectation and conceit—Dyce Sombers—who got into my berth. When I called this intrusion to the captain's notice, he begged me not to insist upon taking him out, as, being drunk, he would make a great noise; and promised that he would give me another berth as good. This fellow was an East Indian Prince, who paid two hundred francs to go to Leghorn with his valet, a ragged, dirty boy.

December 8th.—Arrived at Florence, where I met my friend, formerly Duke Denon, now Prince Talleyrand. He told me the Secretary of Prince Talleyrand had published what he said were a part of the Prince's memoirs, and had intimated that he intended to make another publication. The Prince believes that this was a threat to get money, and asked whether he ought to give him money. I said, “Certainly not; if you purchase forbearance now, you will soon have to do so again.”

The houses here are built very massively, and are apparently fire-proof. The practices of the people are very dirty—no delicacy towards females. The people are under great excitement, without knowing what they wish, or how to effect anything. They sing, talk loud and vehemently, are very courteous to each other and to strangers. Both men and women are under size.

The dress of the country-people, with their large Leghorn hats, is peculiar. That of the citizens is similar to the people of France.

The revolution in Tuscany came off in this wise : blindness is a frequent malady, and those so afflicted are objects of deep and general sympathy. A blind man, sitting on a bridge begging, said something to a policeman which offended him. The latter treated the blind man harshly, and he resisted ; the passers-by came to his assistance ; the police, in force, came to the aid of their associate ; a fight ensued ; the people being victors, followed the police to their quarters and took possession of them with their arms. In the dungeons the bones of dead men were found in chains, as were the bodies of those who were dying, and others recently incarcerated. They had been subjected to the most brutal treatment and nearly starved. This was soon noised abroad, and the people drove off the police, subjected the magistrates, who were considered their accomplices, to a humiliating condition, and being armed in great numbers, went to the palace, drove off the body-guard, and informed the Grand Duke, who was beloved, that they would guard and protect him. He acquiesced ; and thus the public authority was overthrown, and the Grand Duke was taken in triumph through the streets to the theatre, to give his sanction to what had been done by his people. This was the first part of the revolution of that period, and it was a bloodless one.

The people of Tuscany are the most intelligent and independent of all the people of Italy.

After some months, when I returned to Florence, I was invited to dinner by Mr. Greenough, an American sculptor of merit, to meet four distinguished public men who were understood to be the advisers of the Grand Duke as to the government to be established. The conversation was frank and interesting. I found that the Grand Duke was disposed to go much further in introducing a popular government than his advisers believed to be prudent. I asked if the superstitions by which the people had been so long subjected to the domination of the clergy were to be denounced. The answer was, they must be continued ; we could not govern the people without the influence of the priests ; and these superstitions are essential to the latter.

We left Florence, and arrived at Rome in the evening of the 20th of December, and stopped at the Hotel Britannique. On the 24th, in the evening, high mass was performed at St. Maria Maggiore, by the Pope in person. The people, who were there in great numbers, evidently did not participate in the exercises with any heartiness.

On the 25th, Christmas day, the religious ceremony made a gorgeous display. The people showed no interest whatever ; they seemed to be at a spectacle where there were performers to interest and amuse them.

1848. *January 1st.*—The Earl of Minto called upon me. He is Lord Privy Seal, a member of her Majesty's Cabinet, is an accredited Minister to Sardinia and Tuscany, but not to Rome. He had been received by the Pope, and had several private conversations with him upon the condition of public affairs. Our conversation referred to the popular movements in the Papal

States, tending to a revolution. Lord Minto said the Pope was very frank and candid, and was very much disposed to make changes which would meet the public wishes, particularly in secularizing the public offices. From all he said, I inferred that the popular movements were admitted to be of a grave character; that the Pope had very good intentions; that he was not a man of a vigorous intellect; and that there is much reason to believe the Cardinals about him and others who seem to acquiesce in his measures of reform, are false to him.

I made the acquaintance of an English gentleman who was connected with a newspaper. He related this anecdote: The Pope wishes to bring laymen into some of the public offices now exclusively held by the clergy. In his personal individual interviews with the cardinals, members of his council, he urged upon them the propriety and expediency of this change, in which they generally acquiesced. When they came together, the change was proposed by the Holy Father; it was discussed and submitted to a vote. White balls are "yea," black balls are "nay." Each member present puts a ball on the table, thus indicating his vote. On this occasion a majority of the balls were black. The Pope put his capote down upon the black balls, declaring that it did not become the Council to be divided, and that the question was decided in the affirmative. He, having the right and power, so decided, regardless of the opinions of his Council.

I became acquainted with some of those who were understood to be leading men in the popular movement, and from them learned much of their affairs and of what they complained, and the movements which were in progress. I prepared for one of those gentlemen, at his request, a paper containing such measures of reform as they desired, and I thought necessary, in which I endeavored to impress upon them this view: "That personal liberty, the right to be free from arrest without a written warrant founded upon a charge made under oath, and from imprisonment until after an open, public examination, was the only sure foundation of public liberty." Our conversation on these subjects were peculiarly interesting to me, and perhaps to them. I thus learned much more than I could otherwise have done of the working of this Government, and its various departments.

I copy from my note-book.

Tribunal of the Vicar-General.—The ostensible object is to investigate and punish immorality, and deviation from, or neglect of religious discipline. The delinquency is first manifested to the offender by his being taken up at any time, in any place, or under any circumstances, even out of his bed at night, by a soldier, and secretly conveyed to prison. The whole proceeding is secret. There are no witnesses to confront the accused, and a secret condemnation by the Vicar-General and his satellites is pretty sure to follow. All the means of attempting to prove innocence are frustrated.

This court, as it is called, was originally established for the superintendence of the clergy, but by usurpation and abuse of power, is now made the instru-

ment of revenge, and used for private gain against any individual who may commit a *faux pas*, or eat meat on a fast day, &c. The curates of the parishes are the real police officers, having immense power. They are understood to be the spies of the Vicar-General. If they are at enmity with or prosecute an individual or family, the only escape is by death, or removal from the parish.

The system of espionage (before recent reforms) for political offences, was on an immense scale. The nobility, clergy, middle classes, and lower orders, were paid to report. The inquisition still exists (1847) but is insignificant compared with what it once was. Torture is not used, it has been suspended by the Vicar-General. It still, however, investigates questions of doctrine, or maxims declared by the clergy not orthodox, and punishes heterodoxy severely. Its proceedings are secret. The priests among the highest order are not governed by that severe morality, which is assumed and required. Their great crimes are avarice and lewdness. The judicature is said to be corrupt.

The Rota is the supreme tribunal. It is independent and incorruptible. Its process is long and expensive, but justice is obtained at last. An instance of this is given in the case of Torlonia, the great banker, who had taken possession of the Cæsarini Sforza family estate, which he was obliged to return to a poor boy, whom he attempted to prove was a bastard. Personal influence has no power with this body, although it has with every other. The civil offices are generally filled by ecclesiastics, particularly those where emoluments are high, and the work light.

The population of the Roman States was 2,500,000 in 1837, in 1848, 3,000,000; the increase is said to be greater in the Legations than in the patrimony of St. Peter. In Rome, the population in 1812 was 90,000, in 1837, 160,000, in 1848 said to be 180,000. The population in the Legations increases faster than in the patrimony, and the moral and physical powers of the inhabitants of the former are far above those of the latter.

The whole extent is 118,117 square miles, the soil fruitful, and the climate with a few exceptional places, healthy and delicious. All the elements for an increase of population and wealth exist in the people, soil and climate. Five millions could be supported. These advantages are, however, counteracted by bad government, a government in which the head is elected by an exclusive and privileged class, ignorant of political economy, educated despots, accustomed to implicit obedience, in a word, ecclesiastics, who according to Clarendon, "take the worst measures of public affairs of any men who can read and write."

In 1837, the debt was thirty millions, the revenue six millions, the annual deficit was one million. The debt in 1848, is not less than forty-five millions. The ecclesiastical property is worth fifty millions. Instead of receiving from the provinces the hard dollars, it draws at one and three quarter per cent. for thirty days.

The revenue arises from the monopoly of tobacco and salt, imposts, dispensations for crimes, and marriages, archbishoprics and ecclesiastical appointments

(the latter is very small), duties on articles of consumption (octroi), and land tax. The latter is not equal because founded on an estimated value of property made one hundred years ago.

The octroi operates upon the product of the labor of the peasantry or the consumer, and by means of weekly lotteries.

In 1837, the military force consisted of 9,000 Romans, 6,000 Swiss, 4,000 Austrians at Bologna, and 2,000 French at Ancona. The two latter, now (in 1848) are withdrawn, and the former increased. The civic guard is numerous.

The pay of the soldier four bajocchi per day, and meat or bread; colonel \$74 per month, captain \$33, lieutenant \$19, subaltern \$8½.

Instruction.—The people may be instructed by the Jesuits, but to a limited extent. The schools and colleges are supplied with masters from the clergy, except at the Saepierozia, where most of the professors are secular. The higher classes of people are ignorant, proud, and exclusive. The middle classes intelligent, industrious, and in good condition. The lower classes wicked, brutal, revengeful, and ignorant, powerful and robust physically, requiring only a good government to give them education, and encourage industry, to make them happy and contented. There is no country in the old world possessing such elements for prosperity.

The exports.—Grain, lamb-skins, silk, timber, and works of art. *Imports,* colonial produce, manufactures, lead, sometimes wine and oil. *Manufactures,* coarse woolens, hats, and coarse leather.

When there was (as I have seen,) a slight fall of snow, the people outside of the walls come to the city government for bread, and receive it.

Reformed and United States, Rome, Tuscany and the kingdom of the House of Savoy, nine millions, to wit: Rome 2,800,000, Tuscany 1,200,000, Savoy 5,000,000. Unreformed and separate States, Lombardy, Venetian kingdom 5,000,000, two Sicilies, Parma and Modena 9,000,000. Total, 14,000,000. Grand total of Italy, 23,000,000 (according to Balbo).

JAMES A. HAMILTON TO A FRIEND IN NEW YORK.

“ROME, February 27, 1848.

“DEAR SIR: You will receive with pleasure and surprise this letter from an old friend and occasional correspondent, written in this remote and interesting city.

“When I turn my thoughts back from this Old World in her state of decrepitude and decay, to our happy land, so new in its institutions, but so much farther advanced towards true civilization, where the mental and physical properties of man are so much more vigorously developed than in any part of Europe, England with all her pride not excepted, the undoubted result of our free institutions, I thank God *I am an American.*

“The grand idea first announced in our Declaration of Independence and practically illustrated in the Constitution of the United States “that the only true foundation of government is the will of the people, and its only true aim, the greatest good of the greatest number, has never on this side of the Atlantic been the object

of the faith, or the rule of action of its statesmen or politicians when engaged in forming or administering their Governments. On the contrary, it is deemed by them a dangerous heresy, subversive not only of thrones, but of the power and influence of the classes who consider themselves born with boots and spurs on, to ride at will the submissive people.

"Nothing illustrates more clearly or strangely the difference between the classes of the two regions than the fact that, in almost all the countries of Europe, the object and indeed the sole end, of all the projected reforms of the social condition of the laboring classes, (and they are numerous and continued) never assume to do more than to enable them, by unceasing toil, and the utmost privation, to support themselves and families without being a burthen to the public. Further than this, they never hope that they can aspire. As to education, except perhaps in Prussia and Scotland, as to a competency, as to comfort, as to independence, such an idea never enters their heads. How different from all this is the condition of the same classes in our happy country need not be stated.

"You have heard of 'Merry England.' If ever she was so, she is so no more. Her joys are all turned to sorrows. You have heard of 'the roast beef of old England,' there is certainly much of that there, but the masses not only do not eat it, but they do not know its taste. As to schools for the people and their children, the fitness of having them and the mode of establishing them in England, Wales and Ireland, is much discussed, but no nearer adoption than it was in the time of Robin Hood. Indeed, the ignorance of the people in Wales, in letters and religion, as appears from the report of commissioners appointed to investigate the subject, is much greater than can be conceived; and, of course, the morals of the people, as appears from the same report, are at the lowest point of degradation—not higher than the brutes. For the justness of these remarks, I appeal with confidence to the official reports, to the reviews, to the essays, to the public discussions, and to the laws touching the condition of the labor of these countries.

"Without meaning to boast of the superior advantages of our political and social systems, which with humble submission to the Ruler of Nations we ought to attribute to His peculiar favor, I may be allowed to say that the *political reforms* of this old world, so numerous and so rapidly advancing, are due to our example. 'The spirit of '76' is the pillar of light by day and of fire by night to all mankind, and without blasphemy, I hope I may be permitted to express the conviction, long entertained, that the spirit of our Declaration of Independence, practically carried out in our system of government, is the greatest boon received by mankind next to the sacred revelations of the Almighty himself. Be assured that this is a truth which is established beyond all peradventure, by the history of the world from 1776 to the present period.

"I am led to these reflections by the deeply interesting political events which are passing at this moment in Italy. In the course of a few weeks three absolute princes, the King of Savoy, the Duke of Tuscany and the King of the Sicilies, have laid down their power at the feet of their peoples, by committing the legislatures of their kingdoms to their representatives, and it is rumored here that the Pope, the most obstinate of all, is, notwithstanding the opposition of his Cardinals and of the Emperor of Austria, about to do the same. From a variety of causes, but none more efficient than that opposition, his task is much more difficult than was that of his neighbors.

"How competent these people are for the exercise of this power I am unable to say. The experiment will be made under very favorable circumstances. It is most certainly, a surety for the future, that these revolutions have, with a very unimportant exception, been bloodless, but I entertain an abiding confidence that the 'spirit of '76,' which proclaimed freedom and happiness to all mankind, will work out its high mission here and elsewhere, in its appointed time.

"No part of Europe, not excepting Ireland and Russia, has been worse governed, nor shows more distinctly, in its religious, moral, and political degradation, the effects of an iron despotism, than the Pontifical States, the two Sicilies and Sardinia.

"The people of Tuscany, from the more liberal and enlightened administration of their prince, are in all respects much higher in the scale of civilization than the others.

"This reform movement, so interesting to us particularly, and which will make every despot in Europe tremble, commenced in the Eternal City.

"Under the administration of the last Pope, Gregory XVI., a miserable sensualist, who was completely in the hands first of his barber and the barber's wife, and next the brother of the former, the government of his dominions was as corrupt and abandoned as it was possible to be; and had become so intolerable even to his submissive people, that at his death, there were such fearful evidences of revolt, the Conclave elected, contrary to the usual practice and the personal ambition of its older members, one of the youngest of their number, a man of known liberal views, to fill his chair.

"The renowned Pio Nono, or Pius IX. commenced the Italian reforms; and to the popularity of his name and character is to be attributed, more than to any other circumstance, not only the popular impulse, but also the moderation of the people. He first established the 'Civic Guard,' and gave a very qualified freedom to the press; and 'without' as he said in his address to his consulta, 'having parted with a little of his power,' he still preserves absolute dominion over the hearts and minds of his subjects.

"The Lombardo-Venetian Kingdom, one of the fairest portions of Italy, is a province of Austria, and is nearly crushed by the iron heel of the Croat. It presents at this moment a most interesting problem; the nobles and the people, always averse to the rule of the strangers, feeling deeply their wrongs, instigated by the example and sympathy of their neighbors and brothers having the same language, religion, and illustrious recollections, have already manifested a determined spirit of revolt. On the other hand, the Emperor of Austria has said, in a letter to his Viceroy, 'I have made all the concessions you required, for my promises; I will make no more, and now I rely upon the fidelity and courage of my troops.'

"He has in this province 150,000 men, of all arms, and is making great exertions to push on more. Under such circumstances, it is greatly to be feared that in this beautiful portion of 'Sunny Italy' the fire of liberty will be extinguished with the blood of her people. A contest seems almost inevitable, which may, and probably will, involve the peace of Europe.

"I have examined with attention the course of events in all Middle and Southern Italy, and am entirely unable to form an opinion as to the probable course of these governments. It is quite clear that the masses, from their ignorance, their habitual servility, and their blind confidence in their priesthood, (who are, generally speak-

ing, ignorant and demoralized,) are not only entirely unfitted to govern themselves, but incapable of knowing what good government means. Whether wise and patriotic spirits will arise to moderate and direct the impulsive character of the people, or whether all will pass into a state of the wildest anarchy, it is impossible to foresee. But I am quite sure that the dominion of the Church of Rome over the minds and conduct of the people, which has been so absolute, must now come to an end. The hostility to the Jesuits, so deep and universal even in the Holy City, the seat of the power and wealth of that society, will extend to all the other orders of the priesthood. The reason of this fierce hostility to the former is merely because they have only more grossly deceived and oppressed the people than the others, and because they have had more power and greater opportunities to do so.

"From a very close and extended observation of the people, in their churches and elsewhere, I am quite satisfied that although very attentive to the forms and ceremonies prescribed and forced upon them under pain of refusing absolution and of the Vicar-General's Courts, they are by no means a devout or religious people. On the contrary, the monstrous superstition and frauds which are put upon them have made many of the clergy and most of the thinking portions skeptical to a very great degree.

"I will here refer to one of the many gross impostures. In the Church of St. Maria d'ara Cœli, one of the oldest in Rome, which belonged first to the Benedictine monks and now to the Franciscans, the altar is contrived into a sort of Stage with scenes made of painted canvas, exhibiting trees and men as skillfully painted and placed and effectively lighted as in our theatres; representing the wise men of the East worshipping at the manger of our Saviour, who is represented by a wooden doll, gaudily dressed, lying in a cradle of wood, elaborately carved and ornamented; his mother, the Virgin, attired in a fashionable French dress, deeply flounced, leaning over him. The account of this wooden doll which is delivered by the Church to the devout as a tradition, and received by them, is, that it was carved by a Franciscan pilgrim out of a tree which grew on the Mount of Olives; and painted by St. Luke while the pilgrim was sleeping over his work. It is believed to have a miraculous power of curing all diseases, and it is actually carried to the bed-side of the sick, for which a certain fee is paid; and this is done so frequently, that the Sanctus Bambino (holy baby) is said to have a more lucrative practice than any physician in Rome.

"But, to give this imposture greater importance in the eyes of the ignorant and superstitious, they are taught and required to believe, that the Bambino having been at one time taken and kept away from the church, returned on its own feet, and before it entered its sanctuary, which it did at midnight, to inform the devout of this joyous event, it set all the bells of Rome to ringing a merry peal.

"I make this statement of a fact, as well known as any other thing at Rome, and which is only one of the very many absurdities which are propounded to the people as deserving their faith, in order to show the extent of the frauds which are practised and to which nothing but the influence of knowledge and freedom of mind resulting from liberal institutions will ever put an end. And reasoning from the course of human events, I venture to predict that the people of these kingdoms will, when they discard these delusions, throw off, with them, all religious belief and restraints; and rushing into the other extreme become, as the French did, a nation of infidels."

I return to my note-book of the Revolutionary movements.

December 27th, 1847.—A procession intended to pay homage to the Pope on Saint John's Day, was postponed in consequence of the rain until this evening, when a numerous procession, with torches, went to the Quirinal Palace to receive the blessing of the Pope.

Angelo Brunetti, the Tribune of the People, who was called by them Ciceruaccio* (the fat boy), had been a dealer in wood; and having made a competency, had retired from that employment. On the morning of the ceremonial there was presented by him to the Pope, in writing, a list of twenty-eight demands; among others, that he should banish the Jesuits; and that he should establish commercial freedom. During the ceremonial, this man held a banner on which was inscribed: "The Roman people have many desires to express to their adored Sovereign; but they do not supplicate him, relying on the intercessions already employed by their great leader." He is the great man of the people; has greater influence over them than any other person, and has at times restrained their violence. He and they were (as wiser men declared to me) on this occasion guilty of a capital error.

These demands place the Pope in a position of alternative that may obstruct, if they do not defeat, his proposed reforms. He cannot banish the Jesuits. That would be an act of gross injustice and oppression. They have too much power to be thus dealt with, whatever they may deserve. The other denominations of the Roman priesthood would make common cause on such an occasion; although generally they hate the Jesuits. If the Pope refuses them, his hold upon the people, through their confidence and affection for him, will be impaired, because it will be a refusal to gratify them in an object of the deepest interest to them. But, above all, the designing men, who are behind—the wire-workers, as they are called in our country—will make use of this refusal in connection with the "Letter to * * * a Jesuit," and that part of his allocution of the 17th December last, in which he refers to the course of the Diet of Switzerland,† to impute to him, what he is not entirely free from, a little Jesuitism.

* Garibaldi, in a letter, gives the end of this man. He says, "I have been most fortunate in many circumstances of my life, but not in all; for instance, in 1849, after I had fought for Italian land at Rome and San Martino, unsuccessfully, because of the apathy and indifference of the population in those days, I embarked with a few companions in thirteen small boats, my own being the smallest. Nine out of these thirteen boats were taken by the Austrians, after a furious cannonade. A Roman exile, Ciceruaccio, and his two youthful sons, landed with myself and my dying wife. I sought to hide my precious burden from the Austrians, whose barbarity I well knew; they were close upon us, and we took refuge in a field of Indian corn. Though the soldiers surrounded us on every side, they did not discover us; but they captured Ciceruaccio, his two sons, and seven companions; and, having ordered a party of countrymen to dig nine graves, the Austrians shot and buried their prisoners—afterward killing the younger son of Ciceruaccio, a child of thirteen, with the butt-ends of their muskets. Ugo Bossi, and a Milanese named Sivraght, were afterwards arrested and shot at Bologna. Foreigners must never again tread this garden of Italy; and therefore I recommend to all classes the use of the rifle."

† "In the Helvetic War," he says, "for which truly fatal war we sorrow ever from the depths of our heart, as well considering the blood shed by that nation, the slaughter of

January 1st, 1848.—There was to-day a strong popular movement. The people went to the Quirinal Palace, to ask the Pope's decision. The Governor of the city ordered the guard to be doubled, and they drove the people from the palace.

January 2d.—The Pope, in order to pacify, determined to make a detour, and to bless the people as he went along. In the Corso, Prince Orsini drove up to a house opposite to the Cafe Nuova (where we had a window). The prince was cheered; he made an address; he was replied to. There was a banner displayed "Pio Nono, the guest of the people, if he will." This was distinct from any *cortège* of the Pope, and had a significant relation to the previous demands.

We afterwards saw the Pope in his carriage. He drove on a trot through the crowded streets, blessing the people—this was evidently designed, to avoid any address. He probably hopes, by time and certain influences, to divert a serious issue.

NOTE.—The allocution of the Pope, of the 17th December, 1847, is a very remarkable production. It shows that the infallibility of the Pope is not considered as so universally received by his people as not to require the assistance of defence, even against newspaper attacks.

January 5th.—I addressed the following letter to the Secretary of State of the United States:

JAMES A. HAMILTON TO JAMES BUCHANAN, Secretary of State.

"ROME (Italy), January 5, 1848.

"SIR: I have the honor to send to you, for the use of the Government and in the hope that they will be translated and published, various decrees called "*Moto proprio*," issued by the Grand Duke of Tuscany, and also by the Pope, by which you will be informed of the extent of the concessions to public opinion which have been accorded by the respective sovereigns.

"It is to be remarked that the latter prince, wisely foreseeing the course of events, made his concessions in a timely manner, and not as the result of intimidation; whereas the former, although influenced as he always has been by a liberal spirit, delayed his purposes until tumultuous meetings forced them from him—and has thus placed himself in a position to be unable to refuse other demands which it might not be wise to yield, or to engage in a conflict with his people with arms in their hands.

"The condition of public affairs in all the Italian States is exceedingly interesting. The people, ignorant and superstitious beyond any others in Europe, except perhaps the serfs of Russia, brutalized by a long course of despotism exercised over them, not only by their sovereigns but by the aristocracy and the clergy, are wholly unfitted for self-government. They are very excitable, and consequently are in the

brothers; the atrocious daily recurring and fatal discords, hatreds, and dissensions (which usually punish nations, in consequence especially of civil war); as the detriment we learn the Catholic religion has suffered, and fear it may yet suffer, in consequence of this; and finally, the deplorable acts of sacrilege committed in this first conflict, which our soul shrinks from the narration of."

hands of factious leaders, who can at any time push them on to acts of outrage and a state of anarchy. This the sovereigns well understand; and being understood, it is to be feared they will neither yield or withhold wisely and timely.

“The Pope hopes that the religious feelings of his people, and their affection for him personally, which is certainly very great, will enable him to control them. The universal apprehension of Austrian interference has certainly a salutary influence.

“The Civic Guard (that is, an armed and embodied militia) has been established in Sardinia, in Tuscany, and in the Papal States.

“The press is without restraint in Tuscany. In the Papal States it is nearly so. In Sardinia, it is legalized and extended, but is under a severe censorship. The Grand Duke of Tuscany has promised a Council of State and other reforms, as has the Sardinian King, while the Pope by his *moto proprio* of the 14th October, 1847, which is called here the Constitution, has created a *Consulta di Stato*, now merely advisory, which may, and will, ultimately usurp the power of legislation, hitherto and even yet exclusively belonging to and exercised by the sovereign, and which, as it merely represents the sovereign will and pleasure, is a pure despotism.

“Connected with these and other very interesting views of political affairs here, which I forbear to dwell upon, allow me to express the wish, very universal here, among Americans, English, and the thinking portion of the Italians, that our Government should have diplomatic relations with all the powers of the peninsula, which might be in the person of one man accredited to Tuscany, Rome and Naples. We have a *chargé d'affaires* already in Sardinia, who is spoken of with great respect. A discreet, well informed, Protestant citizen, who could speak the French language, this being indispensable to the service, in the manner I refer to, might, by salutary counsels, be of important service to the governments and the peoples.

“I beg leave to say that in making these suggestions I have no view to such an employment, which I neither expect nor desire. I could not enter upon it.

“I have the honor to be, with great respect, yours, &c.”

Rome, January 8th, 1848.—The following paper was prepared by James A. Hamilton, at the request of a gentleman of rank in the government of the Sovereign Pontiff, with the understanding that it should be conveyed by him to the Pope. The gentleman himself concurred in the views herein expressed.

“Common report says that the people, or a part of them, have prepared and sent to the Pope, a series of demands, twenty-eight in number, some deserving of consideration, and others not. Among these demands was one for the suppression of the Society of Jesus, and another for the abolition of lotteries. The question submitted is, how ought the Sovereign Pontiff to treat these demands.

“It is said that this paper was, in the course of transmission, diverted before it reached the eye of the Sovereign Pontiff, and that this was done to relieve him from embarrassment.

“With great submission to those who ought to understand the subject much better than the author of these reflections can be supposed to do, he states unhesitatingly that the arrestation of the paper was unwise, and a grievous fault against the sovereign and his people.

“It is their right and duty to express in decorous language, their grievances and wants, and it is his duty to receive these complaints and petitions, and give due heed

to both. Such a mutual course will preserve authority on the one part, and confidence and affection on the other, and thus prevent outbreaks. Let it be understood by the people that their petitions cannot reach the holy and sovereign eye or ear, or that they are not to be considered by him as worthy of attention, and there will inevitably follow the destruction of that affection and mutual confidence upon which the peace of the present system and the progress of salutary reforms depend. Here was the fault to both parties. The folly was, in temporizing with measures upon an occasion which required action and decision.

“The course taken was that one of all others which the enemy to the Pontiff and the people would have taken; and to it is, probably, to be in part attributed that suspicion of a want of confidence which seemed to have been felt by the people about the first day of the year, and which had like to have produced a crisis. The question is, however, not answered. There appears to me to be no difficulty attending the affair. On the contrary, it was one which could have been turned most manifestly to the advantage of his Holiness.

“His *Consulta di Stato* I understand to be an advisory body, which is supposed to represent the feelings, and to guard the interests of the whole country. They are the representatives of the people. The course to have been pursued in this (and on all like occasions) was, for the Holy Father to send this petition of the people to the people's representatives for their advice in relation to their requirements or grievances, accompanied by a message, in which occasion should have been taken by the sovereign to express his wish that his people, collectively or individually, high or low, should address to him their petitions; and that he desired rather to invite them to do so, than to repress such a spirit; making some allusion to its advantages. and with strong professions of his disposition to do full justice to all that should be so done decorously and considerately; also, reiterating his determination to promote all such reforms as were consistent with the stability of the throne, the sacredness of the Church, and the welfare of all classes of the people.

“I would have advised that in this message he should have adverted to the demand for the exile of a certain class of his subjects as inadmissible; because, if granted, it would violate that sacred right of all his subjects from the highest to the most abject, to perfect security in their lives, liberty, property, and the enjoyment of their happy country, its wise institutions and sacred religion, unless deprived thereof for some offence against the laws, by a due course of trial and conviction.

“The assertion of this maxim, upon which, certainly, is founded the whole civil and social system, would have been so gratifying to the people, as the sheet anchor of their hopes, and its reasonableness as applied to the order referred to, as well as to any other or to any individual, would be so clear, that they would have been satisfied.

“These demands would thus be left to be disposed of by the Council of State, who would report thereon in due time, or not at all, as they should think proper or necessary; and thus, instead of impairing the confidence and affection of the people towards the sovereign, it would have been increased, and all responsibility would be thrown upon the representative and advisory body.

“The adversaries to reform may be presumed to endeavor to push the people to make demands which cannot be granted, in the hope of destroying the existing relations between the sovereign and the people, and then to excite them to excesses.

The following paper was prepared by an English gentleman for my use, when I was in Rome, in 1848. He had been living a long time in Rome, spoke the Italian language with as great facility and accuracy as his own, and his character and opportunities were such as to entitle what he has written to entire confidence.

POSITION OF ITALY AND ROME IN PARTICULAR.

“Since the Pope, Pius IX., was elected to the chair, he has shown an evident and sincere disposition to establish liberal institutions in the Roman states. In attempting to do this, he has met with numerous obstacles by a strong and powerful party called Austro-Jesuitico, which has opposed him and the people step by step. Notwithstanding this, such have been the good intentions of His Holiness and the moderate but persevering conduct of the liberal party, that they have succeeded in establishing a Council of State, not a deliberative but a consultative body, composed of twenty-two members from the provinces, all, except one, laymen, and they are doing their work well. They have also established a Municipality composed of one hundred members, all laymen except two, which is also working well; public schools in every town, and, finally, a civic guard of one hundred and forty thousand men, of which sixty thousand are now armed and disciplined.

“The finances were found in a dreadful state, with an annual deficit of nearly two millions of dollars. Bribery, corruption, and despotism was the order of the day during the reign of Gregory XVI., and this system was supported by Austria, the sacred College, and the Jesuits. The determination of the people to do away with these abuses that had produced decrepitude in the government, is now by degrees being done away with, and the sympathy of the British government, communicated by the British authority in Rome, confirmed and supported by Lord Minto, prevented the intervention of Austria, and thus give time to Italy to adopt means of defence, and make progress in reforms and improvements. Thus, as Piedmont has become liberal, so have Tuscany and the Roman states. If time is given them, they can in six months, or a year at most, bring into the field an army of 150,000 men. As the Pope, however, is pacific, and England equally so, it is to be hoped that Austria will do no more than take care of its own dominions in Lombardy, where great discontent exists. As for Naples, it is on the eve of a revolution which hitherto has been kept down by the bayonets of 50,600 Swiss auxiliaries. The King does not appear disposed to save his country by timely concessions. Italy, therefore, is a state requiring all the attention of the United States and other countries who have or may have trade with it.”

The following reflections by James A. Hamilton were hastily prepared in Rome, and copied and delivered to a person said to be a leader of the people, who engaged to have them translated into Italian, printed, and circulated.

REFLECTIONS BY A CITIZEN OF THE UNITED STATES IN ROME UPON THE POLITICAL CONDITION OF ITALY.

“The beneficent purposes of the Sovereign Pontiff, the permanency of reforms, their extension, the welfare of the people, the security of the Church and of the aristocracy depend,

“*First*, Upon the truth and sincerity of the government ;

“*Second*, Upon the firmness and moderation of the people.

“That revolutions never go backward, has become a maxim which no statesman can disregard. The history of the last half century, more pregnant with political lessons to prince and people than any other era of the world, proves incontrovertibly that revolutions by people not prepared by previous culture in the art of self-government have been disastrous to the social, religious, and political system.

“The course of this country was from the worst of crimes to the most cruel despotism in the first revolution. The second, after the people by the severest lessons had learned moderation, was easier and better. France, Spain, the South American provinces stand in this category. The United States, whose people for more than a century had been learning and practicing self-government and the representative system, were greatly benefited by their revolution, and while its results afford a bright and alluring light to the nations of the world, those of the others are a beacon which wisdom cannot disregard.

“Revolutions have heretofore been always attended by war, and in all cases but that of England and the United States, with the total disruption of the social and political systems. The experiment now, in its course in the United Italian states, is of a revolution without force by gradual and timely reforms of the political systems, guided by wisdom and firmness on the part of the governments, and confidence and affection to the sovereigns on the part of the people. The experiment is one truly worthy of a Christian chieftain, and which the good and the wise of all the world look upon with admiration, and join devoutly in prayer to the author of all good for its continuance, and that it may end in securing the greatest good to the greatest numbers, the throne, the Church, and the people.

These general considerations lead me almost necessarily to the contemplation of the actual state of things here, and to such practical suggestions as must occur to one at all conversant with free institutions.

“It is so manifest as to be incapable of denial or concealment, that the high dignitaries of the Church have hitherto, with perhaps hardly a single exception, been opposed to the course of the Sovereign Pontiff, and that, if they could, they would recall all that has been done. Indeed, it is feared that they entertain the design, and have formed their plans to do so, even by force of arms. His Holiness, consequently, stands almost alone amidst his accustomed advisers, an alien to their sympathies, excluded from their confidence and entirely wanting their coöperation, if not exposed to their secret and malignant opposition. On the other hand, he enjoys to a degree not before known the affection and confidence of the people, the men of letters, of literary professions, of the fine arts, and a portion of the aristocracy. He has made the press free, he has put arms into the hands of the people, he has called about him a consultative body to be chosen from all the legations as the representatives of the people.

“Under this state of things the question arises, What can he do ; or, what could those who are opposed to him do, if they had the power ; and, what ought the people to do ? For him the answer is, “go on.” To those who are opposed to him we say, “to go back were worse than to go on.” A retrograde step would destroy the only safeguard of the whole system—the submission and moderation of the people—who, being in possession of the two great engines of popular power, the press and the sword, could not be restrained or put down but by civil war, with all its

train of horrors. The answer of the people is, We will hope—we will wait—we will love and confide in our Holy Father, but we are determined to achieve a moderate and temperate system of civil liberty—a system which will secure :

First, Freedom of thought and its expression upon all subjects. This is a natural right of the human mind.

Second, The right of peaceably assembling, and in respectful language stating to the government our grievances and their wants. This is a right and a duty which is taught by our religion, practiced by its holy teachers, and required of them as a duty by Him to whom the obedience of all is most eminently due. It is as essential to the governing as to the governed. Without it, the wants and grievances of the latter cannot be known to the former, and therefore cannot be accorded or redressed ; and, as a correlative, the government is bound to receive and give heed to these statements and petitions.

Third, That no man shall be deprived of his life, liberty, or property, except by due course of law. This is the corner-stone of the whole civil and social system. Without it, there can be no personal or civil liberty. It secures the rights of all. When acknowledged and ingrafted as a part of the Constitution, it follows that no man can be arrested, tried, or punished, except for alleged crime or offence against the known and established laws of the land ; that no arrest shall be made (except when the offender shall be taken *flagrante delictu*, or, as the English had it, “ upon hue and cry,” as a felon or pickpocket in the public way, upon pursuit, or when he shall be in the act of breaking the public peace as in a fight or brawl), except under a warrant founded upon a complaint or charge made in writing, under oath, by the accuser, which warrant shall be served by the known officers of the police in an open and public manner ; that the accused shall, upon arrest, be taken before the magistrate who issued the warrant for examination, and, upon probable cause of guilt, be imprisoned for trial, which imprisonment shall be of a no more stringent character than is necessary for his appearance for trial, inasmuch as every man is presumed innocent until after his trial and conviction by due course of law ; and finally, that his trial shall be open and public, and that the witnesses against and for him shall be confronted by him, and examined in his presence in open court, he having the right of legal counsel to aid and assist him in his defence.

This great theory being established, no man can be banished, or put to death, or incarcerated by way of punishment, until he shall have been openly convicted of some known offence against the laws, to be ascertained by the courts, and pronounced by their adjudication and sentence. Nor can his property be taken from him and appropriated to the purposes of the State, except for an offence, or given to another, except according to some known and established law enacted and pronounced prior to the time of the offence, nor can the trial proceed except according to justice ; nor can private property be taken for public purposes in any other way than by a system of equal taxation, or for public improvements except upon a just compensation to be paid to its owners.

Fourth, That the *Consulta di Stato* shall be an integral part of the law-making power of the States.

These are demands which the people ought to make, and being granted, they ought to be satisfied, until by time and their own advancement the true principles of civil liberty shall be understood by them, and then a limited monarchy with a representative legislature, and a due infusion of the Democratic elements, so neces-

sary to preserve the liberties of the people against the unceasing and universally successful encroachments of aristocracy and wealth, might be established.

On the 17th of January, we left Rome for Naples, where we arrived on the 18th, and took our lodgings at the Hotel "Great Britain," on the Via Reale. On the 20th, the Viceroy of Egypt, Ibrahim Pasha, with Arabic attendants, arrived. All our intercourse was through the interpreter, who was very expert. We learned that his highness came to Naples to recover his health. We were invited to dine with him the next day, 24th January. The suite of the Pasha was large, say, ten persons—his two interpreters, his mufti, his physician and his wife, (who was the only lady) and others. The Pasha sat at the head of the table. I was placed on his right, and one of the Effendis on my right, my two friends on the Pasha's left, and another Effendi on their left. The conversation was principally with me. He addressed me in Arabic, which was immediately interpreted to me in English; and I looking the Pasha in the face, replied to him in English, which was immediately rendered to him in Arabic. He seemed anxious to know as much about the United States as I could inform him—the extent of the population, the condition of the people, the productions, the army, and the navy. He at length said he had heard in England that the union of the States would not continue long. I replied, "there was no foundation for such a statement, that the wish was father to the thought." When this was interpreted to him, he clapped his hands together, and laughed out. He was evidently gratified to hear what I had said, and declared that "he believed it was the exact truth." His inquiries were so searching that I feared he might run me aground. I then turned the conversation to the Nile. The dinner continued for a long time. He ate very sparingly, and drank nothing but water. After dinner, a card-table was drawn out, and we were invited to play whist. My two friends sat down to play with the Pasha and one of the Effendis. As I did not know the game, I talked with the other Effendi, who was intelligent and well instructed. These two brothers had been educated in Paris. I learned that the Pasha could neither read nor write, further than to sign his name. They assured me that he had commanded his father's armies with great success, and would have taken Constantinople if the English had not interfered and protected the Sultan.

I saw him frequently at his rooms. We walked together in the Via Reale. He was invited to a ball at the palace, and obtained invitations for my daughter and myself. We went with him. He was dressed in his military costume, which was rich. He walked about the room with my daughter on his arm; he was, of course, an object of much attention. He had a box at the opera, provided by the King of Naples, where we were invited to go with him.

A few days after my arrival at Naples, a gentleman called at the hotel and sent up his card "for Col. Hamilton, lately from Rome." I directed the servant to show him up. He entered, and said, "I must beg the favor of a pri-

vate interview with you." I took him into the adjoining bed-room. He then said, "I have called upon you on behalf of a Committee of Liberals who directed me to say they have been advised by their friends in Rome of the interest you took in the cause of the people there, and of the various services you have rendered them. They sent a messenger among other things to inform us of your departure for this city, in the hope that you will give us here the advantage of your advice in the measures we are now taking to overturn this government. The Committee are now in session, and they desired me to ask the favor of you to accompany me to their place of meeting." I replied that I sympathized in the movements of the people of every country (as all Americans did) in their efforts to overturn the oppressive government to which they were subjected, and by which they were so sorely oppressed. That it was one thing to talk with gentlemen who called upon me in relation to public measures and modes of reform, and another thing to join a body of men who were combined together to overturn their government. "The inclination of my mind is to decline your invitation—however, I will take time to think of it." He then said, "Will you give us an answer to-morrow, and for that purpose meet a gentleman at the hotel * * * *, in the main street, at any hour most convenient to you?" I said, "I will, at ten o'clock in the morning." He then drew from his pocket-book a small piece of paper in the form of a heart, cut it in half, and said, "please to take one half of this, and the gentleman who will meet you there will bring with him and produce as his authorization the other half which I now take with me." This gentleman then told me that there was a combination of men of intelligence and character throughout the continent of Europe, whose purpose it was to bring about changes of government by revolutions. That the students of the various universities, Pavia, Heidelberg, Vienna, and elsewhere were the prime movers; that they had been engaged on this subject for a long time; that they never made any communications to each other in writing, but always sent one of their members in whose intelligence and discretion they had entire confidence. He then rose to take leave saying, to-morrow at the hotel at ten o'clock."

After full and anxious deliberation, I decided not to join the combination. I was in Naples, having received the *visé* of the King's Minister in Rome, and was now living there under the protection of his Majesty. It did not become me to join in a conspiracy to overturn his government. Again, I had two ladies, my aunt and daughter, under my protection, and should I be arrested and imprisoned, or otherwise removed from them, it would be disastrous to them. I therefore decided not to join the committee. I wrote a letter which I carried with me, declining the invitation on the grounds above mentioned.

I went to the hotel at the appointed hour, called for a cup of coffee and a newspaper, and had been sitting but a few minutes, when an Italian gentleman came in who went up to the bar, got a segar, lighted it, and then moved round the room indifferently. At length, coming near where I was, he took out

his pocket-book, and from that took a piece of white paper. I did the same. He approached the table at which I sat, and producing our credentials, we understood each other. He stated that he and his friends hoped I had revised my first impressions, and that I would go with him to their place of meeting, which was in the neighborhood. I repeated my determination, read the letter I had written, and delivered it to him, saying at the same time, "if he, or any of his friends would call upon me, I would be most happy to give them any advice or assistance in my power." He then said, "Col. Hamilton, I do not think you have made a wrong decision—under the same circumstances I would decide as you have; now let me say to you, in confidence, that if you will be here the day after to-morrow, you will see the rising of the people—we are all ready to strike a decisive blow." I shook hands with him, wished him and his enterprise complete success, and told him I would be a deeply interested, and a most anxious witness of their movements. He said we have reason to believe the King will yield without striking a blow.

On the day appointed, I went about the city before the hour. The military were under arms, the cannon were so placed as to sweep the streets the people were to pass through to the palace; the post-office and other public offices were closed and guarded with cannon which were shotted. I examined them. The people in the main streets were closing their shops. I went to the hotel, and hired a window with a balcony where I placed myself.

At about noon, a military officer of rank, attended by a few cavalry, rode from the palace past the hotel toward the outer part of the city, where the lazaroni and multitudes of people were assembled. At length, the people *en masse* came down the street on their way to the palace, shouting and waving small colors—the leaders on horseback (I recognized one of the gentlemen I had conferred with, who saluted me). This procession was close and very long. I saw no guns or other arms, and believed then the government arms would make great slaughter and ultimately prevail.

The master of the house came to the window where I stood, and urged me to come in as a shot might reach me. I remained where I was until about four o'clock in the afternoon, when a proclamation was issued and circulated in print. I got a copy. The people were informed by it that the King would grant their requests, and give them a constitution in ten days. I returned home, ate my dinner, went to see the Viceroy, and related to him what I had seen. He was indignant at the pusillanimity of the government.

The next day, there was a grand procession through the same and other streets—there was a large number of carriages, all having small flags of different colored ribbons, following a band of music.

I was struck by this fact. The day before, when there was great danger, *those who went through the streets to the palace, with a very few exceptions*, were the lazaroni and the laboring classes. The next day, the gentlemen, shopmen, and merchants joined the people in their manifestations of success.

In the evening of the second day, I went to the theatre with the Viceroy, where there was much patriotic feeling manifested by all classes.

The Jesuits in great numbers were driven out of the kingdom. That was the first demand; and it was immediately conceded and carried out, notwithstanding the Queen, under the influence of her confessor, a Jesuit, resisted for a long time. The prisons were also unbarred and the State prisoners permitted to go at large.

February 3d.—Commodore F. Engle, commanding the *Princeton*, off Messina, writes that the revolution commenced there on the 29th January. The town was bombarded from the citadel, from St. Sebastian, and from a steamer, for an hour and a half, commencing at half past five in the afternoon, with shells, shot, and grape. The soldiers fired the first shot. General —— promised Engle and Captain Codrington, that he would give strangers time to get out with their property. This he did not do. On the 31st January, a conference was held on board H. M. Frigate *Thetis*. The people, elated with success, require a government of their own.

February 10th. Lord Minto sailed to-day for Sicily. It is understood that he goes there to induce the people, who, after several hard fights against a disciplined army in possession of all the citadels and strong places, fairly achieved their independence to come under the yoke of their despot with the Constitution he has promised, and it is said prepared, and in which his Lordship has had a hand. When he was told by Mr. D——, an American, that to-day (February 7th) the King was to swear to the Constitution, he replied, "I think not, it is not sufficiently matured." He arrived here on Saturday, and on Sunday held a long conference with the King.

Here it is believed he goes on this mission without instructions, for want of time; and that he consequently acts upon his own responsibility. Should he induce those people to come in under illusory expectations, or even under a Constitution of which the guarantees of substantial freedom do not form a part, his act is unworthy of an Englishman and of his high trust.

The revolt in Sicily is a mean, and there is the opportunity, of securing to this country a well-balanced and secured constitutional government which would not only free them from the despotism by which they have been ground down; but it would be of service to the party of temperate reform throughout Italy and England. We must await the result.

February 15th. Called on the Viceroy Ibrahim Pasha, to take leave. He expressed great regret at parting with me, and said, "If I live, I shall succeed my father as King of Egypt. I wish you to promise me that, in that event, you will come to Alexandria, not only to make me a visit, but to be my guest. He shook my hand and embraced me with much warmth. Although unlettered, he has acquired extensive knowledge of various countries, and has great good sense and good purposes.

February 15th. Left Naples for Milan and Venice, and thence to Vienna.

March 11th. Arrived at Vienna in the evening, went to the hotel "Golden Lamb" outside of the walls of the city. Driving through the suburbs, a company of infantry were practicing with their muskets how to use the bayonet.

March 12th. Went to the palace where I saw the Emperor Ferdinand returning from church with his suite. He looked idiotic. Not long after this, in fact, he showed unmistakable symptoms of insanity. After the revolution he abdicated, and went to Rome where one day, at dinner, he washed his face in his soup plate.

I quote from my note-book :

Vienna Revolution, March 13th. I crossed the Prater, and went into the city through the gate which leads into the main street and to the Cathedral, at about twelve o'clock. Many people were anxiously looking and running about. The mercers were shutting up their shops. I went into some that were open, talked with the people there and with others in the street. The cry was, "Revolution." The students had gone to the palace to demand reforms. The dragoons and infantry were passing to and fro, and the people, men and women, were rapidly passing through the streets in great alarm. I met a gentleman who, hearing my inquiries in French and English, stopped and told me "the military having been drawn up in front of the palace, had loaded their muskets in the presence of the people assembled there to ask for reforms. That this was intended to intimidate the people. It really excited them as an open expression of hostility on the part of the government."

I went to my bankers to get money, in order to meet all contingencies. He told me that as the council were to assemble to-day, the students had gone in a body to Prince Metternich to demand reforms, such as the freedom of the press, civic guard, &c., to which he had given no answer. Returning home, I found the soldiers drawn up in line in front of their barracks. I heard an officer charge the troops to allow none but the military to go into the city, but to let the people go out. Carriages were turned off to go to another gate. I went to my hotel, and having put my money away, went out again in order to go into the city. Having been refused entrance at the gate near the Golden Lamb Hotel, I went to another which was closed; but upon application to the officer to allow me to pass, being a traveller, he sent a soldier with me to order the gate to be opened which was done and immediately closed. I walked to different parts of the city, and again returned home; but hearing some noise, I went into the city again and passing up the same street to the Hoff (Place), I found that the people were endeavoring with pieces of timber to break through the door of a house called the Palace of Justice. I got on the top of a stone railing about a fountain in the centre of the Hoff, where I could see all that was going on. A man next me who could speak English recognized me as an American. A young man climbed up a pillar to the balcony over the door, on which was placed a statue of Justice, with scales hanging from her hand. He broke the scales off, came down, harangued the people, marching

round the Hoff, then threw the scales on the ground, stamped upon them, and said in a very loud voice, "A Mockery of Justice." This excited much animation and loud cheers. At length the door was forced. The leader was a very large man, in his shirt-sleeves. He and the others went into the house. At this moment, a platoon of soldiers came into the Hoff opposite to the Palace of Justice. As soon as the cry was uttered "Soldiers!" the people in the house rushed out. The soldiers advanced to the door, one of them seized the leader who shook him off with ease, and another soldier plunged his bayonet in his body. The wounded man leaped from the ground, fell on his back, and was pierced to death. A shot was fired into the crowd which wounded a man who was near where I stood. This man, lying on the ground bleeding, I proposed to my neighbor to go to him to see what we could do for him; he said, "No! don't do so, they will shoot you." I determined that I was exposed to great danger, and looking at my watch, found it was time to go to dinner, which I did.

Having related to two American gentlemen who dined with me what I had heard and seen, at about nine o'clock the same evening, there being much noise in the city and a fine moon-light night, I proposed to go into the city again, which I did, accompanied by one of the gentlemen. We found the city illuminated. This was done by the people because they feared the police would cut off the gas. We passed the house that had been assailed in the afternoon. The soldiers were there on guard. Attracted by a great noise, we went to a street about five hundred yards from the first place, and there found the people engaged with much greater animation in endeavoring to break into the police head-quarters. This was continued in despite of the military, who from time to time fired shots, by which three persons were killed. The assault was notwithstanding continued. We left this place to find the arsenal; which it was said the students had gone to break open, in order to get arms. On our way we heard a crier announcing, "Prince Metternich has abdicated!" To this the people cried, "That is not enough." The Prince had gone off secretly in the morning.

Seeking the arsenal, we met a procession of the students, with white badges on their hats and arms, in files of two, going up to a table where three magistrates were sitting, to sign their names to a paper which was to enroll a civic guard. They were to receive arms from the Government; that they might preserve the peace and protect the people of the city—thus was the work ended for the day. Metternich had resigned, and the Emperor had promised reform.

I went the next day to the Hoff, and to the place where the man was shot, within ten yards of where I stood. There was a pool of blood on the flagging, and below it was written, "This is due to Metternich."

The gate of the city where the duties were collected was torn down, as were the gates of Metternich's villa—the former was burned. A police officer who fired, or threatened to fire, upon the people, was taken up by the mob, thrown into the flames and burned to death. At another place in the suburbs, the

people killed two priests, said to be Jesuits. On the 16th and 17th, the riots continued in the suburbs, where the manufactories were attacked and fired. Six hundred of these people were made prisoners in one night by the new civic guard.

The Hungarians came to the city in military array, and encamped outside the walls near our hotel. It was understood that they were advised of the day when the people would rise; and that they came to the city to assist them. The promised submission of the Government rendered this unnecessary. A Concordat has just been concluded between the Pope and Austria. Hildebrand, or Pope Innocent, could hardly have asked more than is thus granted to Pio Nono, who is in part supported by Austrian money.

The folly of the offerings made to Papal authority by the first Emperor, the "Placidium Regium," which gave to the Austrian Emperors a coördinate authority; such as has always been enforced by the French sovereigns, and all but the weak English sovereigns, is forever abolished. *First*, The bishops throughout the Austrian States will now be invested with rights, which, supported by the civil power, will bring every citizen completely under ecclesiastical rule. The bishops may combine separately, or as a body, with the Pope, the clergy, and the people. They may divide livings, publish spiritual rescripts, and prohibit dangerous books. They are to watch over religious instruction in all public and private schools (so that no parent will be able to prevent constant interference with the education of his child). No one may teach theology or canonical law without their permission. The decrees of the Council of Trent are to be received. Clerical matters will be removed from civil control: even small causes will be judged by the clergy, except so far as they involve questions of property. One article has greatly disturbed the priesthood: the bishops are to have full right to punish the clergy who may offend against the discipline of the Church. The bishops will give their account on every presentation of new prelates to the Papal chair. No sale of Church property can take place without the consent of the Pope. New monasteries may at any time be established by the bishops. Finally, all matters not especially referred to in the Concordat, are to be decided according to the doctrines of the Church.

This Concordat proves how much power there is where we only see atrophy and decay. How real are the dangers where we only see the shadows of the past.

Left Vienna March 16th, for Dresden, by Ratisbon and Görlitz. The whole of the Western Continent was shaken, as with an earthquake. I seemed to be swept along by a revolutionary tornado.

On my way to Görlitz, I met Mr. Hopp, a missionary from the English society who had been established at Crakow, whence he was driven after Austria took possession of that city; no religion being tolerated there as in Austria, except the Roman Catholic. He stated that the education of all classes and ages was committed to the priests of that Church; that Protestants

could not be christened, married, or buried, without first obtaining a certificate from a Catholic priest, for which they were compelled to pay a considerable fee. The mass of the people belong to the soil; they are very ignorant and much oppressed. The crop of potatoes had failed, and there was much distress among the peasantry. This gentleman spoke English tolerably, and seemed to be well informed. He said the Rouge movement had failed because the Christians of all classes could not tolerate its heresies. He denied the Apostolic succession, the divinity of Christ, and the Trinity; in short, he was a Unitarian.

March 18th.—Arrived at Dresden. Here we learned that at Prague the people had demanded a change of the Governor. He replied that he would send their demands to the Emperor, and asked them to wait a few days for his answer; when, if it was not satisfactory, he would resign.

Dresden.—The people four days ago made a movement. They went to an old ex-Minister, who lives at * * * *; presented their demands to him, to be by him presented to the King. He said he entirely agreed with them, that he could not write to the King, as he was not a Minister, but would address a letter to one who would show it to the King. This was done, and the King dismissed his ministers, putting in their places four men of the popular party, and by a proclamation promised all they asked, so that all revolutionary proceedings are believed to be finished here.

March 19th.—Met Mr. Forbes, English Minister (Saxony) and Sir Robert Keith Arbuthnot at Mrs. Costar's. They made anxious inquiries as to the revolutionary movements I had witnessed. On the 20th dined with Sir Robert. Frederick Augustus V., King of Saxony, is unambitious and virtuous, but not wise. He yielded upon the first hostilities (under the advice of a Minister who was devoted to Prussia) to all the demands of his people. A free Constitutional Monarchy is to be established. The population is 1,750,000; debt, twenty-two millions thalers; revenue, five millions seven hundred thousand thalers; the army, sixteen thousand men. The people own the land.

I learned here that Frederick William IV., King of Prussia, at first absolutely refused to make concessions; that there was a severe conflict in the streets of Berlin, in which about one hundred citizens were slaughtered. The soldiers remained faithful. It was here represented to me by one of the ex-Ministers of Prussia who had fled, that they might have put the people down, but that the King, to save the blood of his people, had yielded every thing, without knowing what he did. This glorious result will probably give to Germany a popular Constitution and a consolidated federal government. The probability is, that there will be a Confederation of the States of Germany with a Diet of two Houses, one elected by, and the representatives of, the people. Austria will be broken up; she must become a power of lower rank. Hungary, Gallicia, Ravenna, and Lombardy will go off from her.

Mr. Forbes, the English Minister, told me with much exultation that the

King of Hanover had refused concessions, and that he would hold out like a man (he was an English prince). He did refuse at first, but did not hold out, fearing the consequences; he, like the rest, has yielded—a free press, civic guard, trial by jury, and a popular representation; in short, all that was required, and, in doing so, has acted like a man of sense. He went to his Diet, and declared he would grant all they required; and that he had taken this course without consulting his ministers. They were dismissed, and his former men restored.

The King of Bavaria, anticipating the necessity for a change, yielded almost without a demand. He had been admonished, by the tumults against Lola Montes, of the power of the people, and probably by his promptitude secured his throne. His connection with that woman who had entire control over him was highly offensive to his people.

March 25th, Amsterdam.—The elder Mr. Crommlier called upon me. In the course of our conversation, he mentioned that the recoinage which is in progress costs the government, owing to the much-used coin and the sweating process by a certain class of men, eight or ten millions of guilders. The debasement of the old coin resulted from the fact that the different States of the Kingdom at one time possessed the power of making their own coin; and that one of them * * * *, when called upon to pay *fifty-two* millions, paid in a coin which was really worth only fifty millions, and insisted, in spite of all remonstrance, that it should pass for fifty-two. Remembering well the remarks made to me here at a company of bankers, in 1842, on the subject of the repudiation by some of our States, I remarked, “that was as bad as repudiation.”

The bankers of Holland, England, and France have made a great outcry against the repudiation of some of the States of the United States (and very deservedly), and yet the history of these Kingdoms shows that, under a far less necessity, they have taken measures which were as gross a violation of public faith as repudiation, even of Mississippi.

England, from 1797 until 1825, paid the interest on her public debt in Bank of England notes, which were not convertible, and which were actually depreciated 25 per cent. The foreign holders of her debt were so paid, as well as her own subjects; that is to say, she paid 4 per cent. by only paying 3 per cent.

Holland has a debt now on which she pays no interest whatever; this is, in fact, repudiation.

France repudiated her debt during the revolution of 1793.

There are three millions six hundred thousand people in Holland. Food is dear; beef sells in market for about two francs a pound, and to grind a bushel of Indian corn would cost its value here.

In 1833, the total of cultivated land in Holland, exclusive of Limburg and Luxemburg, was 5,300,000 acres, and two millions of uncultivated. There are nine thousand windmills in Holland, used for draining land. The water is in some places lifted twenty to twenty-five feet.

In North Holland, there are eighty polders, comprising upward of 150,000 acres. All the water is pumped into the Schermer Boizein. A polder is a tract of land generally below the *low* water level of the adjoining sea or river surrounded by a dyke, and only kept dry by artificial pumping.

In 1230, one hundred thousand people perished in Friesland by the overflowing of the Zuyder Sea. The foundation of a large dyke is from 120 to 150 feet wide. It is usually cased with stone from Norway. Of that at West Capelle, in the island of Watcheren, it is said if it had been originally of solid copper the expense would have been less than to keep it in repair.

Haarlem Sea.—The work of draining this sea was begun in 1840, by making a ring canal. Three monster engines are to be erected at different points which will lay the lake dry in fourteen months by incessant pumping, at a cost of, for machinery and labor, of £140,000 or about \$700,000. The expense of making the dykes and engines after the water is drawn out to keep it dry, will be £5,000 per annum. The land to be made dry for cultivation is from 50,000 to 70,000 acres. The cost at the lowest estimate will be three pounds sterling an acre, or \$15. The best land in the United States can be purchased for one and a quarter dollars an acre. If the area is seventy square miles, there will be 42,800 acres added to the arable land. These three engines are to draw out one thousand millions of tons of water, and to do the work of one hundred and fourteen high wind-mills. One of these engines has been erected and tried (1848) at the south extremity of the lake near Leyden. The annual draining is calculated at fifty-four millions of tons.

Edinburgh Review, October 1857, p. 438.—“Let Holland depend upon England and Belgium for the coal which is to dry her polders. Let Norway, and Russia, and Belgium, and the United States of America depend upon the English markets for the sale of their timber, hemp, flax, and cotton; let England depend upon Russia, Germany, and America for her deficient corn, and upon the world at large for the outlets to her manufactories.”

This is the most selfish and audacious proposition that could be made. It would have been as well to have said, let all the world engage in raising for us the raw material (of course, to be purchased at our own price), and be dependent upon us for their manufactures, to be purchased at our price.

Ask her statesmen what is to be for a series of years, “her deficient corn” and they will say, not a bushel. But suppose they say one million of quarters, what proportion of that could the United States furnish in competition with Russia, Germany, the Black Sea? These are fine sounding theories, and if England can deceive these nations with them, let her do so.

EXTRACT FROM MY NOTE-BOOK.

Antwerp. Police in Holland. 1848.—In no country in which we have been, is there such an annoying strictness to travellers as here. I was called upon at the hotel to make a declaration in writing of my age, birth-place, place of residence, whence I had come, whither I was going, whom I knew, why I had come,

where I staid, what documents I had, and after this I was told I must present my passport in person to the police head-quarters, which I did.

Paris.—Arrived April 3d, 1848, in the evening, Hotel Maurice. The following are incidents of the revolution, related to me by a gentleman who was an eye-witness. He was living on the Boulevard near Port St. Martin, he wished to put his letters in the post-office, but could not get any body to take them, and went early in the morning himself; returning, he went to the Palace which had been taken possession of by the people the afternoon before, at five o'clock. He passed through all the rooms except the private apartments, at the entrance to which a sentinel in a blouse was placed, who told him he could not enter. None could go in unless they were armed. "Well," he said, "lend me your gun for the occasion, and I will give you five francs." The sentinel agreed, he shouldered the musket, and went through all the apartments where were the clothes of the family as they had left them in their flight. In the cellar, there was a large store of poultry, which the guards ordered the cooks, whom they would not allow to go out, to dress for them, and he found them busily engaged in doing so. The soldiers told the cooks, "you are paid by the people, and you must work for the people."

I saw under the window of my room, a Colonel of the lancers pressing upon the people. One of the latter took up the hind leg of the horse which threw the horse down with his rider, who lost his sword and was thus disarmed, the horse was then mounted by a woman, who broke the sword, and cheered on the people. Before my room, a barricade was built by the people of the trees which were cut down from the side-walks, with iron railings and stones from the streets. It was done quietly. The only words heard were, now and then a joke, and, "make haste!" "make haste." The people broke open the gunsmiths' shops for arms. The door of one was so fastened that they could not force it; they took an omnibus of which they made a battering ram, which at the second blow forced the casing and all away. They went also to the bakers, not to get bread, but to get fire wood for arms, which I saw used most effectually at one of the military casernes. The people who had been taken were held as prisoners. The mob demanded their release. It was refused. They pressed on, the soldiers fired upon them, but after they discharged their muskets, the people fell on the soldiers, beating them with the wood, took their arms, and discharged the prisoners.

At the Tuileries was this placard in the window in French, "A chamber to let." All the royal carriages were taken, put in a line, and burned. He then saw the carriage which was lined with boiler iron, and handled it; there is no doubt it was so arranged in order to protect the King Louis Philippe from musket balls.

He saw the people carrying the throne taken from the Tuileries in procession, amid gibes and jests, to the Boulevard where they burned it. Then, they went to the Chamber of Deputies, where there was a discussion as to who

should be regent, involving the rights of the throne. The mob who entered said, "It is unnecessary to discuss the rights of the throne, we have decided all that, having thrown the throne out of the window, and burned it," and thus the sitting of the deputies was ended.

When Louis Philippe came out of the Tuileries, the officer in command of the escort cried out, "Let the unfortunate one pass." The people replied, "Yes, we are not murderers, let him pass, let him go, the sooner the better, his term is ended. We do not desire his services any longer." Guizot got over a wall and escaped in the dress of a footman. It was said that of the King's family no one manifested more firmness and courage than Madame Adelaide. One of the King's sons fled, leaving his wife to find her way out of the city on foot. — met her, and took her to Rouen, whence she went safely to England.

I met at a private house a young nobleman; this was after the blouses had the control of the city, and before the government of Lamartine brought back the army. He told me he and all others recollecting the scenes of 1793, escaped the best way they could. He got up a chimney.

At the Palais Royal I saw a body of armed blouses go into the restaurant; they brought out the cooks, insisting that they should not cook for the aristocrats. I spoke to the leader, saying, "I am an American (which on several occasions gave me a willing ear); we in the United States believe that the liberty of the people secures to every man the right to work for whom he pleases."

During the revolution, the names of the streets were changed so as to express popular ideas.

Frequently you meet processions of the blouses carrying a tree (or part of one) attended by a priest and music. After planting the tree of liberty, the priest would bless it, and the people would dance around it, and celebrate the act by loud cries of "Liberty and equality."

The railroads were interrupted. An American lady left Paris to go to England, but was compelled to return and remain, almost without funds.

The Banks suspended specie payments, and their notes were very much depreciated. Bills drawn on London were paid in gold, which was brought to Paris by special messengers, and delivered to the drawer.

It was at one time reported that the city would be sacked, and that the first attack would be made upon the hotels and the strangers who were there. Mr. Rush, the American Minister, was called upon by Captain B * * * who had been an officer in the American army. He came on behalf of the Provisional Government to know whether he, as Minister, in the name of his government would recognize the Provisional Government. His reply was, "Certainly, if they ask me to do so." The captain would report that answer. It was considered by him as of vast importance, particularly in the preservation of order, that it should be recognized by the United States.

Captain B * * * returned saying, "It did not become the Government to request its recognition." Mr. Rush replied that he would communicate his recognition in writing; his course was decided by the practice of his Government to recognize the *de facto* Government. His communication was framed, as he stated to me, upon what had been done during the administration of General Washington. This was an event of marked importance. It was gratifying to the people; and tended to induce order as well as to give stability. Shortly afterward, the army which had been withdrawn from the city to avoid a collision, was brought back attended by a jubilation.

In the month of May following, Mr. Rush having received a commission from his Government as Minister to the Republic of France, communicated this event to the Provisional Government at the Hotel de Ville, and made a proper address.

Measures were taken by the Provisional Government to form a Constitution, by ordering an election of delegates to a Convention by the people in their respective districts. In anticipation of this election, various meetings were held in Paris, some of which I attended. The speeches were amusing; many of them quite absurd. The Constitution of the United States was proposed as a model. The most efficient objection to this was, that "the French people must have something new; it did not become them to adopt that or any other existing form of government." Another and most conclusive objection was that "it established slavery in all the States."

I was called upon by George W. Lafayette (the son of General Lafayette), with two other French gentlemen, introduced by Mr. C., a resident of Paris. The object of this visit was to request me to prepare a form of Constitution for France by remodelling the Constitution of the United States, so as to adapt it to the condition of the people of France. In reply I expressed an unaffected conviction that I had not the knowledge or ability for such a work: this would not do. They urged me most earnestly to make the attempt, to which I reluctantly consented. I called upon Mr. Rush to obtain a copy of the Constitution of the United States, and of the Federalist, if he had one. He sent me both, with a note asking me to take great care of the Federalist, as it was a copy given to him by Mr. Jefferson, with the appropriation of the authorship of the various members by Mr. Madison.

Earnestly desiring to render any service in my power to the son of the illustrious General Lafayette, and also to promote the welfare of the people of France, I endeavored to form a Constitution for France, by such alterations of the Constitution of the United States as I believed would be judicious.

Having sent to Lafayette the draft Constitution, I prepared the following four resolutions:

"*Resolved, 1st*, That the only Constitution of Government which this Assembly can establish, is a Representative Republican Government, based upon the only true foundation of all governments, the will of the people.

"*Resolved*, 2d. That the legislative power of France shall be vested in a National Legislature, to consist of two chambers, a Senate and House of Representatives.

"*Resolved*, 3d. That the executive power of France shall be vested in a Chief President, to be elected by the people for a fixed term, and whose salary shall be determined by law, and shall not be increased or diminished during his term of office.

"*Resolved*, 4th. That the judiciary of France shall consist of a Supreme Court and such other inferior Courts as may be established by law, and that the judges thereof be appointed for life, or during good behavior, to receive a salary to be determined by law, not to be diminished during their term of office."

JAMES A. HAMILTON TO MONS. GEORGE W. LAFAYETTE.

PARIS, April 25, 1848.

"DEAR SIR: I sent to you through our friend Mr. C. the draft of the adaptation of the Constitution of the United States to the actual condition of France. If it will be of service to you in your high duties use it, if not, destroy it. It is the offering of my devotion to Republican institutions, and my desire at all times and under all circumstances to devote myself to the service of my race; whose progress in knowledge and increased happiness, wisdom and virtue, is inevitable. The extension of the Christian religion, and the principles of social, political and religious liberty will (be assured,) do their work; and it is upon these that I always place my hopes, however untoward the actual circumstances may be, that the greatest good of the greatest number will be the sole aim and end of all governments.

"It is at the same time eminently the duty of every one, however humble his sphere, to aid in promoting the success of this great work, and in that spirit I commend this paper to your hands.

"I have drawn up a series of resolutions (which I now enclose) such as I would propose to the Convention were I a member of that body. My purpose would be to confine that assembly to the discussion of great principles, stripped of all details, upon which they ought to decide before another step is taken. If a majority should decide to have a single executive and a legislature of two chambers, with an independent judiciary, a form of government founded upon the popular will will be established, whatever may be its details, which will be permanent, and by future changes may be made more perfect. If, on the other hand, a plural executive, a single chamber and an elective temporary judiciary should be decided upon, the future of France will be very doubtful. This, I believe, is the language of experience, which is the best oracle of truth.

"The advantage of placing these great leading and decisive principles before your Convention distinctly and without details, is that the discussion will thus be, in a measure, limited; that clear ideas will be presented to the minds of the members upon which they can decide without being perplexed with the fruits of ingenious sophism to which details give scope, and above all, should you be enabled by an early and decisive vote to induce their adoption, you would shut out a thousand projects; for it may be truly said, that at this moment France is a great laboratory of constitutions, where the fertility of ideas for which your countrymen are so remarkable, will produce some wise but a great many absurd projects, all claiming to have an equal right to consideration. And it is to be remarked that the longer the

discussion is delayed, the more numerous will be these projects and the greater danger will there be of the members becoming divided into factions, and of being subjected to improper influences. That assembly, although it may be made wiser by discussion, will never be as pure and patriotic as at the first moment it assembles. Without giving the reasons for this opinion I invite your attention to it, and hope your course will be influenced by the conviction of its truth.

“Your chance of forming a wise constitution, or one at all, is much impaired by the fact that the National Assembly is to be not only a convention for forming a Constitution, but a general legislative body for the State. I say it is to be, because in looking at the ‘decree’ of the Provisional Government under which the election was made, it seems not to have been so intended, and in our country would most certainly not be so considered. On the contrary, having been elected under that ‘decree’ we should consider the people as having chosen this body as their representative for the sole purpose of making and ordaining a Constitution, and that the power of legislation, if assumed, would be a gross usurpation.

“The words of the decree of the 26th March, 1848, are ‘pour élève les représentants du peuple à l’assemblée nationale, *qui doit décréter la constitution.*’

“A further view of this subject presents itself to my mind, which I will briefly state. The Provisional Government constituted by the people of Paris, and adopted by the people of France, is the existing valid Government; and there is no other: and as there is no period to which its existence is limited, there exists no power or means of superseding or destroying it but one, that indicated by this *arrêté*, and that is by the promulgation of a Constitution by a National Assembly. When that Constitution is put into action, the existing Government ceases to exist, but not until then.

“The National Assembly having been elected to make a Government for, is not the Government of, France, and justly considered, would have no power to consider itself such; nor can the Provisional Government so constitute it; nor can the members of the Provisional Government, by giving up their powers, destroy that Government. It can only cease to exist by the will of the people expressed through their representatives in the manner pointed out by the decree of a Constitution. This is most certainly the view we should take of this subject. However, inasmuch as it seems to be understood that you are to legislate upon all subjects to which an ordinary legislature can give its attention, we must take the thing as it is, but at the same time, watch it closely; recollecting that the enjoyment of power like the appetite of jealousy, ‘grows by what it feeds on,’ and that the longer that assembly shall enjoy the exercises of the executive and legislative functions of Government (which they must possess as soon as the Provisional Government lays down its power, as it intends to do), although legitimately and constitutionally speaking, it has no power to do so; for a government formed by the people can only be changed or destroyed by the people. This necessarily results from the great principle, that ‘the only true foundation of all Governments is the popular will,’ the more difficult will it be for them to part with it, and the greater probability will there be that ambitious men will use its patronage to corrupt its members, and thus through their influence will the members be divided into parties and factions—as you soon must be—to secure to themselves the whole power and Government of the country. When this shall be so, the same men will have no difficulty in defeating any project of Government which may be presented to the Assembly, however wise and liberal it may be. With

all my confidence in the wise choice the people have made, these views press upon my attention with melancholy forebodings.

"I wish a majority of that body could be persuaded of the grave consequences not to France, not to Europe alone, but to the human race, which attend upon their course. Let them be assured that the fate of Republican institutions in Europe, for at least this generation, is in their hands; that if men ever had a great motive for moderation, wisdom, and patriotism, they have it; and if they should be found unworthy of the great mission, endless disgrace will follow them, and the interests and progress of the human family will be retarded for ages. It is quite impossible to express the responsibility of this great Assembly to France and to the world. As a Republican and as a man, I hope for, and will rejoice in a successful issue to your labors. I know what your course will be, and thank you for it in advance.

"With great respect and regard, your friend, &c.

"JAMES A. HAMILTON."

I was requested by a French gentleman whom I had known in the United States, to prepare for a member of the Provisional Government a plan of finance for France, which I did, and communicated to him the following "Hints:"

HINTS OF A PLAN WHICH MAY RELIEVE THE POLITICAL, SOCIAL, AND FISCAL DIFFICULTIES OF FRANCE.

"*First.* Authorize the Bank of France to issue notes of the denomination of twenty francs.

"*Second.* The Provisional Government to issue Treasury Notes of 20, 50, and 100 francs, payable to bearer, without interest.

"*Third.* To issue Treasury Notes of the denomination of 500 francs and upwards, bearing interest at six or seven or eight % per annum. The first rate would be sufficient.

"*Fourth.* All the Treasury Notes to be secured by a sacred and inviolate pledge, 1st, of all the public property of France moveable and immovable; and 2nd, of all the individual property. The first to be sold as may be required to meet the payment of these notes; and when that shall be exhausted, then the private property to be reached by taxation, and applied to the payment of these notes.

"*Fifth.* The Treasury Notes to be a legal tender, to be received in payment of all taxes, duties excises and imposts, with the right to the holders to exchange them at par for public stock, (at any time within one year) to bear the like rate of interest and not reimbursable in less than twenty years.

"Note.—The great necessity of France is confidence and circulation.

"The first is growing and will be restored as soon as the Provisional Government shall by its energetic measures already commenced, prove that it exercises a solid power large enough to preserve public order.

"To give employment to the people, let the Government engage with the master manufacturers and artisans, if they will go on with their works, to pay them any loss which may accrue to them by their operatives, conducted under the direction of their masters, and under the superintendence of the Government Agents; settlements to be made monthly, and advances to be made in Treasury notes if necessary, to pay the operatives. No support to be given to able-bodied workmen after the first day of May next, from the public treasury.

“These measures will certainly tend to give confidence in the preservation of public order.

“The circulation which was formerly essentially in silver will be supplied by these notes, and in a very short time, those who have hoarded the precious metals will be rejoiced to reproduce and invest them in the Treasury Notes bearing so high a rate of interest and so abundantly secured.

“Every man of property will see that his interest is engaged in supporting the public credit, and reviving private confidence, when he knows that his individual property is bound for, and will be applied to the payment of the debts of the Government; which will be increased or diminished by the promptitude or delay of the time at which such public or private confidence shall be restored.

“It is as clearly the right as it is the duty of the Provisional Government to pledge, nay to apply all the property of the country to the payment of its debts. Every citizen has expressly or impliedly pledged his life, and fortune, and honor to his country.

J. A. HAMILTON.

PARIS, April 7, 1848.

The following letter was written by a gentleman who had been elected a member of the Convention to form a Constitution for France, and who asked to see what I had proposed. It was sent to him. It is not inserted here, because it is not esteemed worthy of consideration.

“DEAR SIR: I had not a moment yesterday to write a few words, as I should have wished, in sending you back your project, you had the goodness to send me with your note of the 18th. I am happy to see the good feelings you express for my native land, and grateful for those you testify towards me.

“So far as a very hasty perusal could enable me to judge, I am convinced you have judiciously selected from the Constitution of the United States what could best be adapted to France.

JAMES A. HAMILTON TO SEÑOR GAETANO DE CASTILLEA.

“HOTEL MEURICE, PARIS, April 7, 1848.

“DEAR SIR: Recurring, as I always do, to the pleasure derived from your acquaintance at Milan, I beg, in this form, to renew it; and, in doing so, to congratulate you upon the heroic resistance you have made to the oppressors of your beautiful country. The moderation of all the peoples who have risen, and who have to assert the rights of humanity, has proved that they are worthy of liberty. And I rejoice to say, nowhere has that been more conspicuous or praiseworthy than at Milan; where the duration and severity of the conflict with the unexampled tyranny to which they had been subject would most naturally have excited a resentment, difficult if not impossible to be restrained.

“What your future is to be, no one, I presume, can conjecture. I fear the people of no part of Italy are as yet ready for Republican institutions. The first and best step to that condition of self-government would perhaps be a limited Constitutional Monarchy.

“I ought not to intrude my opinions, which at best would not be deserving of much consideration; but allow me to suggest that in the *Federalist*, a work published in

1788, in the United States, will be found more wisdom and a better examination of the history of governments and their true principles than in any work I know. If it were translated and published in a form most accessible to the people, a great public benefit would be conferred. It is our text book, and has been denominated by 'Blackwood's' the 'Bible of Republicans.'

"I remain, sincerely your friend, and obedient servant, &c."

"Should you reply, address your letter to me under cover to Messrs. Baring Bros. & Co., London."

Left Paris for England, 27th April, 1848. Anticipating a popular outbreak in London, the Government removed the Queen from London to the Isle of Wight, and placed there a military force of 5,000 men to protect her Majesty. At the Marlborough Police-office, the Duke of Norfolk with several other noblemen and vast numbers of citizens were enrolled as special constables to overawe the Chartists, who at one time assembled in great numbers in the suburbs of the city with the intention of presenting their petition to Parliament.

The Duke of Wellington did not intend to use his military powers as had been done elsewhere without success in the streets behind barricades. But he despatched numerous letters to the householders in streets where the insurgents were to pass on the way to the Parliament House, asking the favor to give him permission to place a few friends in the upper stories of their houses; the soldiers thus placed being without the reach of the people, while they could be firing down upon them mercilessly. This clever stratagem was successful. The petitioners dispersed, to avoid such an unequal conflict.

GEORGE SUMNER TO JAMES A. HAMILTON.

"PARIS, June 1, 1848.

"MY DEAR SIR: Your letter of the 27th from Edinburgh reached me yesterday. I have only a moment now before the closing of the mail which takes the American letters, and I employ that to thank you. Everything is going on well in Paris. The affair of the 15th was fortunate in this sense, that it cleared the political atmosphere of many dangerous elements, and that it shewed that a few crazy or factious fanatics are nothing against an Assembly which, although composed of feeble men, reposes upon universal suffrage. I say feeble men, and yet it is perhaps a hasty judgment, for no questions of vital importance have, as yet, come before them, and among the large number who have given a negative proof of intelligence, by holding their tongues, there may be other Mirabeaus who bide their time. You will have seen the division into Bureaux and Committees. It is in these Committees that the real work is going on, and will continue for about two weeks more. That of the Constitution will then bring in their report and the game begins.

"I have been much in communication with various members of this committee, but it has been in vain that I have sought to get a sight of your Constitutional project. I regret this, for I believe it was your desire that the work should be put in such a way as to be made most useful.

"The old dynastic opposition, B. D. and H. and M., are playing a dangerous and

a most unpatriotic part; treating Lamartine as if he were the provisional Minister, forced to use discordant elements to procure peace, as if he were the regular agent of a strong power, disposing of all resources financial and military. This is the saddest sign which I observe in the horizon. If Thiers be elected President, he will, we fear, lead off his old friends, and Thiers' only idea is to follow in the footsteps of his illustrious predecessor, Napoleon. 'La France,' he said to me, just after the Revolution, 'France is essentially monarchical and military.'

"The news from Naples, from Italy generally, and from Austria, complicates very materially the position of affairs. The junction of the Regent's forces with Radetzky gives the latter 50,000 men well supplied and having excellent cavalry, while Charles Albert, with no greater force, has scarcely any cavalry. We may now expect, daily, a pitched battle; the most scientific which the world has witnessed for more than thirty years. Ferdinand of Austria at Innsprück is quite a different man from Ferdinand at Vienna. The stumbling block of all things will be Pan-Slavism, the great organization of the Slavonic Nations. Italian unity is clear, and so would be German unity, were it not for the Slavonic element which is destined to have a great part in the future history of the world.

"Believe me, sir, with much regard, yours faithfully.

"P. S. There is no doubt the slaughter at Naples was done by the advice of the British Minister. England and Austria are doing all in their power to provoke France; and when the war begins, where will it stop? The English people are opposed to war. But what hand have they in their Government? and what hand have their members of Parliament or even a portion of their Government in their foreign affairs?"

GEORGE SUMNER TO JAMES A. HAMILTON.

"PARIS, September 28, 1848.

"MY DEAR SIR: I owe you many apologies for this long delay in answering your interesting letter of 27th June. Since that date many events have transpired, but none which are not in harmony with the observations in which we mutually concurred in April last. On the 22d March, while urging a reduction of our duties on certain articles of French manufacture which employ many men in Paris, I mentioned in a letter to a M. C. that within three months the number of workmen in the *Ateliers Nationaux* would be so great, and the means of supporting them would be so nearly exhausted, that a death-struggle must ensue between them and the Assembly. The movement came almost at the hour which I had predicted, and although there is but poor satisfaction in having been the prophet of evil, I may honestly say that of every serious difficulty which has occurred, I had given warning to some member of the Provisional Government. The optimism of Lamartine, however, more than anything else inspired me with anxiety for the future.

"You saw in London the manœuvres of the exiles. When you were there they had full confidence in their speedy return—a confidence which just now is materially diminished. Their game has been discovered, and they can no longer kill off by calumniating every useful man. Lamartine they submerged for a time, but he has come to the surface, and will maintain his level. He has a brilliant and useful career before him. His genius will always secure him eminence, and had he *talent*

as well as genius he would be the man of our age. Cavaignac is now exposed to the same attacks that poured upon Lamartine, and singularly enough, the Legitimist Press, which has always cried out against the tyranny exercised by Paris over the provinces, is now abusing C. for maintaining martial law in Paris, and thus checking that tyranny. You must bear in mind that it is in only *one* of the 36,000 communes which form France that martial law prevails, and that in that commune it exists as a measure of local police by the order of the National Assembly, representing the whole people.

"The English papers amuse themselves by styling Cavaignac the Dictator. He is only the servant of the Assembly, revocable at any moment.

"In addition to the part taken by the Legitimists in the affairs of June, of which I have myself primary evidence, and which during the past week has been proved in the trial of the insurgents, a conspiracy was organized by them which was to come off on the 25th August last. This fell through, and they seem now for a certain time to have adjourned their efforts. Let the worst come. Let the Republic be overturned,—it will, at least, have given to France three things which contain the germs of all progress, and which cannot be revoked: 1st. Cheap postage (the uniform rate is four sous); 2d. Common schools (Carnot's admirable project has become a law); 3d. Relief to the poor. There is also universal suffrage, and although this has its inconveniences in a country that has received no political or moral education, yet the total neglect of their duty to instruct the lower classes on the part of those who held the reins during Louis Philippe's time, has induced many to believe that instruction in France will become popular and general only when suffrage is universal. The difficulties of the transition are part of those expiations which invariably follow neglected duties.

"I find I am near upon the hour of post, but I will not close without a word upon Italy and Rome. The death of poor Mr. Martin leaves there a blank at an important moment. The idea of a federal Italy is gaining every day more strength, and I can see no other rational solution of the Italian problem. Gioberti is now making arrangements for a parliament (to be held on the 20th October), similar to that which gave birth to the National Assembly of Frankfort, and it is not improbable that in three months we shall see a federal Congress sitting in Rome. This is the hope of Mamiani (the former Prime Minister of the Pope), with whom I had some correspondence, and to whom it was my good fortune to be able to render some slight service during his years of exile.

"I have reason to believe that Rossi, whose nomination by the Pope to a new ministry has just reached us, will labor to the same end. Although I knew him formerly when *Doge de la faculté de Droit* of Paris; I have had no correspondence with him since his return to Rome. I do not doubt, however, the information I have received of his proposed course. Under the actual circumstances the presence of an American Minister (*chargé d'affaires*) at Rome is exceedingly important, for the moral influence of our country may be sustained and augmented, and, further, as the general revision of customs' tariffs will be one of the first measures in which the new Congress will act, our material interests may be advanced.

"You will readily recognize the importance of a speedy nomination to this post. Perhaps you may impress it upon the President. It is to be hoped it may be filled by some one whose knowledge of Italian language, history, character and commer-

cial relations with America will enable him to take *at once* the position which circumstances and the dignity of our country designate for him.

“I beg you to excuse the haste in which I write, to present my respectful compliments to Mrs. Schuyler and Miss Hamilton, and to believe me, my dear sir, with sincere respect, your very faithful servant, &c.

“P. S.—The Chambers party have carried the day. Read the ‘*Débats*’ of to-day; you will see in the leader an excellent summary of the debate. The ‘*Débats*’ resigns itself platonically.”

CHAPTER XI.

FROM 1850 TO 1859.

Neutrality of the Isthmus of Panama—The Panama Railroad—Communications to President Taylor and the Secretary of the Treasury—The yacht *America*—Particulars of her contests and victories—Letters from J. A. Hamilton to Samuel Rogers—Interesting letters from Hon. Edward Everett—His oration on Washington—Mr. Everett's political views—Hamilton Fish on the Whig party and the Know Nothings—Suggestions to Lewis Cass—Letter from Lewis Cass—Call for a public meeting to arrest Disunion—Plan to assist in bringing the breadstuffs from the interior to the seaboard—E. H. Pendleton on Irving's Life of Washington—Letter from Gov. King on financial affairs—Fifth voyage to Europe—Letter to F. P. Blair—Hints upon political affairs—The President's power of appointment and removal—Letter from Daniel Webster on the political situation.

JAMES A. HAMILTON TO PRESIDENT TAYLOR.

“1849.

“IN the Treaty negotiated by the late administration between the United States and New Grenada, guaranteeing the neutrality of the Isthmus of Panama, we for the first time departed from that sound maxim of public policy which counsels us to steer clear of entangling alliances with any portion of the foreign world; and thus until we shall have induced the other maritime nations of the world to unite in the same guarantee, the policy of this country as to peace or war is no longer in its own hands. It is consequently the dictate of wisdom as well as the prompting of our highest interests to use all the means within our power without delay, to negotiate with those powers reciprocal guarantee treaties.

“The Panama Railroad Company having pushed forward its enterprise of building a road as far as it can at present by making a contract for the construction of a road over the most inaccessible portion of the Isthmus, that is to say between Panama on the Pacific and Gorgona on the Chagres River, to be completed within two years, have in contemplation to ask the Government of the United States to initiate such negotiations. Under these circumstances and as a motive to induce the other maritime powers to enter into such stipulations, this Company ought to authorize the Government of the United States to engage that no greater rates of fare or freight shall be charged upon the people or goods of other nations than they charge upon those of the United States, and to enter into all other engagements which may reasonably be required to make this route, although the property of individuals, the great highway of all, and equal to all the nations of the world who will enter into like treaties. Without such a stipulation other nations will object to assuming such serious obligations, which may have the effect of securing a project which may be said to be purely American. On the other hand the United States Government,

authorized by the Company to enter into such stipulations on its behalf, will be enabled not only to provide equal and common benefits to all who may assume equal and common responsibilities, but may settle an exciting question in regard to another route in the same way.

“At the same time the writer of this communication desires, with great respect, to submit to the President that this negotiation will afford a most happy opportunity to make an effort to induce all those nations to enter into a stipulation ‘that the vessels being the property of individuals with their cargoes not contraband of war proceeding to or from the terminus of this road on the Pacific and on the Atlantic side of the Isthmus, shall not be subject to capture or sequestration in the event of war between any of the parties.’

“It has been well and truly said, that ‘the usages of war still savor too much of the ferocious maxims of the times when war was the chief occupation of man.’ Happily, however, the practice of latter times has left several of those maxims little more than points of obsolete doctrines. They still retain their rank in theory; but usage has introduced so many qualifications as nearly to destroy their operation.

“If we allow these just and humane views to be our guide in considering this suggestion, it will be found not so startling as when first presented. Let the United States, and particularly the Whig administration of General Taylor, have the honor of making the first serious and practical effort to mitigate in so essential a degree the ferocious maxims of war. Let us have the merit—while dreaming philosophers in peace Congresses are endeavoring to do what never can be done until the whole nature of man shall be changed—of inducing nations, by their interest, to take the first step in a direction which will more than any other, diminish the horrors of war by making war a condition of injuries to nationalities, and exempting individual property from its ravages.

“The object, and the only object of the guarantee we have assumed and which we invite others to assume, is to place the commerce of the Isthmus or of any other national communication between the two great oceans of the world, in a condition of security from the consequences of war. Any stipulation, however, which merely secures the peaceful occupation of the territory without embracing the commerce to which it is devoted, will be wholly unavailing. To guarantee the neutrality of the territory so appropriated to the common and equal use and benefit of all mankind, almost necessarily implies the guarantee of the commerce of its respective ports. As property is a fiction without its beneficial use, so would the neutrality of the great highway be a fiction without the neutrality of the commerce which is to pass over; and above all, that which is to pass to and from it. Beside the arguments which might be urged from considerations of humanity and of the advantages resulting from the mitigation of the rigor of the ancient maxims of war in which the United States are every way interested, much might be said to prove the propriety of such a guarantee in this particular case.

“Should you be so fortunate as to induce other nations to enter into such stipulations, it would be to your everlasting honor and to that of the country, that you had initiated a system which must necessarily lead to the prohibition of privateering and ultimately to exclude all individual property, not contraband of war, from visitation, detention, or capture: and whether successful or not at the first attempt, be assured this honorable effort, so congenial with the spirit of the age, will be received with acclamation, and once set on foot, it must ultimately be successful.

"As it is proper, reasonable, and humane, its novelty should not make it objectionable to the administration of the Government of the United States, whose true destiny is to send forth new and shining lights to guide the nations of the earth to great and beneficent principles and practices."

JAMES A. HAMILTON, TO THE SECRETARY OF THE TREASURY.

"DOBBS FERRY P. O., April 8, 1850.

"SIR: Without having the honor of your personal acquaintance, I take the liberty (a very great one I admit) to address this letter to you as chairman of the Committee of Ways and Means.

"There was brought to the port of New York, by the last two steamers from Chagres, not less it is said by the best informed, than \$3,000,000 in gold dust; which will be taken to the mint in Philadelphia, there to remain for from six to eight weeks, useless to its owners and dead as regards the capital of the country. To remedy this evil—not an unimportant one to a country whose capital is so very inadequate to the development of its vast resources as is ours—I most respectfully submit that it would be just and proper, both as it respects the owners of this gold and the business of the country, and without the slightest danger of public loss or injury, if the director of the mint should be authorized by law, upon receiving the precious metals on deposit, to deliver to the depositors certificates of deposit, to be prepared in such form and denominations not less than say \$50 or \$100; and under such regulations as the Secretary of the Treasury might direct; such certificates to be without interest, but receivable for public dues.

"By such an arrangement the mint might be relieved from its present almost intolerable pressure, the owners will receive an available representative of their gold, thus having its immediate use, and the capital of the country will be enlarged. These certificates being taken for public dues, will be received by the banks and issued to their dealers when required by them to pay duties, and thus returned to the mint, and the director as a sub-treasurer would hold the amount of coin the certificates so returned represent, to the credit of the Government.

"This would be a first step to render the independent treasury system a most convenient agent to the Government, and so far a diminished evil to the people.

"Our people have the qualities necessary to develop the vast resources of our country; they want the assistance of capital, which is now as deficient in comparison with its necessity, as it was at the organization of our Government.

"This great want can only be supplied by allowing the precious metals to be, as far as the agency of the Government is concerned and its security is not involved, the foundation of credit.

"Pardon me for addressing this letter to you, and particularly for presuming to present to you these obvious truths.

"I have the honor to be, with great respect,

"Your obedient servant, &c."

YACHT AMERICA—1851. MY FOURTH VOYAGE TO EUROPE.

The New York Yacht Club having been invited by the Royal Yacht Squadron, Earl Wilton, Commodore, to send a yacht to Cowes, England, in

order to test the relative merits of the different models of the old and new world without restriction as to rig or otherwise, the New York Club selected the yacht "*America*," although she was not as fast a sailer as the "*Maria*."

The owners of that vessel, Commodore John C. Stevens, his brother Edwin Stevens, and George L. Schuyler, three of the five owners, decided to go with her. The last gentleman being compelled to change his purpose, I went in his place.

The yacht, under the command of Captain Brown, a distinguished pilot of New York harbor, with a mate and eleven seamen, left New York for Havre on the twenty-first day of June, and arrived there on the twelfth of July. The Commodore and his friends sailed in the steamer *Humboldt*, and arrived at Havre a fortnight before the yacht. At Havre, the *America* was overhauled, and rigged with her accustomed sails, which were carried along with her. Much of our time, waiting for the yacht, was passed in Paris.

Such was the want of confidence of our countrymen in our success, that I was earnestly urged by Mr. William C. Rives, the American Minister, and Mr. Sears, of Boston, not to take the vessel over, as we were sure to be defeated. My friend, Mr. H. Greeley, who had been at the Exhibition in London, meeting me in Paris, was most urgent against our going. He went so far as to say: "The eyes of the world are on you; you will be beaten, and the country will be abused, as it has been in connection with the Exhibition." I replied, "We are in for it, and must go." He replied, "Well, if you do go, and are beaten, you had better not return to your country." This awakened me to the deep and extended interest our enterprise had excited, and the responsibility we had assumed. It did not, however, induce us to hesitate. I remembered that our packet-ships had outrun theirs, and why should not this schooner, built upon the best model?

In Paris we took means to obtain the best wines and all other luxuries to enable us to entertain our guests in the most sumptuous manner.

The Commodore and his brother sailed from Havre to Cowes in the *America*; the writer and his wife crossed in the *Humboldt*, landed at Cowes, and there went into lodgings. The *America* arrived the following evening, and came to anchor below the town, where the cutter *Laverock* was also at anchor. In the morning, with a light breeze, the *America* got under way to come up to her proper anchorage off Cowes. The *Laverock* did the same, and was beaten handily. I mention this because it had a most important bearing upon subsequent events. The *Laverock* being a cutter, although of less tonnage than the *America*, was ranked by the Club as a match for a schooner not larger than the *America*. She having been so much beaten in so short a distance, induced an estimate of the *America's* sailing qualities, which much impaired the confidence of the Club in the superiority of their yachts.

We were elected honorary members of the Club, invited to the houses of several of its members, and treated in the handsomest manner, by the gentlemen of the Club. A dinner was given to us by the Club, at which I was called upon to respond to a toast. Among other civil things, I took occasion, referring

to the beneficence of the people, to state that I had seen in the Thames a vessel on the side of which was written, "A Hospital for Seamen of all Nations," and to the Smithson bequest of a very large sum of money to the Government of the United States to establish an institution for "the diffusion of knowledge among men." I mention this from the extraordinary fact that among the distinguished nobles and gentlemen at the table not one knew anything about that bequest.

After waiting a reasonable time for a proposal for a race from the Royal Yacht Squadron, which, as we had been invited by them, we believed they were bound to make to us, Commodore Stevens on the 2d of August made the following communication to Earl Wilton, the Commodore of the Royal Yacht Squadron :

"The New York Yacht Club, in order to test the relative merits of the different models of the schooners of the old and the new world, propose through Commodore Stevens, to the Royal Yacht Squadron, to run the yacht *America* against any number of schooners belonging to any of the Yacht Squadrons of the Kingdom, to be selected by the Commodore of the Royal Yacht Squadron, the course to be over some part of the English Channel outside the Isle of Wight, with at least a six-knot breeze. This trial of speed to be made at an early day to be selected by the Commodore of the Royal Yacht Squadron. And if on that day there shall not be at least a six-knot breeze, then, on the first day thereafter that such a breeze shall blow.

"On behalf of the New York Yacht Club,

(Signed), JOHN C. STEVENS, Commodore."

"Cowes, August 2, 1851.

The above was enclosed in the following note, addressed and sent to Lord Wilton, Commodore.

"Commodore Stevens presents his respects to Lord Wilton, and begs to present for his consideration the enclosed proposition.

"YACHT AMERICA, August 2, 1851."

To this challenge the following answer was received :

"The Commodore of the Royal Yacht Squadron has the honor to acknowledge the receipt of a proposition from the New York Yacht Club, to run the yacht *America* against any number of schooners belonging to any of the Yacht Clubs of the Kingdom upon certain conditions. He will take the earliest opportunity to acquaint the proprietors of schooners throughout the kingdom of the proposed trial, but as there are a great many Yacht Clubs in Great Britain and Ireland, some little time must necessarily elapse before answers can be received. The members generally of the Royal Yacht Squadron are greatly interested in testing the relative merits of the different models of the old and new world without restriction as to rig or otherwise, and with this view have offered a cup, to be sailed for by vessels of all rigs and nations on the 13th instant. It would be a subject to them of the highest

gratification to hear that the *America* had entered as a competitor on the occasion.

“(Signed), WILTON, Commodore of the R. Y. Squadron.

“ROYAL YACHT SQUADRON HOUSE, August 8, 1851.”

To this communication, Commodore Stevens made the following reply :

“YACHT AMERICA, August 9, 1851.

“MY LORD: I had the honor yesterday to receive your communication of the 8th inst., in which you inform me in reply to the proposition of the New York Yacht Club to run the *America* against any schooners belonging to any of the Yacht Clubs of this Kingdom, that you will take the earliest opportunity to acquaint the proprietors of such schooners of the proposed trial, and in which you invite me to enter the *America* as a competitor for the cup to be sailed for at the regatta on the 13th inst. I beg leave in reply to say that as the period of my visit is necessarily limited, and as much time may be consumed awaiting to receive answers from the proprietors of schooners (without intending to withdraw that proposition), and although it is my intention to enter for the cup, provided I am allowed to sail the *America* in such manner as her rig requires: yet as the issue of a regatta is not always the test of the merits of the vessels engaged in it, I now propose to run the yacht *America* against any cutter, schooner, or vessel of any other rig of the Royal Yacht Squadron, relinquishing any advantage which your rules admit is due to a schooner from a cutter, but claiming the the right to sail the *America* in such manner, by such booming out, as her raking masts require; the course to be in the English Channel with not less than a six-knot breeze; the race to come off on some day before the 17th instant; the distance to be not less than twenty nor over seventy miles out and back, and in such a direction as to test the qualities of the vessels before and by the wind.

“Although it would be most agreeable to me that this race should be for a cup of limited value, yet if it is preferred, I am willing to stake upon the issue any sum not to exceed ten thousand guineas.

“I have the honor to be, your Lordship’s obedient servant,

“JOHN C. STEVENS.”

“P. S. As I have offered to enter the *America* for the prize to be given by the Royal Yacht Club on the 13th instant, it is desirable that I should receive an answer before that day.”

The following note was addressed by Commodore Stevens on the 16th August, to John Bates, Esq., Royal Navy :

“DEAR SIR: Will you do me the favor to enter the *America* for the Royal Yacht Squadron Regatta to come off on the 22d inst. The fact that this vessel is owned by more than one person is so well known, as to render it almost unnecessary to state it; yet I do so when she is entered, to avoid the possibility of seeming to contravene the rules of the Royal Yacht Squadron.

“Allow me further to say, in reference to others who may be disposed to be com

petitors, that should there be little or no wind on that day, this vessel will probably not sail.

“With respect, your obedient servant,
(Signed,) “JOHN C. STEVENS.”

The following note was addressed by the writer to Lord Desart :

“CLUB HOUSE, COWES, YACHT AMERICA,)
August 15, 1851, 10 o'clock A. M. {

“MY LORD: I have communicated to Commodore Stevens your wish that he should make a friendly trial with the *Armenia* and *Constance* to-day. I am authorized by Commodore Stevens to say, he will be most happy to make such a trial with these or any other vessels of the Royal Yacht Squadron, whenever his proposal of the 9th inst. may be accepted or rejected.

“I have the honor to be, your Lordship's obedient servant,
“JAMES A. HAMILTON.”

After these efforts on our part to get up a match without success, the famous engineer, Mr. Stevenson, owner of the *Titania*, to afford the American Yacht an opportunity to sail, as Commodore Stevens had proposed, agreed to enter the *Titania*, without, however, any hope of success. He sent the following through Commodore Wilton :

“In reply to the proposition made by Commodore Stevens, Mr. Stevenson agrees to sail his schooner yacht *Titania* against the New York yacht *America*, for the sum of £100 each. The course to be around a steamer stationed about twenty miles off, and back to the Nab light vessel, the goal of decision.”

This proposition was communicated in a note by Lord Wilton, together with the following directions :

“The two yachts will take their stations on each side of the *Xurifa*, (Wilton's yacht) at the Nab-light at 10 o'clock. The first gun will be fired from the X. and the blue Peter hauled five minutes before starting. When the second gun is fired and the blue Peter hauled down, the vessels will start. The steamer will be stationed about twenty miles South East of the Nab-light; which the yachts will round, upon either tack. The steamer will hoist a blue ensign when she is at her station. The goal of decision will be the Nab-light bearing S. W.

(Signed,) “WILTON, COMMODORE.”

On the 24th August, Mr. Woodhouse proposed to make a match with his yacht, the *Gondola*, to come off in October, from Cowes round the Eddystone light-house and back to Cowes, for £100 or £200, to which Commodore Stevens gave the following reply :

“YACHT AMERICA, August 26.

“SIR: I regret extremely that it is not in my power to oblige you, as I propose to leave Cowes immediately after the match with the *Titania* is decided. To afford you, however, an opportunity to try the speed of the *Gondola*, I propose (the Royal

Yacht Squadron consenting) that you make the trial at sea on the same day, and at the same time, and on the same course with the *Titania* and the *America*. As a further inducement to you to make this trial, I will wager £1,000 against £200, the *America* beats the *Gondola*."

This match with the *Titania* came off after she had time to go on the ways, to be cleaned and fitted up in the best manner. Mr. Woodhouse, with the *Gondola*, did not appear.

Going out before the wind, the *America* took the lead a short distance and held it all the way out, although she broke the gaff of her fore-sail, which was taken in and spliced, by which she of course lost some time. She passed round the steamer ahead of her competitor, and took the lead beating back. The wind freshened to a wholesale breeze, and the *Titania* was left behind a distance which our pilot estimated at seven miles.

The Regatta race for the Cup on the 22d August.—The morning was bright, the wind very light. Sixteen vessels started at the signal given, 10 o'clock A. M. Commodore Stevens invited Mr. Lyon to accompany us, and gave orders not to hoist our sails until all the others were under way. When the order to hoist was given by the captain, it was obeyed with a will, and the Yankee vessel seeming to be excited by the responsibility of her position, rushed to the lead in beautiful style. The wind dropped off near Ryde. The *Volante*, a cutter of forty-five tons, passed the *America*. An hour after the breeze freshened, and the *America* passed the *Volante*, "and then spared her a jib." After we got round The Needles the wind died away, and we were alarmed by the appearance of a small vessel (the *Fairy*), so light as to be pressed upon us by the gentle puffs which could hardly move the *America* of 170 tons. Our only fear as to the issue of the race was, that some light vessel like the *Volante* with a light puff of air might keep close to us, and with the tide might pass us.

The *America* arrived at Cowes at half past 8 P. M., and was received with the most gratifying cheers. Yankee Doodle was played by the band.

After the regatta, Col. Phipps informed Commodore Stevens by a note, that if the *America* would fall down to opposite Osborne House, her Majesty would visit the *America*, to which in the absence of the Commodore, I replied, that the yacht would be at anchor opposite Osborne House at four o'clock P. M. After getting all things in order this was done. Lord Alfred Paget, who was one of the Queen's attendants, then off duty, went down with us. Her Majesty and the Prince Consort, with four gentlemen and two ladies (Lady Desart and Miss Bing) came off with her barge, sailed round the vessel, and came to at the port gangway; where she and her husband were received by the Commodore and conducted to the quarter-deck—the attendants, ladies and gentlemen, remaining forward of the main rigging, the two ladies on one side, and the gentlemen on the other. Lord Alfred presented us by name, and we had an agreeable chat, her Majesty congratulating us on our success at the regatta. To our surprise,

and that of all present, the reserve and those forms generally observed in the presence of majesty were entirely done away. When I remarked upon this at the Club, the explanation given, was, that as we were her hosts, of course, we were put upon an equality with her Majesty. After awhile, she expressed a wish to go below. The Commodore took her Majesty's hand to help her to the cockpit, and then took her through the vessel, as I did the Prince. Her Majesty was particularly struck with the arrangement of the ballast, which was peculiar, and asked to see the accommodations for the crew. The whole thing went off well. I took an opportunity to go to speak to Lady Desart, whom I had seen before on board the yacht at Cowes, and asked her and Miss Bing to come aft. She said "Oh! no, that would not do, this is our place."

The *America* was sold to the Hon. Captain John de Blanquiere, for £5,000 and £100 was received on the *Titania* race. Our expenses amounted to about £750.

Orders were given to the officers of the customs to allow our vessel to enter, and all we had on board to be landed without any of the usual observances. This civility was most grateful because it was entirely gratuitous, and freed us from much trouble. I have great pleasure in referring to the courtesy with which we were treated by all persons with whom we met, and the spirit with which they accepted their defeat. Nothing could be more manly or in a better spirit. Their expressions of congratulation to us were in the most remarkable spirit; so much was this so, that I remarked to a lady, "Your friends do not seem to feel any mortification or even dissatisfaction at their defeat." "Oh!" said she, "if you could hear what I do, you would know that they feel it most deeply." Lord Wilton, after the *Titania* race, addressed the following note to me, dated Cowes, Friday.

"DEAR MR. HAMILTON: I must congratulate you upon the success of the *America* yesterday, which was complete. I enclose you the stakes, that were deposited with me before the race. My address in London is 7 Grosvenor Square. I must now bid you farewell, as I leave this station for London to-day; but I hope the period will not be far distant when I shall have the pleasure of seeing you again. I beg that you will kindly convey my adieux to the Commodore and his brother. And I am always,

Yours very truly,

"WILTON."

Of course our success in racing, and particularly around the Isle of Wight, would so much depend upon the skill and fidelity of our pilot as to make that a subject of deep interest. Our excellent Consul at Southampton engaged Mr. Underwood as a pilot for us; who went on board the *America* on her arrival, and whose whole conduct was entirely satisfactory. We had intimations from various sources on that subject.

The gallant Admiral of Portsmouth addressed a letter to Commodore Stevens, offering, if we were not satisfied with the one we had, to send us a

pilot who was not only most skilful, well acquainted with all the waters in the neighborhood, but for whose fidelity he would be responsible. This kind offer was promptly declined, on the ground that Commodore Stevens had entire confidence in the knowledge, skill, and fidelity, of our pilot Mr. Underwood.

The *Courier and Enquirer*, of New York, in giving an account of the complimentary dinner to the owners of the *America*, among other errors, represented me as having said "the offer by the Admiral of Portsmouth Station of a pilot, was as frankly accepted as it was honorably made." This was corrected in the paper at my request.

There was at one time a very general impression among the lower orders of the people about the docks at Cowes, that the *America* had a propeller which was artfully concealed; and our crew amused themselves by saying to the boatmen, who came alongside with visitors (there were thousands, as people of all classes were permitted to examine the vessel): "In the stern-sheets, under the gangway, there is a grating which the Commodore does not allow any person to open." And, indeed, this opinion was entertained by persons not of the lower class alone. A sporting clergyman said to a gentleman, who repeated it to me: "I would not wager a guinea against the Yankee craft; but I will give a hundred to see her bottom."

The old Marquis of Anglesea went out with his yacht, the *Pearl* (one of the best sailers of the squadron), taking with him Mr. Steers, one of the *America's* crew, the brother of Mr. George Steers, the builder, to sail about the harbor. The *America* went after her under a mainsail and jib only, and passed her without difficulty. The master of the *Pearl* said, "Your lordship knows that no vessel with sails alone could do that." When the *America* went slowly, he said, "Now it is stopped;" and when she went on, "Now it is going." These remarks of the master were not unheeded by the Marquis, and Steers said nothing to contradict them—he enjoying the jokes. When the vessels came to anchor, the Marquis's boat was manned; he came aboard the *America*; and after a salutation he went to the stern, leaned over so far that the Commodore took hold of his leg to prevent him from going over—he was looking most eagerly for the propeller.

The *America* having touched bottom when at anchor on one occasion, her false keel came off. She went directly to Portsmouth, to go on the ways to have it replaced. The day was wet, but notwithstanding hundreds went to Portsmouth to see her on the ways. Thus alone was that illusion (which was gladly indulged because it was soothing to wounded feelings) destroyed.

From Cowes we went to London; remained there a few days, and from thence to Liverpool to sail for America. Awaiting the day of departure I made a visit to Sir Arthur Aston, to whom I had a letter of introduction from Washington Irving and another from my son; Sir Arthur having been English Minister at Madrid when Irving was American Minister, and my son Alexander, Secretary of Legation.

The estate of this gentleman, a few miles distant from Liverpool, was of considerable extent, highly cultivated; having been in his family from a very remote period. He was a bachelor, well instructed; had an extensive library, and much literary taste. I here learned how draining was extended. Seeing twigs stuck in fields in various places, I asked the purpose. He said, after it rained copiously the water would remain in these places; and they were consequently to be drained.

Having in my course through parts of England, in August, seen the farmers engaged in haymaking raking up their hay by hand, I expressed to Sir Arthur my surprise that they did not use the horse-rake so generally used in the United States; by which a boy, with a horse, could rake more hay in windrows in half a day than ten men could in a day. He had never heard of such an implement. I described it to him, and the manner of working it; first, in throwing the cured hay in windrows, and then into masses to be forked into cocks; and consequently the immense saving of labor; and how particularly useful it would be in securing the hay rapidly, after it was cured, in the wet climate of England. He seemed so deeply interested in the subject, that I promised, immediately on my return to the United States, to send him one. The cost to me would be insignificant, say \$5, and to him nothing but the freight and duties; and this was understood between us. After my return to Liverpool he came there to see me, and he thanked me for my kind purposes in regard to the hay-rake; but requested me not to send it, as it would, by turning so many men out of work, create much excitement.

During this very interesting excursion I met with very many gentlemen of the squadron and out of it, for whose kindness and attention I have always been grateful. In their deep disappointment, and I may say mortification, at being beaten, they never manifested the slightest indication of displeasure; on the contrary, they were the first to congratulate us on our successes.

JAMES A. HAMILTON TO SAMUEL ROGERS.

“DOBBS FERRY P. O., N. Y., January 20, 1852.

“MY DEAR FRIEND: When I had last the pleasure of seeing you, I promised to send you a copy of the “Works of Hamilton” (my father); the last of the seven volumes has at length been published, and I rejoice that I am thus enabled to keep my word to you; and in the belief that I shall from time to time be brought back to your recollection as one of your most affectionate friends.

“The work is so extended, and in fact touches upon subjects so obsolete, that you cannot be expected to go through it, and therefore, I beg to direct your attention particularly to the letters written during Washington’s Administration, to wit, from 1789 to 1797.

“My father’s participation in the organization of the Government, and in fixing its domestic and foreign policy, which I believe after all, has had more to do with the prosperity of the country than the Constitution itself, is the best monument to his fame.

"In 1842, when I had the honor to receive the most marked and gratifying attention from you and Lord Brougham, he manifested some interest in these works. If his health and occupation should permit him to read,—and above all to write a review which no man could do better than he, it would afford me the most sincere pleasure, particularly because it would be the surest means of bringing this illustrious man to the notice of Europe.

"These books will be sent to your address, by the packet ship *Yorktown* to sail from New York for London, on the 29th inst., and may be expected to arrive between the 24th and last day of February next.

"They will be accompanied by a letter which the Captain will deliver at your house; he will be instructed by his owners to give your agent every facility in landing the books; they will of course be subject to no charge except those of your custom duties, which I cannot provide for here.

"I remain, my dear sir, your sincere friend."

JAMES A. HAMILTON TO MR. SAMUEL ROGERS.

"April 23, 1852.

"Your letter of the 20th ultimo was most grateful to me; you had received the Hamilton works, and were in good health.

"To permit you to send to each of my five children a set of your works is almost an abuse of your kind feelings toward me and them; but I am compelled to yield to their ardent wishes to receive from you such a distinguished mark of your consideration; and therefore, give you their names in the order of their births.

"ELIZA HAMILTON SCHUYLER" wife of the gentleman, Mr. G. L. S. who was with me at your house in 1842; FANNY BOWDOIN; ALEXANDER HAMILTON, JUNIOR; MARY M. HAMILTON; ANGELICA HAMILTON."

"A box addressed to 'ALEXANDER HAMILTON, JUNIOR, *Counsellor at Law, Jauncey Court, Wall St., N. Y.*' put on board of a packet-ship for New York, (they are found at St. Catherine's Dock, London) will reach me.

"I sorely regret that Lord Brougham cannot review my father's works. Do me the favor to present my respects to his Lordship; with my thanks for his kind expressions.

"I will take an early opportunity to give you my views on the subject at large, in order to account for my solicitude that they should receive a handsome notice in your country. My confidence in the wisdom of your statesmen, and the stability of your Government is so entire that no change of Ministry gives me any alarm—*Esto perpetua.*"

HON. EDWARD EVERETT TO JAMES A. HAMILTON.

"Boston, November 10, 1855.

"DEAR SIR: I have received your obliging letter of the 7th. With reference to the political views of which Mr. Choate's speech is so able an exposition, I would say, that the conservative whig party of this State was a good deal weakened by the territorial legislation of 1850. Mr. Webster's great speech of the 7th of March of that year did not meet with an unanimous reponse;—though, upon the whole, there was a general acquiescence. The insensibility shown by the South to the importance of

Mr. Webster's services on that occasion, (which I well know was duly estimated by you), and his disappearance from the stage contributed still further to weaken us. The repeal of the Missouri Compromise in 1854, was the *coup de grace* to the Whig organization in Massachusetts.

"A reaction has commenced, with what final result will depend on what is done at Washington this winter. The 'Republican' movement is regarded here simply as a device to intensify and combine the entire anti-slavery feeling of the North in support of Mr. Seward, as a candidate for the Presidency. For this year it has wholly failed. It will fail next year, unless the Administration and the South play Mr. Seward's game for him, better than he can play it for himself.

"I am much indebted to you for your kind suggestion relative to the repetition of my address on the character of Washington. I do not like the appearance of the frequent repetition of an address of this kind, but I have been obliged to yield to the urgency of the applications made to me. I was requested last week by the Mercantile Library Association of New York to deliver the address there, and I have agreed to do so. The place is to be the Academy of Music, and the day probably the 3d of March,—a good while to look ahead in this changing world, but it was necessary to name a day, with a view to securing the hall. I suggested that it might be more for the advantage of the Association to make a separate affair of it, (as it is to be done here), and not have my address form one of the regular course of lectures. This suggestion has been readily assented to. I shall endeavor to prevent being reported either here or elsewhere; but the gentlemen of the press are not very much disposed to waive their right of property in the product of their neighbours' brains.

"I hope to be able, in glancing at some of Washington's friends and co-operators, to assign to your honored father his proper place,—which I conceive to have been the first. It will not be in my power, of course, to devote much space to any but the principal personage, to whom the day (22d February) is consecrated; but I shall do my best. I shall be truly grateful to you for the communication which you kindly promise. In the present state of my family, I fear it will not be possible for me to leave home at present. My daughter has lately left me, and the entire charge of my family devolves on me. I hope it may not be too much trouble to you to put in writing the anecdotes to which you refer.

"The young men here at whose request my address is to be delivered, intend to appropriate the proceeds to the decoration of their new hall. With this view, measures have been taken to procure a fine copy, as large as the original, of Stuart's admirable full length portrait of Washington at Newport, which I first saw last summer, in the agreeable company of Mr. Bancroft, your daughter and niece. Besides this, they will procure heads of some of Washington's contemporaries,—military and civil, your father of course among them. We have in Boston his portrait by Col. Trumbull, formerly belonging to Col. Perkins, a devoted friend of your father, now the property of Mr. R. C. Winthrop. This, I suppose, is the best original accessible here for a copy.

"Desiring my respectful compliments to Mrs. H. and my most kind remembrance to my much valued friend, your daughter.

"I remain, dear sir, very faithfully, yours."

HON. EDWARD EVERETT TO JAMES A. HAMILTON.

"BOSTON, December 3, 1855.

"MY DEAR SIR: I am greatly indebted to you for your letters of the 22d and 30th of November, and for the memoranda of your father accompanying them in Miss Mary's handwriting. They are extremely interesting to me. I may not be able to make much use of them in my discourse on Washington, which will necessarily dwell much in generalities, but sooner or later, every thing of that kind turns to account.

"In reply to your inquiries what the "Union Whigs" of Massachusetts would think of a re-organization of the party of New York and the nomination of Mr. Fillmore, I have been desirous, before answering, to confer with Mr. Choate; but this I have not had it in my power to do. I have, however, compared notes with another friend, whose opinions are eminently entitled to respect,—Mr. Hillard. For our own State, we think the following to be the wise course, to keep the Whig party as much together as possible, but not to make any nomination. There will certainly be three candidates, the Democratic, the Republican and the Know Nothing. There seems to be no chance of a fourth, for the "Union Whig" party at the South is more completely disorganized than at the North. If the Know Nothings will nominate Mr. Fillmore, which is not unlikely, the Whigs in Massachusetts will support him with great cordiality, and with their aid, he would be sure of the vote of the State. And it appears to me by far the best calculation the K. N's. could make with a view to success.

"The expediency of an Independent Union Whig nomination of Mr. Fillmore in your State in January, would depend upon the tendency of that step to induce a nomination by the Know Nothings in February. I must own that it would tend rather to defeat than promote that end. The K. N's., like all other parties, have a pride which is gratified by doing their own work, not having it done for them. They will know (without a previous Whig nomination,) that if they nominate Mr. Fillmore, the Union Whigs will vote for him; there is no need of a previous Whig nomination to give them that assurance. Such a previous nomination would call into intense activity all the opposing interests to prevent the K. N's. from selecting Mr. Fillmore. It would afford time to act upon these members of the K. N. party, (numerous in several of the States, though not I believe in New York) who have Free Soil proclivities. For these reasons, I am pretty strongly of opinion, that a previous Whig nomination of Mr. Fillmore would do harm and not good; although if made by the K. N's. it will doubtless receive the vote of Union Whigs throughout the country, with a fair chance of success.

"The greatest danger to be apprehended, is that the events of the impending session may be such as to invigorate the Republican, which I regard as a disunion party; split the K. N's. into a northern and southern wing, and break up what little nationality we have left.

"I remain, dear sir, very sincerely yours."

HON. EDWARD EVERETT TO JAMES A. HAMILTON.

"BOSTON, December 17, 1855.

"DEAR SIR: I have been a little tardy in replying to your letter of the 8th,

owing to the difficulty of seeing gentlemen all very busy, and much occupied myself with domestic cares.

"There is some division of opinion among our friends, as to the expediency of an attendance from this quarter at the meeting of the 10th of January at New York. It is supposed that no meeting held in a hotel in New York, of gentlemen from various States could be kept secret. Its doings would be surmised from the character of the persons present, and to prevent misstatements, it would be necessary at least, in the general, to give publicity to the proceedings. With this probable result, one very judicious friend doubts whether anybody had better go from this quarter. Another thinks it so important that political friends in the different States should compare notes with each other, that he would have Massachusetts represented. Neither of the gentlemen named by you will be able to go, nor will it, I fear, be in my power to leave home. If it were, I do not think my attendance desirable. Everything wearing the appearance of "Hunkerism," must as much as possible be avoided. Mr. Choate and I are taking steps to get the opinions of one or two gentlemen in the interior of the State, and I rather think we shall be able to get some gentlemen to attend, fully qualified to speak for the Conservative Whigs of Massachusetts.

"I hope you will be able to execute your purpose of going to Washington. When I left it in May, 1854, this miserable Nebraska question had entirely broken up the National Whig party. With a few exceptions, our quondam Southern associates appeared to take pleasure in displaying their adherence to the Southern view of the question. I am not well informed how matters now stand, for ill health for a long time compelled me to relieve my mind of every anxiety; nor have I, since my health has somewhat improved, sought in any quarter to resume my correspondence. What I have written to you the few past few weeks, exceeds the aggregate of all my political correspondence for eighteen months.

"I am, dear sir, with much regard, truly yours."

HON. EDWARD EVERETT TO JAMES A. HAMILTON.

"BOSTON, January 7, 1856.

"DEAR SIR: I thought till an hour since, that Massachusetts would be very ably represented at the meeting on the 10th, by Mr. S. H. Walley, a member of the last Congress, the candidate of the conservative Whigs for Governor at the last election. An imperative business engagement has unexpectedly occurred, which requires him to be here. Whether Mr. Chapman of Springfield, whose attendance was requested by Mr. Choate, will be able to go, I have not heard. All the friends with whom I converse, concur in the opinions already expressed to you, that is—that it would be inexpedient for the Whigs to make a nomination. If Mr. Fillmore or any other Conservative Whig is in nomination, under whatever party auspices, he will be supported by the Conservative Whigs of Massachusetts. They are disposed to adhere to their organization; and if three candidates are in nomination next year, they will be able to decide the vote of Massachusetts in favor of the one whom they prefer.

"I remain, dear sir, with much regard, sincerely yours."

HON. EDWARD EVERETT TO JAMES A. HAMILTON.

"BOSTON, January 21, 1856.

"DEAR SIR: I have your favor of the 15th. I had already received from Mr

Chapman an account of the little meeting of the 10th, which though a failure in numbers, he thought in other respects valuable.

"A short time since, having occasion to write to Mr. Trescot, a young gentleman of South Carolina, who, on my recommendation, was appointed by Mr. Fillmore, Secretary of Legation at London, I asked him what course he thought would be pursued at the South, if Mr. Fillmore should be nominated for the Presidency by the Know Nothings. I enclose you his reply, which you will be pleased to return to me, when you have read it.

"I am very much concerned as to the state of our foreign relations. I fear that the controversy with England has been brought to a critical position, and that it is intentionally kept there. At the same time, I do not acquit England of great indiscretion in formally organizing the Bay Islands as a new Colonial Government, so soon after engaging not to colonize any part of Central America. I have no doubt, however, that if she had been addressed in a conciliatory tone, she would have receded from that step, as she did from the occupation of Tigre Island, and the Sandwich Islands.

"In reference to the Mosquito protectorate, she was willing to agree to anything. Mr. Crampton said to me, 'We want to back out of it, but can't be kicked out.' The impertinent interference of Mr. Marcoleta, in which for party purposes he was sustained by the present administration party while in opposition, prevented the consummation of a very satisfactory adjustment, agreed upon by Mr. Webster and Mr. Crampton.

"I remain, dear sir, with great regard, faithfully yours,"

"P. S. I scarce need say in reference to the latter part of Mr. Trescot's letter, that there is not the slightest foundation for the insinuations of the editor of Mr. Calhoun's works. I have not yet seen the volume, and of course, know only by conjecture, the pretended grounds of the charges:—real grounds there are none."

HON. HAMILTON FISH TO JAMES A. HAMILTON.

"WASHINGTON, March 4, 1856.

"MY DEAR SIR: I have very reluctantly been forced to the opinion expressed in your letter, that a Whig convention is impracticable. The old Whig party is disorganized and broken up. We need not look back for the causes which have led to this; the fact is unquestionable, and the question arises, what are we, who still are Whigs in principle, to do?"

"I do not see the way clear to the support of the American candidates upon the platform on which they are presented. They are not before the country as Whigs, but as 'Know Nothings,'—one of them was a Whig—the other was a Democrat. We cannot separate the support of the one from that of the other. As Whigs, we do not recognize the organization, the tests, the oaths, or in fact the principles of the Know Nothing organization. True, they have one principle which commends itself to every national man, of whatever party he may be; but in my opinion, that principle of Americanism is so universal that it cannot be the basis of party organization. I mean the principle of Americanism in the broad and literal sense in which it commends itself to national men—in which alone it can commend itself to old-fashioned conservative national Whigs. Take this away and the Know Nothing party has little, if anything, to attract Whigs. But this broad principle is not peculiar to them. I be-

neve it is almost universal, and it is only when reduced to a narrow, intolerant or proscriptive rule, that it becomes peculiar to any party organization.

“Unfortunately the party which has recently nominated Messrs. Fillmore and Donelson, has practically reduced the principle to one of exclusion and proscription. Donelson certainly has no claims upon us, he was a bitter reviler of every Whig measure, and of all Whig men—of Clay, Webster, Fillmore, and all others. The name of Mr. Fillmore alone gives rise to question; had George Law or Gen. Houston been nominated, we should not have counselled upon it. It is, therefore, only from personal regard and confidence in Fillmore that any question now arises. It is unfortunate to be forced to support a candidate upon mere personal respect and confidence, when he is presented as the representative of principles which one does not approve. Mr. Fillmore is before the country now as a candidate to the exclusion of others with strong claims upon us as Whigs (Crittenden and Bell for instance,) who were excluded from competition for the nomination by the restriction of candidates to those who were initiated in the order. The intolerance and proscriptiveness of such a rule is utterly indefensible, unjust to individuals, and impolitic to the public interests. Elected upon this rule, Mr. Fillmore will be bound to act upon it, and I cannot believe that the best men of the country will consent to adopt the ritual, the secret oaths, the intolerance and the proscriptiveness which have been published as part of the creed and the practice of the Know Nothing party; and I do not learn that they have disembarassed themselves at their recent conventions of the objectionable features of their former organization and declarations.

“I cannot see much promise of an elevated or pure administration, if the agents of the Government in all its ramifications are to be selected only from those who have taken the secret oaths of the K. N. order. Mr. Fillmore will doubtless do what can be done to secure honesty, ability, and character in his agents and subordinates; but his field of selection will be too various. Thoughtful conscientious men will not take the pre-required oaths, or qualify themselves for appointment to office by enrollment and initiation with a secret society.

“I entertain a very high respect for the personal character of Mr. Fillmore for his integrity and his patriotism. My personal relations with him are kind and friendly, extremely so—but not such as to blind me to some defects. He is a very bad judge of men; he has strong personal preferences, and still stronger antipathies, and of which designing men with selfish and sinister purposes can and do easily avail, to secure improper objects and to accomplish corrupt ends. He lacks the ready knowledge of men to detect and to prevent the designs which cupidity and malice and ambition will be ever attempting in the neighborhood of the high position for which he is now named. And to this defect in his character are to be attributed the corruptions, the speculation and the meanness which exhibited themselves in many places under his administration—more numerous, I fear, than under any other administration; and yet I believe him to have been as pure and incorruptible and as desirous to prevent corruption and speculation as any man who has filled the Presidential chair. But he failed in this respect most lamentably, and yet he then had the whole country to select his agents from; now he will be confined to those who consent to be qualified by the mystic initiation of a secret Lodge or Council.

“Much of the difficulty which I see might have been and would have been removed by abrogating the secrecy, &c., of the K. N. organization and the rule which restricts the selection of candidates to members of the order.

“But even then the question would have arisen how much of Whig principle has Mr. Fillmore been obliged to lay aside in order to secure the nomination? Either he or Mr. Donelson must have relinquished much of their former principle, in order to come upon the same platform. Perhaps both have done so. We are entitled to know how they now stand, and I think we should know more than has yet been declared, before we, as Whigs, transfer ourselves, or rather surrender to an organization which will gladly receive our votes, but admit us to no voice in suggesting the policy which is to be pursued.

“I have been writing in haste and am obliged to go to Committee. I have written freely and rather by way of argument and suggestion than of conclusion. I confess that I feel much, very much reluctance to an endorsement of the nomination. As matters now stand with the K. N. organization proscriptive and exclusive, with its oaths, its religious intolerance, &c., I do not see how I can give support to its nominees, whatever may be my personal regard for them or rather for one of them; however, I shall think further before coming to a conclusion, and shall be very happy at all times to hear from you, on this or any other subject.

“Very faithfully yours, &c.”

JAMES A. HAMILTON TO THE HON. HAMILTON FISH, Senate of the U. S.,
Washington.

“NEVIS, March 7, 1856.

“MY DEAR SIR: Your very frank and instructive letter of the 4th instant is received. I thank you for it.

“I did not suspect that the Fillmore administration was obnoxious to the charges intimated by you, or that his character was so deficient in essential points. They are very serious ones, and may well, if well-founded, induce much hesitation where they are believed. I was so little connected during that period with public affairs, that my ignorance of such dark passages is not surprising; I am gratified to learn, however, that they have not impaired your confidence in the purity of the chief of that administration.

“As a National Whig and as a citizen feeling a lively interest in the welfare of the country, I am disposed to support the nomination, because I believe it the safest and best that will be presented to our choice. I do not find in the platform of the K. N. party, as laid down at Philadelphia in February last, any thing (assuming, as you very properly do, that accepting the nomination he places himself upon the ground authoritatively taken by the party which presents him as their candidate) which will forbid him from supporting such a course of public policy as we as Whigs have heretofore approved; or which he as a Whig President has heretofore endeavored to carry out. I will not permit the odious machinery of that party, or their proscriptive policy, to induce me to suppose that Mr. Fillmore will be influenced at all in his official course by these characteristics of that party or to drive me from the support of the safest of the candidates presented to my choice.

“From these and various other considerations connected with the harmony, the union and the well-being of our country, I believe it is the duty of conservative men of all parties, in the portentous condition of our affairs at home and abroad, to free themselves from party obligations, and so to give their votes and exertions,

as will most probably lead to the security of those cardinal points of policy, which the safety and interest of the country demands.

"I have believed that the National Whigs, as such, should at a proper time and place of meeting (to be designated by controlling minds), by a well considered paper to be signed by a few from each State, addressed to their fellow-Whigs, give them reasons for issuing such an address, and as Whigs, give their reasons for sustaining or adopting the candidates whom they believe will best deserve their confidence and support, but above all, that they should take advantage of the occasion to express their views in a very distinct and bold manner upon the disturbing questions of the day. We, as National Whigs, have great strength as well in our numbers as in our principles, and while by the annunciation of these principles we will not probably recommend ourselves to the party confidence, or support of any one of the existing organizations, we will awaken in the great body of the considerate men of this country a course of reflection and of action which will be of great utility, and may, in the disorganized condition of parties, produce decisive results.

"I have found in my limited sphere of observation that the nominations are approved, and they will most probably call back many from the ranks of the Fusionists.

"I hope that you may arrive at the conclusion I have adopted, and that we may work together in this important contest.

"With great respect and regard, my dear sir,

"Your friend, &c., &c."

JAMES A. HAMILTON TO HON. D. D. BARNARD, ALBANY.

DOBBS' FERRY P. O., June 7, 1856.

"DEAR SIR: I am not a little excited and much pained by recent events. The exasperation of the two great sections of the country may lead to fatal results. The assault upon Sumner, is, as respects the man, of the least importance. The attack upon the Senate, and the freedom of debate, cannot be submitted to; particularly when we learn from the resolutions and meetings of the Southerners that they not only applaud the act, but say it was committed in the right place, and that they will not submit to the expressions of opinion such as he had uttered in regard to slavery. We certainly would not quarrel with our Southern fellow-citizens for indulging in such absurdities; but at the same time we must not be deterred from the freest expression of opinion in Congress and elsewhere. This course of reflection brings me to the principal object of this letter, which is to ask your views as to the proposed meeting of Whigs in Kentucky on the 4th of July next.

"Ought we to go there; and if we do go, what should be our course? I am urged by Union Whigs to represent this district.

"Ought we to refrain from expressing our reprobation of the course of measures taken by the Government in Kansas? our disapproval of the Repeal of the Missouri Compromise, and of the attack upon the Senate in the person of one of its members?"

"With sincere regard, your obedient servant."

EDWARD EVERETT TO JAMES A. HAMILTON.

"June 30, 1856.

"I received your favor of the 27th on my return yesterday morning from New-

port, where I have been passing eight or ten days to recruit my health, which has been a good deal impaired.

"I am much gratified to hear that your children have crossed the water in safety. I pray you when you write to your daughter to convey to her my most kind remembrance.

"I am afraid to promise to write the proposed Fillmore address. I have been under engagement for nearly a twelvemonth to prepare an address for the inauguration of the Dudley Observatory at Albany, in August. Various disturbing causes have prevented my making the slightest preparation for an effort in which much will be expected of me by the *savans* of the country, assembled at the meeting of the American Association for the Advancement of Science, which will be in session at that time.

"Incapable of much labor, and with many engagements already on my hands, I feel as if I must reserve all my time and thought for the object mentioned.

"I shall certainly give my own vote for Mr. Fillmore, of the candidates yet named. But I fear there is little hope of giving him the vote of Massachusetts. So large a portion of the 'Know Nothing' party in the State was either originally made up of 'Free-soilers,' or has been swept by the late hurricane into the 'Republican' ranks, that the probability is greatly in favor of Fremont getting our vote. The old line Whigs, however, will I think, support Mr. Fillmore.

"There is to be a meeting of their Committee on the 2d of July, and from their doings I shall be better able to judge.

"There is no foundation for the report that I was to address a political meeting. Please make my kindest remembrance to the families at Nevis and the Cottage.

"Sincerely yours."

JAMES A. HAMILTON TO THE HON. LEWIS CASS, SENATOR OF THE U. S.

"August 8, 1856.

"DEAR SIR: I have the honor to enclose my reply to a published letter, addressed to me by Mr. Barnard, also my reply to a letter addressed to me by Gov. Hunt. The necessity imposed upon me for replying to these letters, has given a prominence to my opinions which they cannot deserve; I will, however, take the liberty to direct your attention to that part of the last letter which treats of the Constitutional question in connection with the Missouri Compromise Act. It is said to have some force.

"I avail myself of the privilege of an old friend to make a deeply interesting suggestion touching yourself, which as it proceeds from the highest public considerations as well as from private friendship, will, I am sure, be received without unkindness.

"It is very rare that a public man is placed in a situation to render the most eminent service to his country, nay, where by a given course he can entitle himself to be considered as the saviour of his country. It is believed that we have arrived at a crisis which involves the Union and Constitution of our country, and in them all that, as citizens of the United States, and as men and Christians, we ought to hold most dear.

"Assuming this to be true, your position in the country, as the most prominent man in the Senate (who has voluntarily withdrawn himself from the line of prefer-

ment,) and a leader in the Democratic party, full of years and honors, justifies me in calling upon you to step forward, and if need be, to sacrifice yourself with that party, to save it from defeat, and the Union from disruption.

“Taking thus the worst view of the consequences of the course I am about to propose for your consideration and adoption, in relation to yourself; suppose you sacrifice yourself thereby, what man of true patriotism and courage would hesitate, if by such sacrifice he could save his country or render her a truly eminent service?”

“The simplest, most efficient, and most immediate remedy for existing evils, would be the restoration of the Missouri Compromise line, which would be done by the repeal of the Kansas and Nebraska bill, and the substitution of another territorial bill in its place; such a bill has been, or may be, sent by the House attached to one of the appropriation bills.

“Your course ought to be (I say this with great submission) to rise in your place, and in such terms as you so well know how to use, to express your determination to save the country from impending calamities, and to call upon your party and other men who are more devoted to the country than to their party or to themselves, to unite with you in sacrificing themselves to the Union, the Constitution, the cause of the people of the United States, to the cause of liberty and humanity.

“If, as must be the case, you shall persuade a sufficient number of southern Senators, say—Bell, Hunter, Crittenden, Clayton and others, to carry the bill, you would be hailed throughout the country as the great pacificator, at a period of more imminent danger than any other to which our country has been exposed, certainly since the adoption of the Constitution.

“I close this appeal to you on behalf of our country, by declaring, as the most earnest conviction of my heart, that if you will take such a course you will stand in the history of our country as second only to Washington himself.

“The imminence of danger to the Union by the almost certain success of the sectional party of the North, must be my excuse for writing this letter.

“Your friend.”

THE HON. LEWIS CASS TO JAMES A. HAMILTON.

“WASHINGTON CITY, August 11, 1856.

“MY DEAR SIR: I have just received your letter, and hasten to answer it in the same spirit of friendship, in which I am sure it was written. I write you by another hand not for the sake of preserving a copy of my letter (that I never do), but to spare you the infliction of my handwriting. I am greatly obliged to you for the evidence of personal esteem which your letter furnishes, and I assure you that that feeling is fully reciprocated on my part.

“I have read your letters to Gov. Hunt and to Gen. Barnard with much interest. Though I do not agree with you as to your constitutional views of the power of Congress, nor as to the remedy you propose for our difficulties, yet certainly there is great force in your argument, while a spirit of patriotism pervades your letters, which is refreshing in this day of our troubles. You bear a glorious name, and may boast of a proud descent, which gives you a right to speak to your countrymen. I agree with you as to the dangers which threaten our country, but I consider the remedy you propose impossible in itself and inadequate to the occasion. You greatly overrate my power to be useful, but you cannot overrate the

anxiety I feel. You propose that the Missouri Compromise line should be restored. That measure is impossible. If I should advocate it, it would gain but one more vote in the Senate. I should not be followed by a single member of the Senate, whatever might be his politics or his local position. But I have long held that the Missouri line was unconstitutional. I believe Congress had no right to establish it. I believe it had no right to pass any law on the subject of slavery in the territories. I regretted the repeal of that restriction, I considered it unnecessary and that it would lead to injury. But being required to vote upon the proposition, and believing as I have said the clause was unconstitutional, I had but one course to take, and that was to vote for the repeal. It is impossible for me under any circumstances to co-operate in the re-establishment of that line.

"But I have also an insuperable objection to the legislative process by which you propose to secure the consent of the Senate; that is, by annexing to the appropriation bills necessary for the support of the Government, a provision for the restoration of the Missouri line. Such a mode of procedure would work a revolution in the Government. It would concentrate all power in the House of Representatives, and enable them to carry any measure they might seek to attain. It would substitute a consolidated government, the government of a numerical majority, for the present constitution, which is based not upon numbers only, but upon State sovereignty also. So much for my views in brief. I have lived a long life, a believer in the intelligence of the country, and hopeful as to the duration of our institutions. But fear and doubt have overtaken them, and my confidence in the future is fast giving way.

"I am, dear sir, with great regard, truly your friend."

EDWARD T. POTTER, ESQ., TO JAMES A. HAMILTON.

"October 18, 1856.

"MY DEAR SIR: I have read with the greatest interest the 'Plan of Military Operations,' and shall always remember with pleasure the honor you have done me in allowing me to peruse it.

"The generous manner in which you spoke of the duty of every citizen to support and speak well of the Government, when at the same time they were not representatives of the Government, some of whom seem to me to hold views of their duties in this crisis far behind your own, and far behind the wishes of the people, made a deep impression on my mind.

"The plan made clear many points on which I wished to be informed, and assured me that statesmanship and humanity were not necessarily at variance.

"With great respect."

A CALL FOR A PUBLIC MEETING, IN 1856, TO ARREST DISUNION.

By J. A. H.

"FELLOW CITIZENS: The subscribers believe that our Union is threatened with dissolution, our government with subversion; that the feelings of exasperation by one section of the country towards the other, are increasing every hour, and unless arrested must produce the most disastrous consequences. We believe that this intolerant spirit was commenced by fanatics—was pushed by demagogues—has been

continued, and is now made use of, by reckless partisans, to promote their selfish ends: and that it has gone so far in mischief, that its authors stand appalled at the wreck of their own work.

"Under the solemn conviction of these painful truths; believing as we do that the great body of the people who adopted our glorious Constitution to perpetuate the Union, are determined that it shall be preserved; we invite you, regardless of party or personal differences, prejudices or partialities, to meet in council on day of _____, at 12 o'clock, in the Park; not to express opinions in favor of or against the various measures which are proposed in relation to the Territories, the District of Columbia, or in respect to the rights and duties of the North, or the South, the East or the West, but in commanding terms to express your solemn conviction that the Union under our Constitution is necessary to the preservation of our liberties; and our firm determination, that at all hazards, it *shall* be preserved. And further, that such measures may be devised as will lead to the expression of the opinions and will of the whole people of the United States, through a convention of their delegates, to be holden on those important subjects, which now distract the country, at no distant day; or by such other measures as you may deem necessary, to arrest this fell spirit of disunion.

"We ask in this great work the coöperation of the good, the wise, the patriotic of all classes and conditions, be their professions and callings what they may.

"We invite all men, who can throw off their party allegiance, in obedience to their allegiance to the Union, to assist us in the holy work; upon the issue of which, we venture to affirm, depends the dearest interests and the brightest hopes, not only of this people, but of the masses of all mankind. Believing as we do, that to dissolve this *Union* for any cause, would be the greatest crime we could commit, and the deepest injury to the whole human race, we are prepared to resist that calamity by any sacrifice that may be required.

"We believe that with firmness, moderation and wisdom, under the guidance of Him who has hitherto protected our country in her various vicissitudes, all the points of difference between us may be satisfactorily adjusted, and we respectfully ask, whether it is not eminently fit and proper, that *the People* of the Empire City and State should begin this great work of pacification, and that they should invite their *brethren* of all sections of the country to unite with them in the expression of their determination that the Union shall be perpetual; and in advising such a course of measures as will arrest the bitter strife now progressing with such intensity.

"We adjure all men, by all they hold most dear, to renounce all former party ties, and to unite until the country shall be rescued, in the great party of the Union of the country.

"NEW YORK, February, 1856."

JAMES A. HAMILTON TO HIS EXCELLENCY BARON HUMBOLDT, Berlin.

"NEVIS, DOBBS FERRY, March 18, 1857.

"BARON: I have forwarded to my grandson, Mr. Philip Schuyler, a copy of the "Works of Hamilton," to be delivered to you as soon as they are received.

"I have the honor to present these works to you as a mark of my profound respect for your character, and as such I pray you to receive them.

"It seems becoming that one of the most distinguished statesmen of the United States of America should be known by his works to the most illustrious philosopher of his age.

"If I may be permitted to occupy your attention at some future day, it will give me a pleasure to point out such parts of this work as will interest you.

"It is a remarkable fact, that the treasury system established in 1790 for the United States, when the population was about three millions, and the area was not one-fourth part of what it now is, should have the capacity of extension to such large proportions as the commerce and revenue now require. The system then formed with its details has not been essentially changed.

"As to the public faith of the United States, it has been scrupulously preserved; although one important suggestion made by Hamilton has not in these latter days been heeded. In his first report to Congress, vol. 3d, p. 211, he expresses an ardent wish 'to see it incorporated as a fundamental maxim in the system of public credit of the United States, that the creation of debt should always be accompanied with the means of extinguishment. This he regards as the true secret for rendering *public credit immortal*.' This maxim was acted upon in the early period of the Republic, and thirty acts of Congress were passed to give it effect.

"I have the honor to be, with great respect,

"Your obedient servant."

A PLAN TO ASSIST IN BRINGING THE BREADSTUFFS FROM THE INTERIOR TO THE SEABOARD, THENCE TO A FOREIGN MARKET, AND TO PROVIDE A SAFE AND CONVENIENT CIRCULATION.

"The great difficulty in moving the cereal products of the country arises, it is believed, from want of confidence. The ordinary machinery is wholly deranged or broken up.

"It is supposed that the above produce might be purchased in the West by drafts on the New York banks at ——— days, such drafts to be drawn by the agents or factors of the banks under a letter or letters to be addressed to him by such banks as would come into the arrangement, engaging to accept such drafts to the amount which each one would indicate by its letter and no more. It is supposed that the produce purchased could be sent to New York, shipped thence abroad, sold, and the proceeds thereof returned to New York in specie by steamers within ——— days; which would certainly be before the maturity of the drafts. Such proceeds (in toto) when received in New York to be placed in full on deposit to the credit of the agent or factor in the several banks to meet the amount of drafts accepted by each of said banks, and to be held as a special deposit to pay such drafts and until they were all paid not to be subject to the control of the factor or any other person. The security to the acceptors would be absolute—the produce and its results both to be held by the factor in trust for the banks (the acceptors). In addition it is proposed that certain mercantile firms and bankers of known credit and responsibility should sign a paper engaging to the amount respectively set opposite to their names each for himself and not for another to secure the banks against any loss they might sustain by having accepted such drafts.

"It may reasonably be supposed that a fair mercantile profit would result from the operation, which would be divided among the guarantors in proportion to the

amount of their respective responsibilities—no commissions, fees, or charges to be paid for the personal services of the factors in going to the West to make the purchases, or in going to England or other foreign places to make the sales and to bring back the proceeds. No commissions other than the broker's fee for purchasing, and perhaps for selling, to be charged in any form or shape in the transactions—freight, insurance, storage, drayage to be charged as actually paid, and according to the bills therefor, together with the actual personal expenses of the factors. The balance of profit after deducting actual expenses as above with 5 per cent. on such profit to be paid to the factor for his trouble, to be divided among the several merchants and bankers, the guarantors to the banks according to the respective amounts for which they had agreed to be bound.

“It is believed that the banks of the city of New York being secured against all risk of loss as well by the security of the guarantors as by the property and its specie proceeds purchased by their acceptances and held specifically for that purpose by the factor, governed by an enlightened sense of their own interest, and of the public good, would agree to accept such drafts, and it is believed that those drafts so accepted and guaranteed,—and particularly when it was well understood that the whole amount of the proceeds of the sales in specie was to be deposited on arrival, and held as a special deposit for the payment of those drafts,—it is believed such drafts, if of a convenient denomination, being secured beyond all peradventure, would pass from hand to hand in payment of debts, and thus form a not inconsiderable portion of the circulation.

“It is suggested that the operation to be effective ought to be carried out by a credit as its basis of ——— millions of dollars.”

JAMES A. HAMILTON TO PAUL SPOFFORD.

“NEVIS, DOBBS FERRY P. O., October 8, 1857.

“DEAR SIR: I have hastily put on paper the details of a plan of which I spoke to you yesterday (to be shown to whom you please), by which the produce lying west may be brought to the seaboard, sent abroad, and the proceeds be returned to the banks in specie. There is a great advantage in this plan, which is that the drafts would afford a sound circulation, available at the west for its business there, and as remittances in payments of debts to the East.

“The drafts ought to be in convenient denominations, say in amounts of \$500 and \$1,000, made payable to the order of the sellers of the produce, and then to pass from hand to hand. These drafts at ninety days or four months, secured in the first place by the produce and its proceeds, always to be held specifically and absolutely to that end. These by the responsibility of the banks (the acceptors), and the merchants (the guarantors) would give a circulating medium to the amount to which they should extend, and as long as they had to run, which would be better than gold.

“The factor, it must be understood is, throughout the transaction, to hold the property and its proceeds, until those proceeds get to the banks where they are to remain as a special deposit until the drafts are paid. The factor or operator should be a person not engaged directly or remotely in mercantile affairs. I say this because there would not then be any fear or lurking suspicion that the enterprise might be frustrated by the failure of the factor. I consider the feature of this project which extends it to the sale in a foreign port, and the return of specie as a

most important one. It would inspire greater confidence because it would secure the return of a large amount in specie.

"If gentlemen are disposed to enter into the matter, I will go to the city to explain to parties, and solicit their coöperation, and I will, should no better operator be found, give my whole time and attention to the work.

"By systematic and united exertions much may be accomplished.

"With respect, your friend and servant, &c."

MESSRS. SPOFFORD, TILESTON & Co. TO J. A. HAMILTON.

"NEW YORK, October 14, 1857.

"DEAR SIR: Our Mr. Spofford received your valued communication of the 8th instant in due course, and would have acknowledged it immediately, but the exciting state of affairs that existed throughout the city, and the consequent incessant demands upon his time, engrossed every moment of his attention, and he was unable to do so. He, however, requested the writer to address you in his behalf, and he also must offer his apologies, and plead a like excuse for not before complying with Mr. Spofford's wishes.

"Mr. Spofford desires to say, that the subject upon which you write had been taken up by a Committee appointed for that purpose on the day previous to the reception of your communication, and they decided that it was inexpedient to enter into any arrangement, as the banks were not in a position to extend the facilities that would be required.

"We are, your obedient servants, &c."

EDMUND H. PENDLETON TO JAMES A. HAMILTON.

"HYDE PARK, June 27, 1857.

"MY DEAR HAMILTON: When I received yours of the 22d, I had not seen the article from the *National Intelligencer*, and not having seen Mr. Irving's 4th volume, I could not judge of the full import of his language. I have not now seen the volume, but have gained, I suppose, from your letter and from Webb's republication of the article, a sufficient knowledge of the matter. Mr. Irving, who has very nice sensibilities, ought, one would think, to have entered more cordially into your father's position which, involving generally a certain idea of superiority on the one side, naturally enough inspired the other with a sharper sense of punctilio.

"The hard and unbearing character of the General must naturally have added to a jealousy of itself sufficiently watchful. The historian should, besides, have allowed for that consciousness of what your father was, and to which he himself could not have been insensible, which lifted him up to the General's level as a man of genius, though not as a man of command. These ideas have not entered into Mr. Irving's mind, and he accounts for the quarrel in a far lower way. Since his Mahomet, my dear Hamilton, Mr. Irving is not so formidable. His opinion, though of some influence, is not after all controlling, and if I were you, I should care very little about it. It was at most a sudden outbreak which, very properly, terminated the existing relation, and still more properly, produced no other effect.

"The history of the United States has left enough for both the General and the aids."

GOVERNOR JOHN A. KING TO JAMES A. HAMILTON.

“STATE OF NEW YORK, EXECUTIVE DEPARTMENT,
ALBANY, December 26, 1857. } ”

“MY DEAR HAMILTON: Your letter of the 20th inst. was duly received; but to-day is the first leisure day I have had since my return from dining with the members of the Union Club, on the 19th inst. I have nearly completed my message, that is, the rough and first draft. I begin by referring to the monetary convulsions of the year, which occurred when the country seemed to be full of prosperity and abundance, when suddenly confidence (the very breath of trade) was stricken down, and panic ruled throughout; that the run on the banks was not caused by the bill holders, but by the depositors, and that points in the direction to which the remedy should be applied; that notwithstanding urgent appeals, I had declined to call the Legislature, and was well sustained by the resumption of the banks of their own motion and strength in 60 days from suspension; that in order to prevent future expansions, the relative proportion of coin to cash liabilities other than currency, which is already well secured, should be fixed by law—say from 20 to 25 per cent.; that the banks of New Orleans, which are compelled to have 30 per cent. in proportion to all their liabilities, withstood the convulsion which prostrated all others, and to make the sum to be established secure by penalties. In this view, the Bank Superintendent fully concurs, and will recommend it in his report to be presented soon after the meeting of Legislature.

“I intend to tell the whole truth about the canals, and how much will yet be required to complete the enlargement; that taxation must yet be submitted to for that purpose, and that it is both just and right that canal tolls should be reimposed on all competing railroads, and they, as some compensation, be authorized to charge in their discretion, a half cent more per mile for passengers. I propose a registry law; call attention to the abuse of injunctions in the city of New York; and to Kansas in severe reprobation of the President’s Message and course; with the usual reference to local State matters and institutions. I shall be glad to receive what you have, or may prepare on the subject of Kansas, which you can send, or do much better, bring with you, at the beginning of next week, and take up your quarters with me. You will probably find my brother Charles with me, and as you were accustomed to work together in former days, you may continue to do so still.

“Very truly yours, &c.”

JAMES A. HAMILTON TO GOVERNOR JOHN A. KING.

“NEVIS, December 29, 1857.

“MY DEAR KING: Yours of the 26th inst. was received to day. The topics of your message are well chosen, and will be fearlessly treated. I have entire confidence in the truth of the saying ‘the first blow is half the battle;’ in other words, that boldness in leading off openly, and firmness in pressing on, has greater influence upon the public mind in commanding its assent than any truth which depends upon reasoning or evidence—any other truth than that which is self-evident.

“It is conceded that the run upon the banks was not by the bill holders, and that they had not the power to cause the suspension. The depositors by combination produced that result, as they always can. If the deposits are, as they rightfully

ought to be, made the basis of discounts, a larger basis of coin will be a security against that and other evils. But there is one other, which, perhaps cannot be reached.

“A bank is the handmaid of commerce, and ought alone to discount paper, which is the result of real commercial transactions or sale, and purchase of goods or articles of commerce. No loan should be made upon accommodation paper or other fictitious paper made to that end. No loan should be made on stocks or other securities on time. Such securities may be legitimately taken by a banker as collateral security for a note of the first character. As to the capital or credit of a bank being loaned to build railroads, or to make or sustain stock operations, that is entirely out of the question, and any bank which should be found doing either, should be discredited. In my view of this subject so explained, the effect would be that every well-regulated bank would merely discount at one end of the counter what it would receive at the other end, and the amount of bills receivable would be the amount of bills discounted. Thus the credit of banks would be applied to enlarge the capital of traders in the regular course of mercantile transactions, and thus the trading of the country would be limited, or would be incapable of being extended beyond what was required by the country for any length of time, because it could not, if in excess of such necessity be profitable.

“I rejoice that you intend to speak plainly about the canals, the tax, and a registry law. I always believed it bad policy to impoverish the great State enterprise, by allowing a private enterprise to run along it and take away its revenues. I suppose this was done to obtain influence.

“I have not prepared any thing in relation to Kansas. It has occurred to me, however, that as the course of the President and his Southern backers may drive the people of that territory into civil war, it would be well to let your constituents understand from your message, which is read almost universally, the great leading facts, and the principles involved (particularly that the question is no longer that of slavery and only slavery), but is much higher than that or any other which can be presented to any people—that is, the right of self-government; and that if the President, or any other power of Government, should attempt to force the Lecompton Constitution (a base fraud) upon the people of Kansas, whether with or without slavery, they will be bound to resist such an attempt by force of arms, and that in such a contest you believe your constituents would not be indifferent spectators; but on the contrary, that the Empire State would be true to her revolutionary history, and to the instincts of a free and enlightened people.

“I write this as I feel—not to be adopted by you, but to convey the idea that resistance would, under such circumstances, be a necessary consequence in that territory, and a duty everywhere in our country.

“I believe a strong expression by you, and by other Governors who will follow you, will be powerful to sustain Douglas and to intimidate Buchanan.

“It will afford your friends in the Legislature the occasion for introducing resolutions which the Democrats would be driven to support, or to ignore all their maxims in relation to the true source of Government.

“The great error, not to say blunder, was by Pierce when he decided, in obedience to the commands of the South, to consider the *first* Legislature a representative body for the people of Kansas; and particularly was it so when the House of Representatives instituted an inquiry which resulted in proving most unquestionably

that that legislature was a usurpation—the result of an armed and military invasion, and adopted the conclusion of its Committee.

“I hold the House of Representatives to be, in the contemplation of the Constitution, the highest power in the Government. It holds the purse-strings of the nation; has alone the power to impeach the officers of the Government—the President included. It is emphatically the grand inquest of the nation; and when it acts in that capacity, all the other powers are bound by its decisions. When charges are made of high crimes and misdemeanors against the President, a Senator, or other officer, the House of Representatives enters upon the inquiry of their probable truth, and if it decides that they are well founded, the President must submit to that decision, and for the time being, he must suspend his functions; and the Senate also must bow to such decision, and enter upon the trial of such impeachment. How much more, then, are both bound, either to submit to the inquest found by the immediate and the only immediate representatives of the people, or to institute a new inquiry; and unless by such new inquiry it should be shown that the former was unfair or unfounded, there is but one course to pursue. Here was the great error of the President; and that ‘original sin’ runs through the whole, and has necessarily led to all the false and fatal consequences of murder and oppression.

“If the first legislature was a usurpation, the people were not bound to obey its enactments; and the President could not justly or legally require them to do so. In this view, the Convention which formed the Lecompton Constitution could not be the representatives of the people, or their sovereignty; but in addition to this, that convention was not the representative of the people of Kansas from the facts given by Mr. Walker, &c.

“I have allowed my pen to run away with me; I cannot even ask you to read this long letter. I will get up to see you some time during the winter; but regret to say my health does not permit me to do so now.

“Yours with regard, &c.”

NOTE.—The association referred to in this letter was prompted by Mr. C. L. Brace, a most distinguished philanthropist; to whom is due the merit, with other benevolent works, of organizing the News-Boys’ Asylum.

The writer, as a member, contributed some money. It was called the *Vine Growers’ Association*; and was so successful in bringing that class of persons to the country and passing along them to Missouri, that the hill-tops which they bought as most suitable for vine-bearing, sold at first at 50 cents an acre, advanced in price to \$3 the acre. The State of Missouri incorporated a company for the same purpose.

JAMES A. HAMILTON TO HIS EXCELLENCY JOHN A. KING, Governor, &c.

“ALBANY, N. Y., June 11, 1858.

“MY DEAR SIR: Sundry gentlemen are associated together to encourage emigration by protection and assistance; the latter, not by paying for land, passage money or in any other form, but by diffusing throughout Europe accurate and useful information in relation to our States and Territories, soil, climate, minerals, &c., through publications in various languages, by the employment of proper agents at

home and abroad, by making arrangements with shippers and railroads as to fares. You know, as all the world does, that emigrants have heretofore been exposed to the most odious frauds; so much so, indeed, as to deter many of the most desirable workmen of Germany from coming out. We do not intend to participate in any way in the party or political questions of the day, or to influence emigrants in these respects.

"To ensure success in this important, most useful, and patriotic work, it is deemed essential to present the names (particularly to the magnates and people abroad) of men of high official and social station as our associates, and thus to secure confidence here; and particularly abroad in the form to afford protection and confidence in the statements we may set forth. To this end, I have named you as one to whom I would address this letter, in the hope that you will unite with us in this work.

"You will not be called upon or expected to participate in the labor of this work. The organization is, that the Trustees or Association should select from their number a President and Treasurer, with three or five others who shall be an Executive Committee charged with the whole work.

"I hope you will do me the favor to consent to be an associate in this enterprise, and also to submit this letter to our friend Mr. Barnard, and ask him in my name to do the same. We believe the estimation in which he is held here, and particularly in Prussia, where in his official character he was held in so much respect, will be of great use to us. We hope that this Association, by the distinguished character of its members, selected from all parts of the Union, will entitle us to the countenance of our own and the governments of other countries.

"I have the honor to be, with respect and regard,

"Your friend and servant."

FIFTH VOYAGE TO EUROPE.—1858.

Between the autumn of 1851 when I returned from the Yachting expedition, until July, 1858, when I made another voyage to Europe for the benefit of my health, I employed most of my time with my books; in utilizing the advantages of my country residence by bringing the water from the pond I had formed to this house, a distance of over four thousand feet, and conveying it to a reservoir which contains 132,000 gallons; and also building an addition to my house; with the accustomed attention which every man of leisure gives or ought to give to public affairs by promoting the success of the party of his choice. The true view of the exercise of the electoral franchise is, that every man votes not only for himself, but as a trustee for those who are not allowed to vote. In voting, therefore, he is bound to perform that, as he would any other trust, conscientiously, and so as to promote the "general welfare."

In Paris, in 1858, I addressed the following letter to a dear friend.

JAMES A. HAMILTON TO A FRIEND.

"PARIS, September 30, 1858.

"MY DEAR GENERAL: When I made you an evening visit shortly before my

departure for Europe, I had no more idea of this voyage than you have of taking the same at this moment. The fact is, I decided one Sunday morning, after a very bad night, to try what the ocean would do for me, and I sailed on Wednesday.

"The bounding billow was not a match for dyspepsia, and rendered me no service. On the contrary, I was worse when I landed than I was before my departure. However, under the advice of an English physician in London, Dr. Eliottson, I am much better. So much for all that, which is of no consequence.

"In order to spend an agreeable hour, I have taken up my pen to gossip with you about this light-hearted, happy people.

"During all the time I have been here, nearly a month, the weather has been charming. The people appear to be all in the streets and public places. They are certainly industrious, and they seem to have more time to give to pleasure than any people I have ever seen. My view embraces almost all Europe and the United States.

"I think the Parisians love noise and talking better than any thing in the world—both are cheap pastimes. The street criers, the small trumpets to call attention to small wares, the smacking of whips, the calls to the horses, and the squalling of the animals (you know they are all studs), with the beating of drums and the thundering of cart and carriage wheels, make night and day equally hideous. The only period of quietude is between two and three in the morning. Before four, you begin to hear the "busy hum of men." The next, and this, a great pleasure, is to talk: and to do so most vehemently at all times, under all circumstances, and upon the most trifling occasion. In the Cafés, particularly that one where chess is played, La Régence, you might suppose at times that Pandemonium was let loose. Yesterday I was there to see the American champion, Paul Morphy of Louisiana, play with the most expert man in France. The Frenchman requested Mr. Morphy to go to a private room above, as the noise in the open room distracted his attention. Immediately the whole crowd was in discussion at the top of their voices as to whether that request should be granted or not. You would have supposed from the noise, violent gesticulation and manner, that the question involved the most vital interests of all present. Mr. Morphy, who is a young man of very good manners, decided to go up stairs where his antagonist wanted to be, and began his game. The contest now stands 4 for Morphy to 3 for L.

"On Monday, Morphy played eight games at one time without looking at a board—he won six, and two were drawn games. A most remarkable effort of memory.

"If you purchase any article, and pay for it without a chat, the seller is not well pleased. It is this passion for talking which has created the habit first of exaggeration, and now of absolute falsehood. Truth is altogether a secondary matter with this people. Wanting the good faith of the Americans and English, the Frenchman never considers himself bound to a bargain until he has been before the notary, or signed a memorandum in writing. In short, this people have less regard for the truth than any other people I have ever seen, except the Russians. Absolutely, they seem not to know what it is.

"The cafés, restaurants, and other places of entertainment are the field of a Frenchman's enjoyment. Here they talk and eat and drink; coffee, light wine, a very light beer, and sugar-and-water are the almost universal drinks. When coffee is furnished, four lumps of sugar are put on a plate. He who has called for the coffee, pockets all the sugar he does not use. Universally in these places

a young, well-looking and well-dressed woman, seated at an elevated desk, keeps the accounts and receives the money. By the way, the women are generally the workers in the shops in this city, as well in receiving the money, as selling the goods and keeping the accounts. They are up to all manner of seductive arts to induce men and women, in despite of their purposes, to buy their goods. On a former visit to this vast metropolis, gangs of women were seen sweeping the streets, a man superintending them. On this visit, I have seen two more assisting to sweep for the garbage carts, the women having short petticoats, woolen stockings, woolen shoes, with very large straw hats hung on their backs in case of rain. The dress of the women from the continent, as well as Scotland and Ireland, surprises our countrywomen. Like the crackers of Georgia, they go without bonnets, and wear very short petticoats, that when they are working in the fields, which all the poorer classes do, they may not be embarrassed by their skirts. It is no uncommon thing to see a woman in the highway with a long deep basket strapped to her shoulders, similar to those used in picking grapes in the vineyards, into which she throws with a scoop the horse-droppings.

"When posting, I have frequently seen groups of men standing chatting at the door of "the Poste aux Chevaux," and the women come out and harness the horses to the carriage. Indeed, I once saw a woman and a cow harnessed to a plough which a man was holding and directing. Such is the condition of the fair sex in this country of gallantry and high civilization.

"You know that the peasantry of France live in villages—a condition of life consequent upon the feudal system, when the Baron or Lord gathered his dependants within the wall which surrounded and protected his chateau or castle, and thus were his 'villains' protected, as well as at hand for his service in defensive or offensive war. Thus it is that you never see the rural and picturesque farm-house and farm, as in the United States and England, with the neat door yard, flower garden, well, and oaken bucket. From these clustered habitations have grown up the villages of very high stone houses with small windows, the residences of several families, having usually a common entrance and stair-case as dirty as are the narrow and crooked streets without sidewalks, from which they enter. And when they (laborers, men and women) go out to their work in the morning, the children are either carried to the field to remain there all day, or if there is one child too young to work (under ten years of age,) but old enough to give food to the others, they are locked in the apartment to remain until nightfall.

"The Minister of Public Instruction under Louis Philippe, Mons. D——, asked a friend of yours in his travels through France to examine the schools then just established. He did so, and on his return to Paris, the Minister asked his opinion. The reply was, 'They are very well, but you do not begin early enough.' 'What do you mean?' 'The women of France can't give their children those important lessons which mothers alone can give, because their lives are spent at work in the fields.' He replied, 'But, sir, if the women did not work, they would not be worthy to be the mothers of Frenchmen.'

"Talleyrand talking to me about the education of the people said, 'Ah! but the difficulty is to know where to stop.' Be assured the opinion generally in these despotic countries is, that if education is not stopped before people learn their rights and duties, they will not patiently bear their burdens, social, civil, or ecclesiastical, and they may attempt to throw them off.

"I hope you will pardon these marginal notes. I return to my text, "Dear Woman." The women of Paris are under-sized. They have good figures, dress with great taste, are graceful and walk well. Their accents are sweet, and their phrases of the prettiest kinds; they are certainly not handsome.

"I have often thought that if the condition of 'the sex,' was made the test of the highest grade of civilization (and why is not a good one?) the people of the United States would stand first in that rank. No people in the world treat their women with so much just consideration, so much delicacy and attention as we do. They are considered, as they ought to be, the equals of the lords of the creation in all respects in which their superior delicacy of organism permits them to be. Their feebleness and shrinking delicacy is one source of their power. I hope it will be long before "our strong-minded women" will degrade them by attempting to place them in a sphere in which that power would be lost, and for which they were never intended.

"*The Men of France.*—This is a fruitful subject which I cannot venture upon at present. They are without a sound and wholesome religious faith in any thing; they are dissolute, brave, intellectual, cheerful, careless of the future, impetuous. With them the Sabbath is neither a day of rest or worship, but one of labor and pleasure. The public work goes on, on that day as on any other.

"One third of all the children born in Paris are illegitimate. That odious marriage by St. Jacques is fruitful of the greatest dissoluteness. It is said to happen thus: A single man and a single woman, a grisette, each have their room in the same house, and each boils a pot and provides the daily meals. They meet again and again on the common stairway, until at length it is proposed as an economy that the two should pay but one rent and boil but one pot, this is agreed to, and this is *une marriage par St. Jacques*.

"The men almost universally smoke (they take less snuff than they used to do). The women are addicted to the same vice, and yet I never saw a spittoon in France, they do not "void their rheum." Indeed, I believe there is but one man in Paris who ranks as a gentleman, who chews tobacco, and spits over the floor, and he has from his high diplomatic station, permission to do so.

"The American Minister is a kind, intelligent gentleman, who receives all his countrymen and entertains as many of them as his means will allow.

"I now turn to another and a graver subject, the political condition of France. Without promising to be as well informed as most of the returned American travelers who so frequently assure us, upon the very best authority, that this government is shortly to be overthrown, I may express my conviction that it is more stable now than any other that has existed in *La Belle France*, for the last half century.

"Paris is France."

"Although in many respects this is true, it is eminently so as to revolutions of government. And the sagacious statesman who now holds the reins well understanding this, with a wise policy has taught the *Bourgeoisie*, and all others who have property, and therefore a stake in the country, to believe that *L'Empire c'est la paix*—"the Empire is peace," not alone as to other nations but at home. He has gratified the vanity of the Parisians by his adornment of *cher Paris*, having made it by all odds the most beautiful city in the world, and also by commanding the respect and exercising a controlling influence over the affairs of all the nations of Europe; at the same time he has thus assured their confidence and regard, not-

withstanding the energetic repressive spirit of his internal administration. He takes care to bring home by his military displays during every hour of every day to their convictions and fears that he has the power at any moment to "crush out" any insurrection in Paris, however formidable may be its numbers, or secret and efficient its organization.

"It is well understood here that upon his death at present, and particularly by any act of violence, a civil war would be inevitable, and that such a war would not only devastate France, but would be as fruitless for good government or free institutions as were the revolutions of 1848. It might destroy the thrones and principalities of the whole continent and probably inaugurate in their stead crude systems of 'Democracie social and political,' or ordain and establish the government of the sword. I feel assured that no political event could at this moment be so injurious to the civilized world as would be the death or deposition of 'Napoleon the III.'

"The almost universal detestation in France of the late attempt at assassination, and the general feeling of hostility against England because she was believed (without any good foundation) to be an accomplice in that atrocity, is a proof that the act was not only unpopular, but that the end it hoped for would have been deplored as a great national calamity.

"The army is the great engine of power at home and abroad. Cherbourg is a threat to England which she writhes under, but dare not resent. The *entente cordiale* between Russia and France is well understood to be the assurance of peace between the two latter powers and the former. The Villa Franca possession, as a naval depot under a commercial guise by France, has roused the ire of the press and people of England, while on the part of France, although it is within ten miles of Toulon, it is looked upon with complacency, if not with satisfaction. The newspapers of Paris retort upon those of London, by calling their attention to Perini, as among the last fruits of their robber propensities. The truth is, with a great many good qualities, John Bull's regard for the rights of others, and his affected respect for the principle of non-intervention is a great humbug, and almost as egregious an hypocrisy as is his advocacy of free trade. He is continually abusing the people of France as 'stupid and ignorant,' because they will not compel their government to admit English woolen and other manufactures free of duty. By the way, as a proof of the hollowness of their hypocrisy, recall the fact, that they tax our tobacco 1600 per cent.; that when they found we were competing with them in the Calcutta market in the sale of cotton yarns, they imposed a duty upon that article from the United States of 10 per cent., while their own was free; and to the other fact, that of the fifty-six millions of annual revenue twenty-two millions are derived from duties on articles of foreign commerce, introduced into the United Kingdom. How long will the industry of the most ingenious and enterprising people of the world continue to be paralyzed by the humbug of free trade so industriously urged upon all nations by that one, which by their long continued protective system, boasts to have become the workshop of the world. Her war upon China had no other object or end in view, as is now avowed, but to compel that ancient and highly civilized people to bow down to the manufacturers of Leeds, Sheffield, and Manchester. In this connection, I beg to call your attention to the abuse of our country by the English press, in relation to that war. We are now told that our minister played the part of the jackal to the lion. The truth is, the President could do no more than he has done. It is not very clear that he has not done more than he had the

right or legal power to do. We had no cause of war with China, or if we had, until it was declared by Congress, the President had no power to make war, or even to make a show of war, or an attempt at intervention, and thus to bring on a war. If such an attack by England had been made upon a continental power, and we had taken the attitude on the coast of such power we did take on the coast and in the waters of China, we would have been considered and treated as an enemy, and thus a war would have been made by the President in plain violation of the constitution. When our Constitution was formed, the clause restricting the power to make war and giving it to Congress alone was held to be a great safeguard. Has it proved so? Of the two great wars we have had, one, that with Mexico, was made by the President. The other, that with England, by Congress. In how many other of its provisions has our Constitution become a dead letter, I do not mean to say. The expedient from which so much was expected, and in relation to which at one time so much was hoped and promised, has not yet been tried. The experience as to governments is slow but sure. I fear that the hopes of the patriot are not so sanguine as to the result as they have been. When Mr. Toombs, of Georgia, declared in his place in the Senate that he believed the Congress of the United States was the most corrupt body in the world, he was called upon to repeat, but not to explain, to prove the assertion, or retract it. This acquiescence is of most fearful import. The question still remains to be answered, was this assertion true? If yea, what can be said in favor of popular government? I confess I have fearful forebodings. Of one thing I am quite sure, that universal suffrage in our cities, with our foreign and pauper population, whose votes are directed by the worst men, is a complete failure, and most of the good and sensible in New York now believe it to be so.

“Yours truly.”

JAMES A. HAMILTON TO HON. FRANCIS P. BLAIR, Junior.

“DOBBS FERRY P. O., November 29, 1859.

“DEAR SIR: We look with the deepest anxiety to the course of events connected with the organization of the House of Representatives.

“It is frequently the case that individuals from blind selfishness lose the happiest opportunities of their lives to promote their interests and characters; and so I fear it will be with the Republican party on this occasion. Good fortune, in my opinion, has placed them in a position in which, by a magnanimous policy, they can without the sacrifice of interest and principle consolidate a union of all parties of the opposition, and thus render that opposition invincible, not only for the present, but the most important future.

“Let the 113, generous in their strength, say to the Anti-Lecompton Democrats and the South Americans, numbering together, I believe, less than one third of their number (thirty-one in all), we will take the speaker in the person of Mr. * * * and propose to one faction to nominate the clerk, the other the door-keeper, librarian, a sergeant-at-arms, and let the fourth officer be disposed of, if necessary, by the union of the one third, thus proving that the Republicans are capable of large sacrifices to carry out, with success, their patriotic efforts to rescue the country from the misrule, nay, the corruption of the sham Democracy.

“Should such a course be taken promptly, openly, gracefully, it would so weld

the opposition together into a solid mass as to strike terror in the administration and its adherents. It would, I have no doubt, render certain our power and control. To do this effectually, it ought to be done before any attempt is made to take all the offices. If attempted after defeat, it would be yielding to a necessity, and therefore without any merit.

“As Winter Davis well said, ‘Success is a duty,’ and consequently it is the duty of all the members of the opposition, and particularly of the strongest one, to make all these sacrifices of interest or ambition by the parties or individuals which may be required to perform that duty, that is, to command success.

“I most earnestly hope that our party are up to so enlightened a course, and that they will pursue it.

“If the expression of my opinion can be of any use whatever, you are at liberty to do with this letter whatever will conduce to that end most efficiently.

“With great respect, I have the honor to be, yours, &c.”

HINTS, 1859.

“The following is the President’s reply to an invitation to attend the recent Centenary Celebration at Pittsburgh: “November 22, 1858. I shall assume the privilege, &c., in referring to another growing and dangerous evil. In the last age, although our fathers, like ourselves, were divided into political parties, yet we never heard, until within a recent period, of the employment of money to carry elections. Should this practice increase until the voters and their representatives, &c., shall become infected, the fountain of free government will then be poisoned at its source.’

“This is a distinct allegation of an existing practice, ‘a growing and dangerous evil;’ and I will add, that it is an admitted truth. But we have a right to assume, when the President of the United States asserts openly and plainly that there exists as a practice the employment of money to carry elections; that upon investigation he had ascertained this to be true, he would never have made so damaging an accusation upon mere presumption. Let us have the truth, and the whole truth on this subject. Let us inquire as to the amount of money which has been assessed upon the office-holders in Washington and elsewhere under this Administration to be employed in elections; and whether this is or is not made under the threat expressed or implied of removal in case of refusal. and what number of removals have followed refusals.

“This practice of assessment creates the necessity for increase of salary, and thus it in effect is withdrawing so much money from the public treasury by a political party to sustain itself in power.

“In the *Democratic Review* for August, 1858, we find in a biographical sketch these remarks: ‘In October, 1858, he (the object of the sketch) was chairman of the New York Hotel Committee, composed of many of the most active and prominent commercial men in the city of New York, which wisely devoted its efforts to the Pennsylvania State election; and in carrying the State, undoubtedly contributed greatly to the election of Mr. Buchanan.’ That the author of this sketch is said to be the gentleman who was appointed District Attorney of New York, in place of the

Hon. John McKeon. Busy rumor has said that a very distinguished member of that body was present at that meeting at which a very large amount of money, from \$50 to \$150,000, was raised and employed in the State election in Pennsylvania in October, 1856; and that it was in this way that the distinguished men of that meeting so wisely devoted its efforts to that election. It may be that Mr. Buchanan may have had this meeting in view when he wrote that letter. However all this may be, we want to have the facts—we want to know whether any, and what amount was raised; how it was employed, or in what way those wise merchants of New York directed their efforts to the State election in Pennsylvania, in 1856, and thus secured Mr. Buchanan's success in the presidential election. And, as next important to this subject, we would like to be informed whether any and what postal arrangement followed these wise efforts, which may have compensated the 'active and prominent commercial men of New York' for their sacrifices and services on that occasion; whether money or money's worth, the bestowal of offices, jobs, or contracts employed in elections, does not make much difference as to the effect upon the character of our elections and of the people who are engaged in them.

"This practice enlists in this party conflict the very worst class of our citizens: consequently as that class must reap the spoils of victory, the offices are given to men without any regard to their character or fitness, and the jobs and contracts are given to the relatives and dependents of those who hold offices, executive and legislative, and thus your legislatures are poisoned at the same time.

"Another evil is, that those who hold offices are corrupted by their success, if they were not so before. As an illustration of this truth: at this moment those who are in office, observing with the deepest anxiety the signs of the times, begin to believe that their party (the great Democratic party) is rent by dissensions—the advocates of Squatter Sovereignty on one side with a most distinguished chieftain at their head—and those who well know that should that dogma prevail, there is an end of all hope of another slave State being added to this Union. On the other side, the brothers are arraying their legions respectively for a desperate contest in Charleston. These portents are magnified by their fears into inevitable conclusions, which threaten destruction and defeat. Again, keen hounds have scented the air, and they are reluctantly beginning to fear that that great party which has inscribed on its banner 'Free soil for free men—retrenchment and reform,' may, in 1860, be the victors.

"These waiters upon Providence having but one object in view, regardless of all their professions of faith in Democracy, and the party of their political or social or any other principles are preparing to betray their employers and friends by becoming informers; and at the proper time to betray their colors.

"This is one of the debasing consequences of these frequent changes of offices, and making them the reward of partizan services.

"Macaulay, in his History of England, referring to the changes of a political character by the frequent changes in Great Britain which marked its history from the beginning of the reign of the first Charles to the end of that of the second Charles, uses this emphatic language when speaking of the politicians:

"During these events no man could be a stirring and thriving politician, who was not prepared to change with every change of fortune. One who in such an age is determined to attain civil greatness, must renounce all thought of consistency.

He must seize the exact moment for deserting a falling cause. Having gone all lengths with a faction while it was uppermost, he must suddenly extricate himself from it when its difficulties begin—must assail it, must persecute it, must enter upon a new career of power and prosperity in company with new associates. His situation naturally develops in him to the highest degree a peculiar class of abilities, and a peculiar class of vices. He becomes quick of observation and fertile of resources. He catches without effort the tone of any sect or party with which he chances to mingle; he discovers the signs of the times with a sagacity which to the multitude appears miraculous. But we shall seldom find in a statesman (say placeman or partizan) so trained integrity, consistency, or any of the virtues of the noble family of truth. He has no faith in any doctrine; no zeal for any cause. He has seen so many old institutions swept away that he has no reverence for prescription. He sneers alike at those who are anxious to preserve, and at those who are eager to reform. There is nothing in the State which he could not, without a scruple or a blush, join in defending or in destroying. Fidelity to opinions and to friends seem to him mere dullness and wrong-headedness. Politics he regards not as a science of which the object is the happiness of mankind, but as an exciting game of mixed chance and skill. * * * ‘Ambition, which in good times and in good minds is half a virtue, now disjoined from every elevated and philanthropic sentiment, becomes a selfish cupidity, scarcely less ignoble than avarice.’”

OFFICIAL DELINQUENCY.

“The existing course of party discipline and consequently of personal subserviency dates back to (1829) eighteen hundred and twenty-nine, when ‘The Northern man with Southern principles’ was appointed Secretary of State by General Jackson.

“‘The Albany Regency,’ so famous and so efficient because so implacable in its resentments, distinguished its reign of terror in the State of New York by removing De Witt Clinton from the office of Canal Commissioner.

“The name of that illustrious Governor of New York will bring to the recollection of the country the fact that the foremost work of internal improvement in our country (the Erie Canal) was due to his sagacity and intrepidity as a politician; and that he was the victim under the direction, and I may add at the instigation of that ‘mousing politician’ who inaugurated at Washington the detestable and corrupting practice of removing all men from office who do not cry hosanna to the existing national administration, which is illustrated by the apothegm of party, which a very superior man to him of Albany had the effrontery to announce: ‘To the victors belong the spoils.’

“I hold that of all sayings uttered in the English language there is but one more offensive, and that is, ‘That the black man has not any right which a white man is bound to respect;’ these two sayings will, until both are repudiated practically, as well as by the party and the political intelligence and morality of the country, place the Government and people of the United States in a very dangerous as well as disreputable eminence.

“Martin Van Buren has the merit or disgrace of having inaugurated the practice, at every change of party of making a thorough change of officers of the Government. The actual President, Buchanan, has gone a step further, he has adopted the rule which all the party hacks will hereafter insist upon, that at every change of President, a clean sweep must be made.

"It is related that when this course commenced, Mr. Marcy, reminded of his saying, 'To the victors belong the spoils,' promptly replied: 'I did not mean to despoil our own camp.'

"The rule now is, that the offices of the Government of all ranks and distinctions are to be held up as the reward of party services; and that to the President, as the head of the party and the dispenser directly and indirectly of the vast patronage to which I have referred, all services are due.

"Without going into the obviously injurious consequences to the public affairs, to the fidelity in the just performance of difficult duties which can only be learned by practice, I will merely refer to its corrupting influence upon the people of the country."

BUCHANAN'S ADMINISTRATION.

"We have seen that a most efficient scheme of party discipline, as subtle, as absolute, as unrelenting as that of Loyola has been established at the Capitol of the United States; which permeates every part of the body politic of the country.

"Let us ascertain the aim and end of this great achievement. Is it to promote the great economic interests of the United States? To secure the brotherhood of the people of the State? To enlighten the masses as to the true principles of their Government? To elevate their moral and political principles? To teach them that to preserve the public, they must cherish personal liberty, which involves freedom of speech, of thought, of action, and that the first duty of a citizen of the Republic is to canvass frankly and honestly the measures of the National, the State, and the Municipal administrations; and so to exercise the right of suffrage as to carry out their honest convictions, regardless of personal or party influences or powers.

"We find no one of these great virtues and duties taught or practised, or even referred to in the platforms or programmes of the parties; on the contrary, absolute, unhesitating obedience to the dogmas of the party; in the name of the Democracy, and at the shrine of its power, and to the President as its great high priest, all freedom of sympathy, of thought, or of action is sacrificed; and all this is done in order that a few men may enjoy power and place, and fatten on the plunder of the public Treasury.

"The President, backed by this great power, to sustain his administration and policy, and the Democratic party, has, as is demonstrated, tampered with a member of this body, the Congress, and directly influenced his actions.

"Let us have a fair and thorough search into the changes of votes of members upon the two great measures before referred to, and the influences which produced such changes; and I venture to assert a scene of corruption will be laid bare, which while it justifies the anathema of the Senator from Georgia, will shock the public sense more than any other development yet made.

"The President has a propensity for interfering with, and giving a direction to Legislative action. His efforts are not confined to Congress; but at a very early day were directed to the Legislature of Pennsylvania in the choice of her Senators.

"His interferences in the popular elections have been so frequent and so glaring, as to render it unnecessary to dwell upon this branch of the inquiry proposed to be made further than to remark that it is as various as it is corrupting and efficient. We will refer to a few of the most flagrant cases of recent occurrence.

“The success of that party in Illinois which would sustain a distinguished gentleman, the former chairman of the committee on Territories of this body, was particularly feared by the President; and it is believed he through his office holders organized a party equal to a corporal’s guard of the Democracy in that State to oppose him. How many post-masters he removed, who would not be parties to that organization, will be shown by the proposed inquiries; and what amount of money was raised by official contribution, influenced by the President’s example, and with his sanction, to carry that election we do not know; rumor says tens of thousands.

“We have seen how the future elections of New York are to be directed and controlled under the influence of the discipline administered to office holders for recusancy. Let us here refer to a marked case, not only of direct interference with a popular election, but nullifying the settled policy of a State.

“The State of New York deemed it sound policy to separate the municipal from the general election, in the city of New York; and to that end passed a law directing that the former should be held at least one month subsequent to the latter. This was done expressly in order that the choice of municipal officers might be made irrespective of the great party organizations, and uninfluenced by their machinery.

“It was a wise and necessary policy, from which great advantages were hoped to result, and particularly that the voters might be freed from the action of the general and State officers; from the influence of party excitement as to general or State policy, and from that iron rule of party discipline which required every man enlisted under the banner of Democracy or Republicanism, to vote the regular party ticket; thus hoping and believing that the choice of the voters of all classes and conditions would be directed alone by the character of the candidates, and their fitness for the trusts to be reposed in them, and as a consequence that the city would be secured against the corruption and bribery to which it has been so long exposed. By this law, the State of New York declared her policy to be that the charter elections in New York ought not to be and should not be influenced and controlled by the general elections.

“Mr. Buchanan seeing, or fearing that this new and beneficial course of policy might distract and lessen the trammels of party, determined that the policy of the State should not be effective, if he could thwart it through his official dependents. And, therefore, at the very first election when a democrat, Mr. Tiemann, was presented as the candidate of both parties for Mayor, and Mr. Wood as the candidate of the corrupt and corrupting office-holders of the city, and others his personal adherents, under the name of the Democratic party, he required his office holders in the city of New York to vote for what he considered the regular Democratic candidate, and failing to do so, he dismissed the District Attorney of the United States from office.

“It is believed to be susceptible of proof, that an order was issued from headquarters that the recruits on board the receiving ship *North Carolina* should be carried, as it was before stated they were carried, to the poll at Williamsburg, to vote for the Lecompton Democratic candidate at the late election, in that Congressional District.

“Well knowing that this condition of party demoralization would lead to that which he believed was the worst form of government in the World, an unmitigated and uncontrolled Democracy, such as that described by Madison in the 43d number

of the *Federalist*. 'What bitter anguish would not the people of Athens have often escaped, if their Government had contained so provident a safeguard against the tyranny of their own passions (he refers as the safeguard to the Senate of the United States). Popular liberty might then have escaped the indelible reproach of decreeing to the same citizens the hemlock on one day, and statues on the next.'

"In the *Federalist* by Mr. Madison, the Government of the United States is earnestly recommended to the people for adoption, because it was not a Democracy. Most certainly, a pure Democracy must be a Government controlled by ignorance and brutality. Influenced by these considerations, the great question was, how could this great evil of prostituting the Government patronage to party purposes be remedied? And this led to the inquiry, 'Has the President the power by the Constitution of removal from office?' In the examination of this question, reference was made to the *Federalist*, which has been called by a distinguished English writer 'The Bible of Republicans.'

"In No. 77 of that work, written by Hamilton, it is distinctly stated as one of the advantages of the coöperation of the Senate in the business of appointments, that it would contribute to stability of the administration. The consent of that body would be necessary to displace, as well as to appoint. A change of the Chief Magistrate, therefore, would not occasion so violent or so general a revolution in the offices of the Government, as might be expected if he were the sole disposer of offices.

"This eminent authority against the power induced a thorough examination of the laws passed on the subject, and particularly the first act passed in 1789, and the course of practice under that act. He found that the whole number of removals from 1789 to 1829 did not exceed seventy-three. More than half of these were made by Mr. Jefferson.

"In 1829, President Jackson introduced the practice of exercising this power, as Calhoun said, "to reward friends and punish enemies." His removals, according to Parton, were estimated at two thousand."

During my examination of this subject, that celebrated philanthropist, Mr. Charles L. Brace, passed a night at my house where this subject was discussed; on his return to the city on the 2d December, 1858, he wrote to me thus, "Your views on the appointing power of the President seem to me very important and well-timed, and I am anxious that they should be laid before those who are leading in politics, or who write for the press." He then suggested that I should invite to dinner, on Friday of the next week, Messrs. Evarts, D. D. Field, Godkin, Dana, and others. This was done, and these gentlemen, with Mr. Brace, came after dinner, and the subject was discussed. My authorities were at hand. The opinion of all the gentlemen was, that the President had not the power to remove, and it was understood that we would endeavor to get a law passed restraining the exercise of that power by the President. I was requested to write a pamphlet on the subject, which I did, which after being submitted to Mr. Evarts, was printed. (See Appendix C.)

In January, 1859, I went to Washington to get a law passed. I first conferred with Mr. Seward, then representing New York in the Senate. He fully

agreed with me, and introduced me to Senator Wilson, of Massachusetts, as a proper person to introduce the bill. Mr. Wilson entered into the matter most heartily—had frequent conversations with Mr. Seward on the subject.

I returned to New York, and at the request of Mr. Wilson, prepared and sent to him the following letter and form of a resolution :

JAMES A. HAMILTON TO HON. HENRY WILSON, U. S. Senator, Washington, D.C.

“NEVIS, DOBBS FERRY P. O., February 12, 1859.

“MY DEAR SIR: Inclosed with this note you will find the argument which I completed last night ; I cannot have it copied here, and therefore send it as it is. I hope you will not have too much difficulty in reading it. I feared if I sent it to New York to be copied, you might not get it in time for use.

“There are two leading points which I have endeavored—and I believe with success—to establish : first, that the President alone has not the power to remove by the Constitution, and consequently Congress may repeal such laws as have been passed sustaining the exercise of the power.

“The second point is, and it is one not raised before, that if the President alone has the power to remove, he has not the power by the Constitution or laws to appoint in order to fill up such vacancy, or to appoint and thus remove ; because, under the Constitution, he has power *only* to appoint in order to fill a vacancy which has occurred otherwise than by his action. The last clause of Sec. 2, Art. 2 is conclusive upon this point.

“This point was not made in the decision of 1789, nor by Webster in his speech in 1835, nor was that clause referred to in either case.

“The argument is that all officers of the United States other than those whose appointment is provided for in the Constitution must be nominated by the President, consented to by the Senate, and then appointed by the President. This is the general rule, the exceptions are ‘inferior officers’ whose appointment may be given to the President *alone* by CONGRESS, and appointments to fill vacancies during the recess.

“The whole subject of appointments is provided for by these clauses. There is no power by Congress to enlarge or abridge these provisions ; they are clear and explicit, and do not authorize appointments in order to remove during the recess, nor are appointments to fill a vacancy occasioned by a removal during the recess, and certainly not during the session.

“I beg to call your earnest attention to this view of the subject, and congratulate you upon having this opportunity to call the Senate and the country to it.

“I remain, with sincere respect and regard,

“Your obedient servant.”

“*Resolved*, That a Committee of — be appointed to inquire into the extent of the patronage of the President of the United States, resulting from his exercise of the power of removal and appointment to office. And to that end to inquire and report the number of offices or places of trust or profit, under the control of the President, (exclusive of the regular officers of the Army and Navy), and including such as are under the control of the heads of Departments, subordinate and inferior

offices, with the amount of salaries, fees, or other compensation payable to or received under or by virtue of such offices and places.

“And further to inquire and report, whether if any, and in what cases, such power and patronage has been exerted, or attempted to be exerted, or exercised to influence the Legislation by Congress, or to direct or control the votes and the elections in the States and Territories. And further to inquire into the extent of the power and patronage of the President of the United States, resulting from the expenditure of the public money by or through the heads of departments, subordinate and inferior officers of the Government of the United States, who are subject to the removal and appointment by the President, his Secretaries and the subordinate and inferior officers aforesaid, excluding the salaries and wages paid of officers of all kinds which are fixed by law, and including salaries, fees and wages, and other compensations made to contractors for furnishing supplies and transportation for the army and navy; for furnishing engines, ordnance, ordnance stores, and munitions of war; for the purchase and sale of ships or vessels, for fitting out the same; for selling or purchasing land, and sites for civil and military purposes; for printing and publishing of all kinds.

“And to inquire and report whether the said expenditures, and the power or patronage derived therefrom by the President, the heads of departments, by subordinate and inferior officers or others are exerted, or attempted to be exerted, or directed in such a way as to influence or control the Legislation by Congress, or the votes or elections of the States or Territories, or any of them.

“To exhume this corruption, to awaken the public mind to a just sense of the degraded station into which the administration of the country has fallen, is a painful but a necessary duty.

“It has fallen to my lot to present this Resolution calling for a Committee of inquiry and reform. It will be the mission of the great Republican party to awaken the conscience of the nation by drawing up from their hidden and hideous haunts the men and measures which for the last few years have prevailed, and which have given to the Congress of the United States her reputation of being, in the language of the gentleman from Georgia, ‘The most corrupt body on the face of the earth.’

“There was a time when we boasted that our national assemblies, our Congress and our Conventions, were the most enlightened, the most incorruptible, the most patriotic bodies of public men the world had ever seen. How have the mighty fallen! Whence, from what mighty power of mischief, from what demon of misrule, has all this come? We answer unhesitatingly and confidently, from the exercise of the executive power, through the bestowal of office and the exercise of the power resulting from a vast expenditure of money, by giving jobs and contracts as the reward of congressional subserviency and party services.

“It is well known, nay, it is with much effrontery by some boasted of, as a democratic principle, that all the public offices are held by the President and other departments of power in the General and State and Municipal Governments as the reward of successful, skilful, and unscrupulous party services, and that periodically they must be thrown into the arena to be clutched by the gladiators who are most distinguished by such qualities as will secure the continued dominion of the party.

“It is established by the contract of enlistment as a condition upon which offices bestowed can alone be held, that the officer, high or low, 1st, must contribute a portion of his official greed to party uses; 2d, must vote for the party candidate; 3d, must work for such candidate; 4th, must use his official influence to sustain such candidate; but more and harder still, 5th, must, in his views and feelings, sympathize with the National Administration, whatever its follies or vices may be.

"That this is the established martial law which governs the Presidential army of 50,000 office-holders, regularly enlisted, and of twice as many volunteer Hessians hired for occasions at navy yards, and through jobs and contracts, we refer to the letter of Hon. Gouverneur Kemble, the fate of Mr. Kirsan, postmaster, and Mr. * * * light-house keeper, recently drummed out for insubordination in not working and sympathizing, although voting for the party candidate.

"We will refer to another case which proves that this inexorable rule is applied to officers of higher grades. Mr. John McKeon was District Attorney of the United States for the Southern District of New York, within the city of New York. Fernando Wood was nominated for Mayor by a portion of the Democratic party, although repudiated for his base frauds by another and perhaps the greater section of the party. Mr. McKeon, agreeing with Tammany Hall, the headquarters of sound Democratic principles and practices, did not vote for or support Mr. Wood. He was dismissed from office by the President.

"At this moment, such is the sure fruit of vice and falsehood, this same Wood, once a tribune of Democracy, sympathizes in defeat and impending political destruction with a much better man and a far more distinguished public character."

MR. WILSON TO JAMES A. HAMILTON.

"WASHINGTON, February 20, 1859.

"DEAR SIR: In reply to your note I have to say that I do not think it would be of any service for you to come here at this session. It is so late that nothing will be done this session, but I shall make the proposition, and at the opening of the next session I shall try to present the whole case in the best manner possible. I shall be under the greatest obligations to you for your very valuable aid in the matter. At any time I shall be glad to hear from you, and I think I shall call on you and talk the subject over during the coming season.

"Yours truly,

"H. WILSON."

The threatened secession rendered any change for the present hopeless. In 1866, my efforts were renewed. Mr. Sumner introduced me to Senator Henderson as a proper person to bring the subject to the notice of Congress, as he had attempted to introduce something of the same character into the Post Office Appropriation Bill. He entered on the subject with great earnestness and zeal, and secured the passage of "The Tenure of Civil Office Bill" on the — day of March, 1867. The Bill I submitted to Mr. Henderson excepted the members of the Cabinet from its operation.

DANIEL WEBSTER TO JAMES A. HAMILTON, and other Lawyers.

"WASHINGTON, January 27, 1851.

"GENTLEMEN: I have to acknowledge the receipt of your letter of the 16th of this month, inviting me to attend a meeting proposed to be holden at Tarrytown, on the 30th instant, by the people of Westchester County without any distinction of party, who approve the compromise measures of the last session of Congress.

"My public duties do not allow me to accept this invitation; but you need not doubt that I cordially approve the objects and purposes for which the people of Westchester propose to assemble.

"I hope the spirit of disunion may be considered as now, in some degree, checked; but that it has existed both at the North and at the South, and does still exist to a dangerous extent, cannot, as it seems to me, be denied by any honest man.

"In the South, the separation of the States is openly proposed, discussed, and recommended, absolutely or conditionally, in Legislative Halls and in Conventions, called together by the authority of law.

"In the North, the State Governments have not run into such excess, and the purpose of overturning the Government shows itself more clearly in resolutions agreed to in voluntary assemblies of individuals, denouncing the laws of the land, and declaring a fixed intent to disobey them.

"I notice that in one of these meetings, holden lately in the very heart of New England, and said to have been very numerously attended, the members unanimously resolved, 'That as God is our helper, we will not suffer any person charged with being a fugitive from labor to be taken from among us, and to this resolve we pledge our lives, our fortunes, and our sacred honor.'

"These persons do not seem to have been aware that the purpose thus avowed by them is distinctly treasonable. If any law of the land be resisted by force of arms, or force of numbers, with a declared intent to resist the application of that law, in all cases this is levying war against the Government within the meaning of the Constitution, and is an act of treason, drawing after it all the consequences of that offence. This is the precise case in which convictions for treason took place in Pennsylvania during General Washington's administration, and not only does such a spirit as this manifest itself in heated and violent public assemblies, but it is also defended, encouraged, and commended by a considerable portion of the public press, and what is still worse, the pulpit has, in too many instances, uttered these tones of opposition to the laws instead of the voice of Christian meekness, repentance, and the fear of God. Indeed, occasions have happened in which men and women have engaged in a sort of rivalry or contest to see whether the laws of society, or the institutions of religion, and the authority of Divine Revelation could be treated with most contempt.

"It is evident that if this spirit be not checked, it will endanger the Government; if it spread far and wide, it will overthrow the Government.

"There are ample pledges, gentlemen, that with you and your fellow-citizens of Westchester no other feeling will be entertained than that of zealous attachment to the Union and the Constitution, and a determination to support both to the last extremity. Among your Committee I see the son of a great and an illustrious man, equally distinguished in the revolutionary and the constitutional period of his country. Alexander Hamilton was one of the twelve Commissioners who met at Annapolis, in September, 1786, and recommended to the country the establishment of a Constitution of Government "adequate to the exigencies of the Union." Here was the cradle of that form of Government which has so long bound us all together, and made us so prosperous at home, and so much respected abroad. Where the blood of Alexander Hamilton fills the veins, or his example and patriotic services are remembered, the language of separation, secession, and disunion will find no utterance, and purposes of violent resistance to the laws no approbation or tolerance.

"Gentlemen, the mortal remains of another great man, venerated and loved

through the whole course of a long life, repose in the county of Westchester; of course, I mean John Jay. The public life of this illustrious man was almost entirely devoted to the preservation of the Union of the States, the establishment of the constitution, and the administration of the powers conferred under it. No man saw more clearly or felt more deeply the evils arising from the existence of States with entire and distinct sovereignties. No man appealed to his countrymen against such a state of things with more earnestness, eloquence, or power. He saw the beginning of a spirit very much like that which exists now; he foretold its dangers and did as much as any man to rescue the public opinion from its pernicious grasp.

"In 1785, he wrote to a friend, 'It is my first wish to see the United States assume and merit the character of one great nation whose territory is divided into different States merely for more convenient government.' In 1787 he said, 'It has until lately been a received and uncontradicted opinion, that the prosperity of the people of America depended on their continuing firmly united, and the wishes, prayers, and efforts of our best and wisest citizens have been constantly directed to that object. But politicians now appear who insist that this opinion is erroneous, and that instead of looking for safety and happiness in union, we ought to seek it in a division of the States into distinct confederacies or sovereignties.' This country and this people seem to have been made for each other, and it appears as if it was the design of Providence that an inheritance so proper and convenient for a band of brethren, united to each other by the strongest ties, should never be split into a number of un-social, jealous, and alien sovereignties.

"They who promote the idea of substituting a number of distinct confederacies in the room of the plan of the convention, seem clearly to foresee that the rejection of it would put the continuance of the Union in the utmost jeopardy; that certainly would be the case, and I sincerely wish that it may be as clearly foreseen by every good citizen, that whenever the dissolution of the Union arrives, America will have reason to exclaim in the words of the poet, 'Farewell! a long farewell to all my greatness.'

"When I am speaking of the ardent attachment of John Jay to the Union of the American States, I cannot forbear, even at the risk of extending this answer beyond its proper limits, from introducing another extract from his admirable writings, as exhibiting remarkable sagacity and power of illustration. 'We have heard much,' said he, 'of the fleets of Britain, and if we are wise, the time may come when the fleets of America may engage attention. But if one national government had not so regulated the navigation of Britain as to make it a nursery for seamen—if one national government had not called forth all the national means and materials for forming fleets, their prowess and their thunder would never have been celebrated. Let England have its navigation and fleet—let Scotland have its navigation and fleet—let Wales have its navigation and fleet—let Ireland have its navigation and fleet—let those four of the constituent parts of the British Empire be under four independent governments, and it is easy to perceive how soon they would each dwindle into comparative insignificance.'

"When John Jay filled the seat at the head of the Supreme Judicature, how would one appear who, being charged with crime, should stand up before his face, beaming equally with intelligence and benignity, and insist that he had disobeyed the laws only from the impulse of his own individual conscience, that he had disregarded plighted faith, violated the most important obligations, and contemned the

sanctity of oaths, only upon his reliance on the superiority of his own intelligence over that of the community, and the right of every individual to judge of constitutions, laws, and compacts for himself. Citizens of Westchester! Citizens of the State of New York! the voice of your own illustrious dead cry to you from the ground. They who are in their graves beseech you, as you respect their names and memories, as you love liberty, as you value your own happiness, as you regard the hopes of your children, to hold on with unflinching firmness to the Constitution and to the Union of the States; and as if with lips still living, they conjure you in tones of indignation to reject all such ideas as that disobedience to the laws is the path of patriotism, or treason to your country duty to God.

"Gentlemen, I am sure that you and your friends will do your whole duty as intelligent and patriotic citizens in upholding the institutions of your country. I purpose to do mine, and should not consent to act with any body who should be found to waver or hesitate on this important question.

"The President's message at the opening of the present Session of Congress expresses fully and plainly his own opinion, and the unanimous opinion of all those associates with him in the Executive Administration of the Government in regard to what are called the adjustment or compromise measures of the last Session. That opinion is, that those measures should be regarded in principle as a final settlement of the dangerous and exciting subjects which they embrace, that though they were not free from imperfections, yet in their mutual dependence and connection they formed a system of compromise, the most conciliatory and best for the entire country that could be obtained from conflicting sectional interests and opinions; and that, therefore, they should be adhered to until time and experience should demonstrate the necessity of further legislation to guard against evasion or abuse. That opinion, so far as I know, remains entirely unchanged, and will be acted upon steadily and decisively. The peace of the country requires this, the security of the constitution requires it, consistency requires it, and every consideration of the public good demands it. If the administration cannot stand upon the principles of the message, it does not expect to stand at all.

"For myself, I confess that if I were to witness the breaking up of the Union and the Constitution of the United States, I should bow myself to the earth in confusion of face, I should wish to hide myself from the observance of mankind unless I could stand up and declare truly before God and man, that by the utmost exertion of every faculty with which my Creator has endowed me, I had labored to avert the catastrophe.

"I am, gentlemen, with entire regard and all good wishes, your obliged friend and fellow-citizen,

"DANIEL WEBSTER."

To Messrs. JAMES A. HAMILTON, }
 GEORGE B. BUTLER, }
 JOHN B. HASKIN, } *Committee.*
 ALBERT LOCKWOOD. }

CHAPTER XII.

THE REBELLION.

Preliminary Observations—Letter to the Hon. John Cochrane—The contest for the Speakership in the House of Representatives in 1860—The Missouri Compromise—Henry Clay and Samuel L. Southard—Effect of Rebellion on State Governments—Compromises of the Constitution—Letter to Thomas Coteswood Pinckney—Notes on Nullification—Memorandum on Secession submitted to President Buchanan—Letters from J. M. Read and Hon. John Cochrane—Letter to Senator Morgan—Call for a Meeting to preserve the Union—Letter to President Buchanan—Effort to reinforce Major Anderson in Fort Sumter—English sympathy with Southern Rebellion explained.

THE following pages relate to the most interesting period of my life—the Rebellion. I was sternly opposed to slavery because I knew it to be a great crime and a great evil to the oppressor as well as the oppressed. I had learned this from the writings of the wise and good men of all times.

SOCRATES.—“Slavery is a system of outrage and robbery.”

PLATO.—“Slavery is a system of the most complete injustice.”

LOCKE.—“Every man has a property in his own person; this nobody has a right to but himself.”

HAMILTON.—“Natural liberty is the gift of the beneficent Creator of the whole human race.”

Dr. JOHNSON.—“No man, by nature, is the property of another.”

BRISSOT.—“Slavery in all its forms, in all its degrees, is a violation of divine law, and a degradation of human nature.”

POPE LEO X.—“Not only does the Christian religion but nature cry out against the state of slavery.”

FRANKLIN.—“The wise and good men throughout all time, and the Christian church throughout all the world, with an unimportant exception during a brief period in our own country, have denounced slavery as an atrocious debasement of human nature.”

I also learned, from a thorough examination of the Constitution and the history of its formation, that much was yielded to slaveholders in order to secure the adoption of the Constitution by the Southern States, and thus to secure the union of all the States, but without establishing slavery or doing

more than recognizing the fact that "persons were held to service and labor in certain States by the laws thereof." And it was well understood, that slavery should not be interfered with directly by the Free States. I therefore did not permit myself to become an abolitionist. As soon, however, as the Slave States threw off their allegiance, freed from my constitutional obligations, I became a most determined abolitionist, and prepared by all means in my power to abolish slavery throughout the land. How useful I was in this direction, or in any other, in sustaining the government, these pages will indicate. My whole time and all my faculties were directed to the work; stimulated by the conviction that should we abolish slavery and crush the rebellion, cost what it might, we should thus be made a wiser, better, and happier people, and a much more powerful nation, among other reasons, because "the Union of the States would be perpetuated."

Civil War and Slavery. Madison.—"I take no notice of an unhappy species of population abounding in some States, who during the calm of regular government are sunk below the level of men, but who in the tempestuous scenes of civil violence may emerge into the human character, and give a superiority of strength to any party with which they may associate themselves."

This is the warning voice of wisdom and must ere long be realized in all its dreadful consequences. Civil violence is gradually, but with unfaltering steps, advancing into the States where that "unhappy species of population" abounds. Its first fruits are the flight, in great numbers, of men, women and children, to the camps of those whom they believe are sent to set the captive free. As soon as our victorious legions shall advance along the borders of York or James' River, or those parts of eastern Virginia in which the slaves most abound, when their masters are called to the field or are drawn from their homes, they will "emerge into the human character," and take part against their oppressors.

JAMES A. HAMILTON TO THE HON. JOHN COCHRANE, House of Representatives,
Washington.

January 27, 1860.

"SIR: Without having the honor of your personal acquaintance, I address this letter to you without seeking an opportunity which I might find in our common lineage. The momentous condition of our public affairs justifies a departure on my part, and as I hope to induce you to believe on yours, from all ordinary modes of proceeding.

"I entertain a conviction, the result of much reflection, that your position as a representative of the great seat of the commerce of our country, imposes upon you more than ordinary responsibility, while your talents and character give you an influence which might, and I sincerely hope will, be used to release the government from its existing embarrassments, involving as it does vast commercial interests, but, above all, the honor, and perhaps the safety, of the Commonwealth.

"The occasions are of very rare occurrence when men, and particularly public

men, can, by rendering great services to their country at great personal sacrifices, secure to themselves immortal honor; such I consider your position at this moment, and I write this letter in the hope of inducing you fearlessly and promptly to seize it, let the cost be what it may. I pray you to allow the experience of a long life somewhat connected with public affairs to weigh with you, and to intimate as its teaching that such an occasion once lost will never again be presented to you.

“We and all the world witness the painful spectacle that for nearly two months the representatives of the people of this great Republic have been, and now are unable to choose a member of their body to preside over their deliberations; and that unless some (a very few of their number) can be found who have a higher sense of their obligations to their country than to their party, this disorganization must continue during their whole term of office. To cast off party obligations, under such circumstances, is not a violation of party principles, but it is an act of the highest public virtue. Whenever the House shall be organized, its rules and its proceedings must be (as they ought to be) dictated by the will of the majority.

“I hope my ardent devotion to our country and my apprehension of a fearful crisis do not induce me to use language too strong.

“If you, or any other gentleman of the Democratic party having as much influence as you have, would give notice that should the House not be organized after say ten more ballotings, you will be compelled, by your duty to your constituents, but above all by your devotion to the honor and welfare of your government and country, to propose the plurality rule, and should that be rejected, you will without delay so cast your vote as will most promptly and certainly elect a speaker;—this course, so honorable and patriotic, may subject you to the objugation of party associates; it may destroy your hopes of future election; it may have much greater evils than those in store for you: but be assured that in following out the right, in making so signal a personal sacrifice, you will have the commendation of the good and the wise in all parts of this country and of the world, and, above all, of your own conscience.

“I pray you to ponder well on this subject, and to ask yourself what your paternal grandfather, and my maternal grandfather, and their distinguished associates would do under the circumstances—would any one of them hesitate between their duty to their party, and their duty to their country? I answer without hesitation: they would not for one moment. Show your blood; march up to the breach; and die, if it may be in the service of your country, trusting to the intelligence and virtue of your countrymen for your justification and reward. I cannot entertain a doubt that this manly, independent, and patriotic course would be received in your city, the State, and country with a burst of applause.

“This letter, written without consultation or the knowledge of any man, expresses the dictates of my head and heart; you will treat it as a private one or not, as you please, and in closing it, allow me to add that although I have particular views and feelings, I have no interest or ambition to be gratified by any event. My age forbids these, and my position outside of the vortex enables me perhaps to see more clearly, and to judge more calmly of its course and consequences than they can be who are carried along by it.

“I have the honor to be, with great respect, your well-wisher.”

THE MISSOURI COMPROMISE—HENRY CLAY AND SAMUEL L. SOUTHARD.

Mr. Southard was a member of the Senate of the United States—young and recent; Mr. Clay an old, distinguished and influential member of the House of Representatives, pending the agitation of that question which excited the deepest interest and anxiety in all parts of the country. Mr. Southard prepared resolutions—the identical ones afterward introduced and passed. He showed them to his political friends, Mr. Clay among others. They were approved, and it was agreed that Mr. S. should on a certain day, as soon as the morning business was over, present them to the Senate. On the morning of that day, Mr. S. being prepared to move those resolutions, received a message from Mr. Clay, requesting a meeting on the resolution. Southard went there. Clay urged that it would be better that the resolution should be brought forward in the House of Representatives, and desired Mr. S. to give him the resolutions, saying he would with Mr. S.'s consent bring something of the same kind forward in the House. Mr. S. assented. Mr. C. took the resolutions, and without change in any respect whatever, offered the resolutions in the House. They were carried in both Houses. The question was settled—the agitation ceased. Mr. Clay has had from that time the whole merit of that measure. He never has given to Mr. Southard the credit of any part of it. Authority—Ogden Hoffman, son-in-law to S., to whom Southard related these facts.

Mr. Clay and General Taylor.—After General Taylor's nomination, and before his acceptance, Mr. C. wrote to Taylor, urging him to decline the nomination, and in his, Mr. Clay's, favor, putting it upon the ground of Taylor's unfitness for the performance of the duties of the office.

General Taylor did not accede. Mr. Clay, in all his letters declining to be a candidate, never said a word in favor of Taylor; he did not vote for him. Dr. Hawks authority.

REBELLION—ITS EFFECTS UPON STATE GOVERNMENTS.

When the people of a State rise in rebellion against the Government, and make their State governments vested with their sovereignty the instruments to overthrow by force the Government of the United States, they are guilty of High Treason. Traitors forfeit life and property, they have no rights of any kind. Blackstone says, "The natural justice of forfeiture and confiscation of property for treason is founded in this consideration, that he who has thus violated the fundamental principles of government, and broken his part of the original contract between King and people, hath abandoned his connections with society, and hath no longer any right to those advantages which before belonged to him purely as a member of the community."

If this be true, how can men so circumstanced be vested with sovereign power? how can they possess, individually or collectively, the attributes of gov-

ernment, or how can a State Government be admitted to exist when the people of the community, or a majority thereof, with those who were invested with the offices of the Government, have abandoned all connections with society?

It is a strange paradox to say, notwithstanding all this, the State governments must be admitted to exist. Such governments were founded to preserve the rights and advantages of the communities which founded them.

It is said that if there are any Union men in the rebellious States, the Government continues in their persons. The answer is, that the majority of every political community have power in their discretion to alter or abolish their State Governments, and that the minority are bound by the act of the majority.

Under this fundamental rule, whether the State government shall be dissolved by treason, or by the deliberate act of the majority, the Government ceases to exist; it disappears.

The experience of our own country teaches us that there can be no compromise with treason.

When treason was attempted by nullification in South Carolina, the energy of General Jackson arrested it; and he would have hanged its author, but Congress passed the Compromise Tariff Act which was received by Calhoun and his fellow-traitors as a triumph.

From that time to this, disloyalty has been cherished until the present generation was bred up in hatred of the Union.

Restore the Constitution, with all the rights of the people under it. Issue a proclamation of amnesty, and in December next your Congress will receive ninety felons as members of the House of Representatives, and thirty members of the Senate, to begin from that moment the work of the destruction of the Government they are sworn to obey and support.

THE COMPROMISES OF THE CONSTITUTION.

Slavery, from its inherent feebleness from moral as well as political causes, has long been a bold aggressor upon the rights of the North, and with such complete success as to have become reckless of consequences.

The action of Congress and the late decision of the Supreme Court in defiance of all maxims of prudence—the first in repealing, in utter disregard of good faith; and the last in defiance of all maxims of prudence, in declaring extra-judicially the Missouri Compromise law unconstitutional—have manifested so clearly the purpose of the slave power—we mean the oligarchy of slaveholders—to govern the Union, not by force of numbers, but by combinations hostile to Republican government; that the only division of parties henceforth and as long as the Union can exist, must be geographical and sectional, and in that spirit all party discussions will be conducted. Among others, each party will examine with keen, and probably intemperate feelings how far the compro-

mises of the Constitution have been observed and respected, and to that end we propose to show that the oligarchy have violated and continue to violate one of the most important compromises of the Constitution—enjoying all the advantages that such compromises gave to them and not rendering the equivalent.

The Constitution, Article 1st, Section 2d, Clause 3d: "Representation and direct taxes shall be apportioned among the several States which may be included within this Union according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three fifths of all other persons." These "other persons," it is well known, are that property which the oligarchy have determined they will carry with them in all States and Territories over which the Constitution extends; and the Supreme Court, in the Dred Scott case, has decided that they have a right to do so, and the slave power now have in the House of Representatives, it is believed, not less than thirty members, the representatives of three fifths of those other persons. To obtain this power, this property is considered and treated as persons, but they do not and have not, except during a short period, during the administration of Washington and the elder Adams, paid the direct taxes as the equivalent of the representation.

The facts are these: By Act of July 9th, 1798, measures were taken preparatory to the laying of a direct tax, and on the 14th of the same month a direct tax of two millions was laid and apportioned to the States. Upon slaves there was assessed fifty cents each. This act was very soon repealed. When the war of 1812 cut off the receipts from imposts, and its expenses drove the Government to resort to loans, to double the imposts and establish a system of internal and *direct taxation* which reached excise, household furniture, stamps, carriages, watches, licenses, and in short almost all kinds of tangible personal property, as well as real estate, *negroes were excluded.*

Here was a case of direct taxation which violated the great rule on which Republican government is founded—representation and taxation shall be equal—and thus the slave power, when *direct taxes* were imposed, enjoyed the advantage of the slave representation, and did not bear its corresponding burden, and does not do so now; and yet the demagogues have the audacity to allege that they pay all the taxes, whereas not being, to a very great extent, consumers of imported articles, they pay a very small proportion of the taxes.

Charles Cotesworth Pinckney, son of Thomas Pinckney, and nephew of the illustrious Charles Cotesworth Pinckney, in 1858, on board ship returning from Europe, in conversation with me on the character of John C. Calhoun (whom I denounced as untruthful and seditious, and who directed the course of South Carolina in 1832), declared that "the purpose of the South was, and now is, to break up the Union; they took up the Tariff at that time as the ground of Nullification, because they believed it would not look well to *go for liberty in behalf of slavery.*"

This man was a prominent nullifier in 1832, and a most determined secessionist in 1861. The following letter was addressed to and received by him :

JAMES A. HAMILTON TO THOMAS COTESWORTH PINCKNEY.

“NEW YORK, November 20, 1860.

“DEAR SIR: The names of our fathers were associated, in former times of anxiety, of danger and of struggle, in the service of their country, and the labors of those whose names we bear, seventy years ago contributed in no small measure to form the Government under which we have grown to our present stature among the nations of the world. United, we take the rank of a first-class power; respected, feared, and deferred to by the rulers of Europe, of Asia, and of America. During these seventy years (my life-time and perhaps yours) our resources, physical and mental, have been consolidated, extended and developed; cities that rival those of a thousand years have been raised up; a marine second to none has been created, and a military organization, superior (although militia) in moral strength to the standing armies of the most military power in Europe, has been formed. Contrast this marvelous advancement in all that is deserving of consideration with the condition of the States of South America, of Central America, of Mexico. The normal condition of these is anarchy, civil and servile wars, despotism, and military misrule; in most of them a continued state of revolution, by which the people have been degraded to such an extent that their subjugation by a foreign power appears to be the only hope for their future welfare. Mexico having adopted a Constitution almost identical with our own, race and religion have contributed very much to these strikingly different results; but our Union of States and ‘a National Government,’ still more than Union which ‘constitutes us one people’ is the palladium of our liberty, our only security against the woes to which our neighbors have been subjected.

“The expectation of those men in your State who are endeavoring to plunge South Carolina into secession is, that other States will be drawn by her into the same disastrous condition; and thus that a Southern Confederacy will be formed. What would be our future in that event?

It has from long observation of the progress of society become a sort of axiom in politics ‘that vicinity or nearness of situation constitutes nations natural enemies.’

“In the event of disunion, what can exempt these States from the common lot of other bordering nations? Would they not then have the same inducements to make war upon each other which have ‘at different times deluged in blood all the nations in the world?’ Indeed, if our Union should be destroyed by the subject which now so discordantly excites the people of one section of our country, would not the causes of our differences be much more frequent and intense than in ordinary cases?

“A patriot of the Revolution who from his integrity, knowledge, and wisdom, enjoyed as large a share of public confidence as any other of those men whom you and I were taught to respect, treating of this division of the country, said, ‘The North is generally the region of strength, and many local circumstances render it probable that the most northern of the proposed confederacies would, at a period not very far distant, be unquestionably more formidable than any of the others. No sooner would this become evident, than the northern hive would excite the same

ideas and sensations in the more southern parts of America, which it formerly did in the southern parts of Europe; nor does it appear to be a rash conjecture that its young swarms might often be tempted to gather honey in the more blooming fields and milder air of their luxurious and more delicate neighbors,' and that our disunion would place us exactly in that position in which we shall be formidable only to each other.'

"Such are the lessons of wisdom drawn from experience. My respect for your character, my interest in the descendants of those who were the cotemporaries of our illustrious sires, the love I bear to our common country impel me to urge you and your associates to dwell upon these pictures with reference to the future. My devotion to the Constitution, which my father and he whose name you bear labored to frame, to be adopted, to support and to expound, is the strongest feeling of my heart, interwoven with every thought and impulse of my life.

"The rights of the South, of every other part of our country, and of every man in it, under the Constitution are sacred to me. The right of each State to manage its local institutions as it may think proper, the rendition of persons held to labor and service in any one State by the laws thereof when escaping into another, I hold to be a duty which every citizen and every State is bound to observe; and that all laws tending to impair the rights of any of our fellow-citizens in that respect are in spirit unconstitutional, and in fact unfriendly. It is undeniably the equal right of each State to determine whether it will have free or slave labor within its borders. This is a part of my Republican creed, which I share with a vast majority of the people of the North. Any violations of these rights by the Federal Government would rouse our people to a determined resistance. In such a case, we should act with you, and by your side, in repelling any usurpation, any treasonable interference with the rights of the States in their internal arrangements or constitutional guarantees. In a case of foreign invasion or servile insurrection, you will find us by your side, imitating the bravest of your sons in the face of danger.

"We well know the difficulties and the trials that are inseparable from your domestic institutions, and we hope you will learn to know and trust our feelings toward you and them.

"Believe the assurance of your friend that nothing is intended or can be done by the Republican party against your safety or honor. The difficulties of enforcing the Fugitive Slave Law, so repugnant to the feelings of our people, is not as great as that which you find in executing the laws against the African slave trade. The former is generally carried out in the Northern States, while the latter is virtually abrogated in one at least of the Slave States.

The violations of the Fugitive Slave Law do not affect Carolina as much as they do the border States, or as this revival of the slave trade excites us. However, it is best not to refer to our differences at present. Let us all bear and forbear as Christian men and good patriots.

"I speak with entire confidence when I say the President elect has no wish or intention to interfere with slavery in the States where it exists. I say this in justice to myself and the part I have taken in the election, with full knowledge of the subject.

"The false representations made to your people on this subject have been knowingly and designedly made, to induce the South to declare that they would secede in the event of an election of a 'Black Republican President,' in order that

such declarations might be used here and elsewhere to affect the votes of electors by intimidation. This base game has been avowed. 'We have played this game well;' 'it is played out, and we are defeated,' is the language used in making that avowal.

"Your prejudices have thus been excited by politicians to promote their selfish ends; and now that the game 'has been played out,' we ask you in the name of all that is dear to us both to pause; to trust to the strong conservative feeling of the North, to our respect and affection for our southern brethren as a part of our glorious country, to our common memories of the past and hopes of the future; to await until some act which violates your rights shall be attempted, and thus to justify your course in the opinion of the world, and of your descendants.

"I remain, with great respect,

"Your obedient servant, &c."

I received no reply to this letter other than two pamphlets written with the clear intent, by gross exaggeration, to "fire the Southern heart."

THE REBELLION.

During the period of Nullification, 1832, I had most earnest conversations with General Jackson in regard to the purposes of the leading politicians of the South. He had no doubt that if they failed on this occasion, they would, when better prepared, carry out their plans for a separation. He was, under that conviction, most anxious to punish the great leader, Calhoun, in the most exemplary manner, in order that others might be deterred from imitating their treason, and, as an example for those who should administer the Government when such an attempt should again be made.

FROM MY NOTE-BOOK.—My conversations with President Jackson imprinted on my mind his conviction that the tariff law was only the pretence for nullification, and that slavery was at the bottom of the whole subject. That institution had brought those who owned slaves and controlled the Southern States, to the conviction that they ought not to submit to the government of a majority, who in the free States would give law to the United States; and that they would ultimately excite their slaves to insurrection. In confirmation of this, on a voyage from Europe in 1858, Charles Cotesworth Pinckney was a fellow-passenger. Talking about Calhoun's letters and conduct in 1832, he said: "My dear Sir, we do not mean to submit to the popular control of the North. We took up the tariff as a cause for secession, because we did not think it would look well to go for freedom in behalf of slavery. We intend to establish a great Southern Empire, with slavery as a basis—we only wait our opportunity." This gentleman was one of the leaders in the late rebellion.

Mr. Webster, referring to an address of a convention of slaveholders at Nashville, said: "That address is a studied disunion argument. It proceeds upon the ground that there must be a separation of the States: *First*, because the North acts so injuriously to the South, that the South must secede; and

Secondly, even if it were not so, and a better sense of duty should return to the North, such is the diversity of interests that they cannot be kept together.”

During the election of 1856, between Buchanan and Fremont, it was stated that Governor Wise, of Virginia, called together several of the Governors of the Southern States to determine, if Fremont should be elected, what their course should be.

The following letter, addressed by J. M. Mason to Jefferson Davis, in 1856, is important to prove how earnest these traitors were in their wicked purposes :

“SELMA, near WINCHESTER, VA., September 30, 1856.

“MY DEAR SIR: I have a letter from Wise, of the 27th, full of spirit. He says the governments of North Carolina, South Carolina, and Louisiana have already agreed to the *rendezvous* at Raleigh, and others will—this in your most *most private ear*. He says further, that he had officially requested you to exchange with Virginia, on fair terms of difference, percussion for flint muskets. I don't know the usage or power of the Department in such cases; but if it can be done, *even* by liberal construction, I hope you will accede. Was there not an appropriation at the last session for converting flint into percussion arms? If so, would it not furnish good reason for extending such facilities to the States? Virginia probably has more arms than the other Southern States, and would divide in case of need. In a letter yesterday to a committee in South Carolina, I gave it as my judgment, in the event of Fremont's election, the South should not pause, but proceed at once to 'immediate, absolute, and *eternal* separation.' So I am a candidate for the first halter.

“Wise says his accounts from Philadelphia are cheering for Old Buck in Pennsylvania. I hope they be not delusive. *Vale et Salute*.

“Colonel DAVIS.

J. M. MASON.”

It was quite clear that having made their arrangements to secede, they determined, by having two candidates, to divide the vote of the Democratic party in the election of 1860, so as to render the election of Abraham Lincoln the candidate of the Republican party certain—they having by various devices “fired the Southern heart” to take measures to dissolve the Union.

Mr. Calhoun, in a letter he wrote, dated ———, urged his correspondent to push the pretensions of slavery to the greatest length, so as to excite the Abolitionists to extreme denunciation, and thus to “fire the Southern heart,” as he declared. In another letter, although he voted against the *Wilmot Proviso*, he expressed regret that it did not pass; because, if it had, it would have “fired the Southern heart.”

The great plan was to annex Texas, to obtain Cuba, and several of the Northern departments of Mexico. The first was accomplished in violation of the Constitution during the last days of Tyler's administration, by Calhoun, his Secretary of State. The case is this: Texas was an independent sovereign power, recognized as such by the United States Government. No arrangement can be made by the United States with another sovereignty, except by treaty. A treaty of annexation was negotiated; it was rejected by the Senate. The

plan then devised was to induce Congress to pass, by a two-thirds vote, resolutions as the foundation of an agreement for the annexation of Texas which, when passed, should authorize an agreement of annexation. This was done; and thus a sovereign and independent nation became one of the States of the United States. When this was first reported in New York, I met a distinguished gentleman from a Southern State on the street in New York. He asked: "Is there any thing new?" I replied, "There is news which I much regret—Texas is annexed." He replied, "I am rejoiced; I am in favor of that great Southern Empire."

The Ostend Manifesto in regard to Cuba, with the various raids upon the island from Southern ports, and the efforts made to purchase the island, were a part of this deep-laid plan.

The attempt was made by John Slidell and other Southern members of Congress to pass an act authorizing an army to be raised to go to Mexico as Protectors, and thus to become possessors of the Northern provinces. President Buchanan sent an agent to those provinces, Sonora, Tehuantepec, &c., to ascertain whether the people were willing to be annexed to the United States; and to examine the quality of the mines of precious metals. This agent, whom I met in Washington, told me that he had been sent on that mission; and found that the people were not only willing, but anxious to be annexed to the United States; and further that the mines of silver were of immense value—that he so reported to President Buchanan, and he added emphatically, "If Buchanan had had as much backbone as his Cabinet, these provinces would have been annexed."

Thus it was hoped that the great Southern Empire would have embraced the Southern States of the United States, Cuba, the Territory of New Mexico and the Northern departments of the Republic of Mexico. It certainly would have embraced a vast extent; great fertility of soil, the richest products in the greatest abundance; but not an empire of great power.

My time was devoted to the examination of the Constitutional questions connected with slavery. As a result, in 1858, I wrote an essay which was published in a city paper entitled, "Property in Man." (See Appendix, D.) I also prepared a memorial to Congress, calling for the impeachment of Mr. Buchanan, founded upon facts established by the Covode Committee. I also prepared, in 1859, an essay entitled, "Examination of the Power of the President to remove from office during the recess of the Senate." The circumstances under which this paper was written have already been narrated.

PAPER ON THE TREATMENT OF SECESSION, SENT TO PRESIDENT BUCHANAN.

The President, although compelled by his oath to protect and defend the Constitution, and by that Constitution to take care that the laws be faithfully executed, from which duty no power on earth can absolve him, may nevertheless

under the conviction that a firm and energetic conduct does not preclude the exercise of a prudent and humane policy, endeavor to arrest if possible by moderate but firm measures the necessity of a recourse to force.

As secession by South Carolina is now understood to be a determined purpose, it has become the imperative duty of the President without delay completely to garrison Fort Moultrie. The feeble condition in which that position has been left, contrary, as is believed, to the advice of Lieut.-General Scott, will invite attack and cost the lives of many gallant men on the part of its assailants, and probably of the garrison, amounting to about sixty, rank and file, whereas it should have at least five hundred. By so doing, the President would indicate a determination ultimately to reduce the refractory to a due subordination to the laws. The whiskey insurrection in 1793 was of such magnitude as to embrace several counties in Pennsylvania and one in Virginia. The insurgent country contained sixteen thousand men able to bear arms, and the computation was, they could bring seven thousand men into the field.

Washington, after a proclamation proffering a pardon to all who should return to their duty, and sending Commissioners to treat with the insurgents called into the field an army of twelve thousand men which marched into the infected district, and by the display of such an imposing force, vindicated the laws and manifested the power of the Government.

Another example for our President is found in the firm and patriotic course of President Jackson in 1832, when South Carolina attempted "Nullification and Secession." At that time, under the direction of General Scott, the military power of Fort Moultrie and other positions was adequately increased. On this occasion, the President proclaimed that "The dictates of a high duty oblige me solemnly to announce that you cannot succeed. The laws of the United States must be executed. I have no discretionary power on the subject—my duty is emphatically pronounced in the Constitution."

These examples of two of the most illustrious predecessors of President Buchanan ought to command his respect.

It is believed that South Carolina is induced to plunge into revolution under the delusive hope by free trade in imports to make Charleston a great mart of commerce, and at the same time by a high export duty upon cotton to obtain a revenue which will support a National Government; and her agriculturalists are made to believe, by opening the African Slave trade, that they will extend the production of that valuable product immeasurably.

We can have no doubt that the President, as soon as he is informed that the act of Secession has been passed, will instruct the representatives at foreign courts that the people of South Carolina are in a state of rebellion, that by the constitution of the United States that State is prohibited from entering into "any engagement or compact with a foreign power," and that should any foreign government make any engagement or compact with this rebellious people, it would be considered a hostile measure.

Secession by South Carolina must bring on war, should she attack Fort Moultrie, or should the President endeavor to collect duties in the ports of that State or to enforce the laws of the United States which affect the people of that State. These laws are those which regulate commerce, establish the judiciary, and provide for the postal service.

Should Congress repeal all laws relating to these subjects so far as they affect the people of South Carolina, there would be no laws to be executed, and, consequently, the President would be absolved so far as South Carolina was concerned, from his oath of office. The repeal of laws which South Carolina had abjured could not be considered as an act of hostility, whatever might be its consequences to her commerce.

By the Collection Act of 1799, Beaufort, Charleston, and Georgetown are made collection districts, ports of entry and delivery. By the repeal of so much of that act as relates to these ports, any vessel having goods on board of foreign growth or manufacture subject to payment of duties, going into or attempting to go into these ports, would, with the goods, be subject to seizure and forfeiture under the 92d section of that act, and by the same act all officers of the customs, within or without these districts, are required to seize such vessels. The officers of the revenue cutters are by law made officers of the customs to enforce the revenue laws. Thus all vessels bound to these ports or any others which are not ports of entry and delivery, will be liable to seizure.

Again, under the laws of nations, any vessel found on the high seas, or in any port of any country, without a clearance and other documentary evidence of her nationality received from an officer of a recognized government, one of the family of nations, is liable to seizure by a vessel of war of any nation that might meet her, and to condemnation in any court of admiralty in the world.

The sovereign of Great Britain has just extended a mark of her royal favor to Lord Brougham for his exertions in suppressing the slave trade, and so the Emperor of France has, by an autograph letter to a captain of an American vessel, signalized his detestation of that trade. Will either of these powers, or will the Emperor of Russia, who is emancipating his serfs, be very prompt in recognizing the independence of a people who have rebelled against their government in order to extend slavery by the slave trade or otherwise? The consequences of this course would be to leave South Carolina in a condition of *quasi* independence, but of absolute isolation. Her exports might go through Savannah, from whence she might receive all articles she now imports, and these would be the inevitable consequences of her own actions, and they would continue until a convention could be assembled to recognize her independence. This would be a peaceful solution of the difficulties and dangers resulting from the rebellious course of that or any other state or section of our country. In all this, our considerations are confined to the present when they ought to be turned to the future, which is certain to produce almost incessant wars and perhaps much greater evils.

A distinguished member of the Chicago Convention addressed the following letter to James A. Hamilton.

“ May 31, 1860.

“ DEAR SIR: Your favor of the 13th inst. was received very opportunely at Chicago, in the midst of the excitements of the convention there, and I availed of your permission by showing it freely to many persons there as evidence that every one in the state of New York did not consider Mr. Seward was to be nominated without reference to any other consideration than a personal preference for him.

“ The New England delegations generally went to Chicago with a strong preference for Mr. Seward, and on the way there with delegates from other states, but mostly from New York, it seemed as if no other name than Mr. Seward's would be prominently before the convention. But at Chicago we first met delegates from Western States and from Pennsylvania, who told us distinctly that their delegations were nearly unanimous in the opinion that Mr. Seward, if nominated, could not get the votes of Pennsylvania, New Jersey, Indiana, and Illinois.

“ The prevailing sentiment there seemed to be that “ success is a duty,” and should outweigh personal preferences and prejudices, but while it was objected to Mr. Seward that certain States could not be carried with him as the nominee, there was no indication that those States could be carried by, or would unite in the convention on any other one name. It was believed that while at least one third of the convention was in favor of Mr. Seward under all circumstances, the remaining two thirds were divided, some preferring Seward but doubtful in regard to the expediency of nominating him, and many advocating the nomination of Bates, McLane, Wade, Chase, Dayton, Cameron, and Lincoln, with little chance of concentrating upon any one of them.

“ Under these circumstances it seemed almost certain on Friday morning that Mr. Seward must eventually receive the nomination; many of his friends asserted that he would be nominated on the second ballot by the change of votes to him that on the first ballot would be given as complimentary votes for local candidates.

“ This was the condition of the convention on taking the first ballot; but the second ballot, while it added only four votes to Mr. Seward's number, indicated a decided preference among those opposed to him in favor of Mr. Lincoln, and on the third ballot this indication was followed, to the astonishment of every one there, by a general concentration of all who were opposed, and of all who were doubtful in regard to Mr. Seward, in favor of Mr. Lincoln. I believe there was not one in the convention more astonished at this result than Mr. Greeley of the New York *Tribune*, and it seems to me absurd to ascribe this result to his efforts or to those of any other individual there. He expressed his objection to Mr. Seward not more freely than he did his preference for Mr. Bates as a more available candidate, and there were many others from the State of New York, who were equally free in expressing doubts in regard to the expediency of nominating Mr. Seward. It seemed to me that many of those from New York, who considered themselves the warmest friends and advocates of Mr. Seward, did more to damage him at Chicago than those who opposed him. Much was said at Chicago of the corruption in the New York Legislature last winter, and that Mr. Seward's election as President would transfer those corrupting influences to Washington. In view of this, his friends damaged him by their overbearing manner in asserting his claims to the nomination, and by the free-

dom with which they boasted, as it was said, of the votes they had secured by management, and their offers of money to influence votes for him.

"I went to Chicago entertaining very much the views expressed in your note to me in regard to Mr. Seward. I went to the Convention with the intention of voting for Mr. Seward, until there were distinct indications of a majority of the Convention uniting on some other candidate, and in the three ballots I gave my vote for Mr. Seward; but I must say that the nomination of Mr. Lincoln seemed to me a fair and unbiassed expression of the preference of a large majority of the Convention, and everything I have heard of him there and since, has satisfied me that he is in every way a suitable candidate, and that the Convention acted wisely in selecting him.

"Yours, &c."

JAMES A. HAMILTON TO WILLIAM M. EVARTS, ESQ.

"DOBBS FERRY, June 19, 1860.

"MY DEAR SIR: The report of the Covode Committee which I have read to-day affords all that we wanted in July last, in order to prepare a petition for signature, calling upon the House of Representatives to impeach the President, one or more of his secretaries, the commissioner of Customs, and the collector of Customs of Philadelphia; and I feel that it is my duty and your duty, and the duty of every citizen to whom the honor of our country is dear, to assist in doing this work.

"I believe these men ought to be impeached, and that they will be at the next session, if a respectable number of people call for it. Whether this will be so or not, or what will be the result in the Senate, must be left with those upon whom these duties are imposed by the constitution. I am ready to prepare such a petition and sign it, although I am diffident of my ability to do it properly, and therefore I invoke your assistance. [The petition was prepared and printed.]

"The fact that the term of the President will expire on the 4th of March next, and that his accessories will retire at the same time, is no reason why they should not be held up as the objects of punishment. A man is liable to impeachment when he has ceased to hold office."

LUTHER BRADISH TO JAMES A. HAMILTON.

"July 5, 1860.

"MY DEAR SIR: I have just finished the reading of your admirable letter* on 'the Doctrine of the Constitution of the United States concerning Slavery,' and cannot resist the strong impulse of a first impression to make you my cordial acknowledgments, as a citizen of the United States, for this patriotic and much-needed labor of yours, so ably, and in all respects so admirably performed.

"Such have been the gross errors with which, for some time past, particularly it has suited the new views of interested parties and designing men to invest this subject, that some such clear and forcible exposition of it as yours was much needed. These errors have appeared in various forms, from the gratuitous dicta of assumed authority down to the ranting declarations of the ultraists of the day. All these errors have rested upon the one assumed but false basis, that the Constitution of the United States recognizes the principle of 'Property in Man,' and author-

* "Property in Man." See Appendix D.

izes slavery. You have well exposed the fallacy of these errors, and have clearly shown, not only what the Constitution does provide in this regard, but what its wise and patriotic framers intended it should provide."

JOHN M. READ, of Philadelphia, Pa., TO JAMES A. HAMILTON.

"July 6, 1860.

"DEAR SIR: I read this morning in the *New York Times*, with great pleasure and profit, your excellent letter upon the action of the Constitution of the United States upon the subject of slavery. The argument is unanswerable, and I have never seen it stated in so logical, so convincing, so temperate, and so brief a form.

"Truly your obedient servant."

PRESTON KING, ESQ., TO JAMES A. HAMILTON

"WASHINGTON, D. C., August 14, 1860.

"DEAR SIR: I thank you for the article in the *Times* (Property in Man); it is clear, logical, and conclusive. The positions of Chief Justice Taney fall dead before it.

"I am very glad, too, to find you employing a leisure hour or two in this way, at a time when such ideas are required to meet the sophistry by which the slave propagandists attempt to sustain their new and absurd theories. The attention of the public mind, directed as it is now to this subject, will never rest till the truth is reached, and reestablished more firmly than heretofore.

"Mr. Calhoun conceived the idea of liberty founded on and sustained by slavery.

"Respectfully."

HON. JOHN COCHRANE TO JAMES A. HAMILTON.

"HOUSE OF REPRESENTATIVES, WASHINGTON, December 15, 1860.

"MY DEAR SIR: Your favor of 12th instant is received. I have not, because of great draughts upon my time, been able to answer you before. I am truly obliged to you for your paper. It is terse, simple, and, I think, conclusive upon the points of which it treats (secession is State suicide). I may, upon exigency, find great use in its argument. The country begins to sway fearfully in the storm that is upon us. Party should be forgotten now, let it again revive when it may. I cannot write you of any definite prospect. Indeed there is none. A thousand schemes give way in a day to a thousand others. Yet all have their use in mellowing and preparing the public mind for the adoption of the measure of relief adapted to the emergency, when it shall be providentially offered. I myself perceive no probability of arresting the outward tendency of the Gulf States. I rely greatly, however, upon the restoring powers and disposition of the tobacco-growing States. It is upon their prudential conservatism, after all, that we must rely for the reassembling of our dismembered parts. Nor will we, as I think, be disappointed. But in the mean time much can and should be done in the North through meetings (chiefly of Republicans), to support the conservatism of these Border Slave States. Opinion fluctuates here exceedingly, but the steady tendency is toward the inevitable approach of dissolution.

"I am, very truly yours, &c."

JAMES A. HAMILTON to His Excellency E. D. MORGAN, Governor, &c., Albany.

“ DOBBS FERRY P. O., December 17, 1860.

“ DEAR SIR: Amid the perils of our country, it becomes every one to express his views in regard to such measures as may be considered proper and useful. I therefore make no apology for addressing this letter to you.

“ Your position is a most commanding one, and your message to the Legislature at its next session may be most potential as to the Border Slave States, and useful to the Conservatives of the Cotton States. South Carolina is given up to her idols. A gentleman of the South of great influence, referring to the necessity for a strong Northern expression of opinion in favor of the repeal of the Personal Liberty Bills, says, ‘ Such declarations proceeding from a voice so potential as that of the chief magistrate of New York, would strengthen the hands of the Union men throughout the South, and would, I think, go far to retain the border slave-holding States in their loyalty to the Government.’

“ It is admitted that the Cotton States are not injured by the Bills; but it is quite certain that these, and the election of Mr. Lincoln, are mere pretexts for carrying out the treasonable purposes of the leaders in South Carolina and elsewhere. I believe these traitors broke up the Democratic party in order that the success of the Republican might be assured, and then by misrepresenting our purposes in regard to slavery, to blind and madden their people, and thus plunge them into immediate revolution.

“ The Personal Liberty Bills are denounced by all the wise and conservative men of our party with whom I converse (and they are not a few) as in spirit and purpose of such a character as to stimulate the people to resist the constitutional provision for the return of fugitive slaves; and at the same time they are so drawn as not to be judicially considered as unconstitutional. They certainly manifest a hostile temper which ought not to be indulged by some members toward others of the same family; and consequently all who are truly alive to their duty to the constitution, and loyal to the Union, but particularly such as are governed by those principles, inculcated by that gracious Providence which so signally displays its goodness to our country, are bound to unite when great earthly interests are at stake, in the performance of their whole duty, which is most certainly in this case to induce the repeal of this pernicious legislation. Allow me here to remark that the great Republican party, consolidated as it now is, and you as its leader, may well in its hour of triumph, magnanimously come up to this work of sacrifice, superior to all personal and party considerations. I take this opportunity to say in all sincerity, if I did not consider you alive to such high impulses, I should not address this letter to you.

“ After profound reflection, I would suggest that in your message to the next Legislature you express the opinion that all such enactments are unwise and improper in view of our Constitutional duties; and that you consider it your duty earnestly to recommend the Legislature to repeal without delay the act of this State passed on the ———.

“ As the State of New York has at all times been truly loyal to all her federal duties and to the great principles of liberty, she may therefore, without presumption, raise her voice in behalf of peace and conservatism, and lead off in doing justice to herself and to others.

"I do not intend, in what I am now about to write, to mingle with the high and patriotic motives which will govern you on this occasion any of an inferior character; and yet in deliberating much on what I have suggested, it has occurred to me that it rarely falls to the lot of public men to hold their destinies in their own hands, and even when it is so far known that such is their condition, to appreciate it, and thus lose the opportunity to associate their names imperishably with the destiny and honors of their country.

"If I can be useful on this occasion, I will cheerfully go to Albany in order to serve you.

"With sincere regard and respect, I have the honor to be,

"Your friend and humble servant."

CALL FOR A MEETING TO PRESERVE THE UNION.

"The subscribers, influenced by their painful conviction that the present condition of our common country is one of imminent peril, a conviction forced upon them by the fact that several of the States of the South have, with the sanction of the Legislatures, called a convention of delegates to assemble in Nashville, Tennessee, in June next, to deliberate upon the measures to be adopted to dissolve this Union,—a course of legislation by Congress in the Territories upon the happening of any one or more of various contingencies, to wit: Upon the admission of the State of California into the Union; upon the abolition of slavery, or the slave trade in the District of Columbia; upon the adoption by Congress of the Wilmot Proviso: by the fact that in other sections of the country at large public meetings held by individuals responsible by their condition and acquirements, resolutions are deliberately adopted denouncing the constitution of the United States, because it recognizes the existence of slavery in a portion of the Union, and calling upon their Legislatures and people to dissolve the Union; from the fact that the customary and necessary legislative business is arrested by this one exciting topic, and by the fact that the best, the foremost, the most experienced statesmen of the country express, in their places in the Senate and House of Representatives, the most serious apprehensions that the Union will be dissolved; while others do not hesitate under the like responsibilities to declare that is no longer possible, consistently with the integrity of the slaveholding States, that they should remain united to the free States; we believe the time has arrived when the voice of the people of this city and State and of the whole nation should be heard. We therefore invite our fellow-citizens of this metropolis without respect to party divisions, uninfluenced by party obligations, to meet in council in order to express devotion to the Union, and to devise such measures as may be necessary to enable the whole nation to deliberate upon the vital questions which so deeply agitate the whole country; but, above all, to express what we believe to be the deliberate purpose of the People, North, South, East, and West, to preserve this Union; for we venture to assume that the dearest interests and brightest hopes of the masses of mankind depend upon the union of these States and the glorious system of self-government under which we now live so happily, and have prospered so surpassingly.

"We believe that to dissolve this Union involves the greatest injury, not only to the people, but to the human race, and, as we verily believe, it would be the greatest crime that any nation has yet committed.

"In this great, this sacred work, we do not desire the coöperation of men who

have personal or party ends to accomplish, whose patriotism centres in themselves, their party, their county, or their State, but we do desire and expect the assistance of the wise, the good, and the patriotic of all parties, classes, and occupations. We, in a word, ask the aid of the people of the Empire city to originate such measures as will enable the people of the Empire State to meet the people of the other States in convention in the city of Washington at some convenient day, not only to express their determination that the Union shall be preserved, but to devise such a course of measures on the existing subjects to which we have referred, as in a spirit of forbearance, of justice, of patriotism will heal our wounds, and reunite this people as they once were, as members of one great family. And we do not hesitate to declare that the people influenced by such a spirit, by these or some other means, can well settle all exciting questions to the satisfaction of all. Or should it be found that these difficulties are too mighty for their grasp, that they will manifest such a determination to perpetuate the Union, that the Government of the country will be encouraged and sustained in putting forth all its energies to that end.

“JAMES A. HAMILTON.”

JAMES A. HAMILTON TO PRESIDENT JAMES BUCHANAN.

“December 24, 1860.

“SIR: Under a sense of duty I address this letter and submit the inclosed paper to you, in order to call your deliberate attention to a course of measures which will relieve you from a part of your most painful responsibilities, and may bring about a pacific solution of our fearful difficulties.

“The more I turn this subject in my mind, the better satisfied I am that to suspend or repeal the laws referred to would not only relieve the Executive from the duty of enforcing the laws, but that it would so immediately and seriously affect the material interests of the people of South Carolina, as to induce them to pause and weigh well the consequences of the unwise course they have entered upon.

“The people of Georgia, of Alabama, of Louisiana and Mississippi would immediately see and feel that the same course taken with them would lead to the most disastrous consequences. The last two States could not get one pound of cotton or sugar to a market, as they have, I believe, no other outlet except by the mouths of the great river, or at great expense sending these bulky articles to the North and East by railroad. All this loss would result alone from the attitude they would assume in case of secession. There would be no relief by war or any other aggressive measure toward the United States. No foreign power would interfere in such a case.

“The President will, of course, either by proclamation or through his Ministers, give notice to the world that the people of South Carolina are in a condition of rebellion, and particularly that the ports referred to are no longer ports of entry or delivery.

“My duty to the President, to my country, and to the truth compels me to inform you that very many intelligent and discreet men of all parties in this State, condemn the inaction of the Secretary of War in relation to the forts in Charleston harbor. They declare that should they be surrendered without a struggle, or fall in consequence of the absence of an efficient force, there can be no hope of concession or compromise at the North until these forts are retaken or restored. It is generally believed that an imposing force thrown into these garrisons two months ago, would have prevented bloodshed, and have secured those works.

"It will be said, and no doubt with truth, that an attempt, at this time, to increase those garrisons would induce a collision. I beg to suggest a remedy.

"If the laws should not be repealed, as I have suggested, and as you have decided that the President is bound to collect the revenues at the port of Charleston, you must, to effectively do this, send there a corps of officers—a collector, naval officer, inspectors, appraisers, weighers, gaugers, &c., &c. (All these persons are indispensable.) They, with their desks and books, and the space necessary to examine goods, would require a much larger space than a revenue cutter or any ordinary vessel could provide. It would therefore become necessary to employ a steam vessel of war to be stationed near Fort Moultrie. Should the commanding officer of such vessel be instructed, upon the requisition of the commanding officer of Fort Moultrie, to assist him, such assistance would, I am informed, from the nature of the approaches to the fort, be effectual, and thus, in the performance of an indispensable duty, without the danger of inviting attack, secure that place beyond all peradventure. As to the other forts, Sumter and Pinckney, as their munitions of war certainly belong to the United States, it would be not only discreet, but necessary to remove or destroy them that they might not fall into the hands of an enemy and be turned against the ships or fort.

"I have the honor to be, your obedient servant, &c."

The following suggestions were enclosed in the above letter :

SECESSION—ITS TREATMENT—A PEACEFUL SOLUTION.

"The right of secession cannot be proved to be constitutional. The Constitution clearly intends to repress such action by a State, when it declares, 'No State shall, without the consent of Congress, keep troops or ships of war in time of peace—enter into any agreement or compact with another State, or with a foreign power.' These restrictions upon the sovereignty of the States could have had no other object. It must therefore be exercised under that higher law—the right of revolution—which is war against the oppressor.

"The people of the United States having ordained and established the Constitution for themselves and their 'posterity,' there is no power short of that which established it capable of destroying it; consequently, the people of any State who may attempt to secede, must continue in rebellion until, by war, they have conquered their independence, or, by a convention, it is accorded to them.

"The President is bound by the Constitution 'to take care that the laws be faithfully executed,' and by his oath 'to preserve and defend the Constitution.' There is no power under heaven that can absolve the President from these obligations.

"When South Carolina shall, by her Convention, declare that her people are no longer subjected to the Constitution and laws of the United States, they will be in the condition of rebellion.

"The laws which affect the people of South Carolina are those particularly which regulate commerce, establish the judiciary and the mail service.

"Should Congress suspend such parts of the law relating to these subjects so far as they affect the people of South Carolina, the President would be absolved, as far as the people of that State are concerned, from this part of his duty.

"The repeal or suspension of laws which South Carolina abjures, cannot be considered as an act of hostility. It is the contrary, when done to avoid collision

between the Executive power of the United States and the people of South Carolina.

“By the 18th section of the Collection Law of March, 1799, Beaufort, Charleston, and Georgetown are made ports of entry and delivery. By the repeal or suspension of that clause, the President would be absolved from the necessity of collecting the duties, a proceeding which would inevitably produce a collision. The legal effect of this course would be, that every vessel which should thereafter enter, or attempt to enter, these ports with dutiable goods, would be subjected to seizure and forfeiture.

“Under the laws, all officers of the Customs are required to seize such vessels. The officers of the revenue cutters are made officers of the customs for that purpose, and thus all vessels bound to those ports as to any others which are not ports of entry and delivery would be seized.

“The effect of such liability would be that clearances would be refused in the ports of foreign powers to vessels bound for these ports. Another consequence of such repeal would be, that under the law of nations any vessel found on the high seas or in any port of any country without a passport, sea letter, and clearance by the proper officer of a recognized government—one of the family of nations—is liable to seizure by a vessel of war of any nation that might meet her, and to condemnation in any Court of Admiralty in the world.

Such a course would leave South Carolina in a condition of *quasi* independence, but of absolute isolation. Her exports might be taken to Savannah, and from thence she might receive all articles she now imports, each burdened with the heavy expenses of land transportation, and the latter to duties paid to the United States. These would be the necessary consequences of her own action, and they would continue until a convention could be assembled to recognize her independence. It would be a pacific solution of the great difficulties and dangers to result from the course South Carolina has determined to take.

This course would, by giving great commercial advantages to Savannah, tend to induce Georgia to defer secession. It might also, by showing Louisiana and Alabama the injuries which would result from a like course in regard to their respective ports of New Orleans and Mobile, induce these States to hesitate. It would certainly strengthen the hands of the Conservative portions of those States. •

“JAMES A. HAMILTON.”

EFFORT TO REINFORCE MAJOR ANDERSON.

After the ordinance of secession was passed by South Carolina, on the 20th December, 1860, I was convinced that by force alone could the Union be preserved; and recollecting the advantages we had in 1832 when nullification was attempted by the same State, by having possession of the forts in the harbor of Charleston, I formed a plan on the 28th December by which Fort Moultrie could be provisioned and reinforced (the news of Major Anderson's having evacuated Fort Moultrie and taken possession of Sumter had not then been received), which was to charter a steamer to go to Charleston, taking on board of her three or four hundred men and provisions for six months. I immediately addressed the following letter to Major-General C. W. Sandford, commanding the militia of New York :

"(Private.)

DOBBS FERRY, N. Y., December 28, 1860.

"DEAR GENERAL: I write to you in the strictest confidence, because what I am about to propose might be defeated by premature disclosure.

"The President having exposed a handful of brave men now in Fort Moultrie to slaughter, and the flag of our country to disgrace, there can be no violation of law or duty of any kind, should citizens volunteer to go to Charleston harbor in a steamer, chartered for the purpose, in order to reinforce Major Anderson. Such a course taken by a few hundred brave men would rescue the garrison and save the fort; and this having been done without any participation on the part of the Government, could not be considered by South Carolina as an act offensive to her which would invite, much less justify, an assault. Think of this; and if you approve, turn in your mind whether so many men could be induced to volunteer? We would have no difficulty in getting money to charter a steamer, and to put on board of her a store of provisions. Absolute secrecy must be observed. Let me know where I can find you. I will be in the city to-morrow (Saturday).

"Yours, &c.,

"JAMES A. HAMILTON.

"Major-General SANDFORD, New York."

The next day, Saturday the 29th, I went to New York, found the General at his office, talked the project all over with him. He fully approved what I proposed, and engaged to give me four hundred men, as good artillerists as could be wished. Having that assurance, I went to Wall street to make my arrangements; saw Moses H. Grinnell, who said at once, "Go on—you shall have as much money as you want." I told him I would contribute one third, he one third, and Mr. J. E. Williams another third; that it would not do to let any others into the secret. He then told me to send for a particular agent to charter a steamer, purchase the provisions, &c.

I went to my son's office in Wall street to send for the broker and prepare written directions. While so engaged, General Sandford came to see me with the following letter in hand:

"(Private.)

NEW YORK, December 29, 1860.

"MY DEAR SIR: There would be no difficulty about the men, if the arrangement could be made under the sanction of General Scott. A confidential person could be sent on to see him; and with his approval the scheme would be perfectly legal, and acceptable, no doubt, to the officer in command.

"I am, very respectfully, your obedient servant, &c.,

"CHARLES W. SANDFORD.

'JAMES A. HAMILTON, Esq.'

I urged that such a consent was wholly unnecessary; when the work was done, General Scott would hear of it and be rejoiced that it was done. I engaged to take the whole responsibility. All this was in vain, and I was consequently under the necessity of writing to General Scott the following letter:

“(Private.)

DOBBS FERRY P. O., December 29, 1860.

“DEAR GENERAL: It is proposed to reinforce Major Anderson by volunteers, to be sent from the city of New York by a steamer to be chartered for that purpose—the funds to be raised by private subscription. General Sandford promises to provide as many good men and true as may be required; say from one to four hundred. He, however, suggests that this enterprise should receive your sanction, so far at least as by your giving me a letter of introduction to Major Anderson, intimating to him that those who accompany me will be his guests, and, of course, subject to his command. If it is proper that you should countenance the enterprise, do me the favor to send me such a letter addressed to the Major as you please; and also to inform me of the number of men required, and of the kind and quantity of provisions to be taken with us. As I am the originator of this project, of course I intend to be one of the volunteers.

“With my best wishes for your continued health and usefulness to our beloved country, I remain,

“Your friend and servant,

“JAMES A. HAMILTON.

“To Lieutenant-General Scott, Washington.”

On the 2d January, 1861, I received in reply the following letter, dated Washington, January 1st, 1861:

“WASHINGTON, January 1, 1861.

“SIR: Lieutenant-General Scott desires me to acknowledge your letter of the 29th ult., and to inform you that he has read it to the President of the United States. Both appreciated the patriotic spirit; but they coincided in the opinion that the immediate military needs of the country require no appeal to militia or volunteers in aid of the regular force.

“I am, respectfully, your obedient servant,

“GEO. W. LAY, Lieut.-Col., A. D. C.

“JAMES A. HAMILTON, Esq.”

I was deeply disappointed in being thus deprived of an opportunity, in a noteworthy manner of rendering an essential service to my country; and of connecting my name creditably with this the greatest chapter in the history of our country.

With such an accession of force I believed Major Anderson would not have permitted the fort to be beleaguered by his enemy, as it was; and that he would thus have commanded the port and city of Charleston.

General Scott, some time afterward, in conversation with me on this subject expressed his deep regret that the President (Buchanan) should have inhibited the enterprise; because he believed if the Secessionists had been defeated in their attack upon Sumter, the rebellion would not have been carried further.

ENGLISH SYMPATHY WITH SOUTHERN REBELLION EXPLAINED.

ALEXIS DE TOCQUEVILLE'S OPINION OF THE ENGLISH MIND.

The opinions of this most impartial and acute observer of men and governments have at all times commanded attention and respect in this country and Great Britain.

In a letter to Mme. Grote, written in 1857, speaking of the nature of the English mind, he says: "It consists in a downright perception somewhat narrow, but distinct, which enables you to see thoroughly what you have in hand, but not to see several things at once. This is probably the cause of a pertinacity of the English mind in politics, which has always surprised me. In the eyes of the English, that cause which is most useful to England is all the cause of justice; the men or the governments which serve the interests of England have all sorts of good qualities; he who hurts these interests, all sorts of defects, so that it would seem that the criterion of what is right, or noble, or just, is to be found in the degree of favor or opposition to English interests."

How manifestly just and true is this appreciation of the English mind, as proved by the sympathy of the government or the people with the assumed Southern Confederacy.

English interests, promoted by cotton and free trade, have made it "right, and just, and noble" to rise in rebellion without cause against a most beneficent Government, to erect a government founded on human bondage. English interests have made it right, noble, and just to wish to sustain a government which forbade to one half of its people education and the rights of property; forbade by its laws the marriage rites; refused to one half of its people the right to be witnesses against their oppressors, thus sheltering from punishment crimes at which humanity shudders; all these things are made the criterion of what is "right, and noble, and just," if they are supposed to be in favor of English interests; and therefore in this great contest which the North has undertaken, to sustain human rights and the liberty of mankind, Great Britain's interests are with the former.

All De Tocqueville's sympathies were in favor of the English people; he has enjoyed the friendship and hospitality in no measured degree of the Lansdowne and Holland houses for many years of his life; he has enjoyed the society and confidence of the best people in London; his constant companion, counselor, and friend, who became his wife, was an Englishwoman, worthy in all respects of the affection of this wise and good man and this unimpeachable witness. God save the bulwark of the Christian Religion.

This paper was prepared in 1860, and sent to President Buchanan:

SECESSION: ITS TREATMENT.

No intelligent man who has taken trouble to inform himself, but must be convinced that a State of this Union has no right to withdraw from the United

States—a union formed in 1776, proclaimed as a union of the Thirteen States, and which declaration made in 1776 formed a nation and one of the family of nations, which was made perpetual by the articles of confederation, ratified by all the States in March, 1781, and made by the Constitution, ordained and declared by the people of the United States, in order among other benefits “to form a more perfect union;” and in framing that Constitution, it was declared by the Convention that the people of the several States had yielded a part of their rights in order to “consolidate the union,” and which the States solemnly pledged each to the other to preserve forever, in and by the articles of the Confederation. It was declared by the members of Congress representing the different States, as follows: “It hath pleased the great Governor of the world to incline the hearts of the legislatures we respectively represent in Congress to approve of and authorize us to ratify the said articles of Confederation and perpetual union.” “Know ye, that we the undersigned delegates, &c., * * * in the name and on behalf of our respective constituents, fully and entirely ratify and confirm each and every of the said articles of Confederation and perpetual union, and we do further solemnly plight and engage the faith of our respective constituents, * * * that the union shall be perpetual.”

It is not possible to find language more conclusive than that which is used in all these instruments to bind the States and the people of the United States more solemnly and more indissolubly. On the other hand, where can be found any article of these instruments, or any fact or circumstance connected with their formation, which can be tortured into an admission of the right of a State, or the people thereof, to secede?

It is said that the States are independent sovereignties, and that the right of secession is a sovereign right, to be exercised at any moment, and under any circumstances at the will of each State, and, of course, as all sovereign rights are perfect, this, if a right at all, must exist and may be exercised independently of the will and power of the Government of the United States, or of the other States.

In examining this assumed sovereign right, it becomes necessary to ascertain what part of their sovereignty the States have surrendered, and what part they have retained; and consequently how far they can be considered independent sovereignties. The people of the States, when they declared that “In order to form a more perfect union for ourselves and our posterity, do ordain and establish this Constitution of the United States of America,” they surrendered the following rights of sovereignty: to make war or peace; to enter into any treaty, alliance, or confederation; to grant letters of marque or reprisal; to coin money, emit bills of credit; to make any thing but gold and silver coin a tender in payment of debts; to pass any bill of attainder, *ex post facto law*, or law impairing the obligation of contracts; to grant any title of nobility; to lay any duty on imports or exports; to lay any duty of tonnage “keep troops or ships of war in time of peace;” to enter into any

agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded; to regulate commerce with foreign nations, among the several states or with the Indian tribes; to fix the standard of weights and measures; to promote the progress of useful arts by securing exclusive rights to authors and inventors; to establish uniform laws on the subject of bankruptcies and naturalization; to define and punish piracies and felonies committed on the high seas, and offences against the laws of nations; to provide for organizing, arming, and disciplining the militia; the power to decide whether any and what states shall associate with them, and brought into the union with them.

They surrendered their right to make a constitution, or to pass laws according to their own will and pleasure when they ordained that "the *constitution, laws, and treaties made by the United States* should be the supreme law of the land; and that the Judges in every state shall be bound thereby, any thing in the laws or constitution of any State to the contrary notwithstanding; and when they further ordained that the officers of the State legislatures, executive and judicial, shall be bound by oath to support this Constitution." They declared that the allegiance of every citizen of any State was first due to the United States. After having surrendered these various minute and most important attributes of sovereignty, how can it without a gross perversion of language be said that the states are independent sovereignties; on the contrary, it may truly be said that they are most dependent communities; at the same time it is true that they retained those attributes of sovereignty, and those alone which authorized the establishment of the rights and regulations of property within their limits, and the punishment of crimes committed within their jurisdiction.

After a careful examination of the Constitution of the United States, and the sovereign rights of States, we are compelled to declare, that after surrendering specifically the sovereign powers above enumerated, it is absurd to speak of the States of this union as sovereign.

As to the treatment of secession, the Constitution, Article 2, Section 3, says the President "shall take care that the laws be faithfully executed," and by Section 2d: He shall take the following oath or affirmation, "I do solemnly swear or affirm that I will, faithfully execute the office of President of the United States; and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States."

When South Carolina secedes, which she will do about the 17th or 18th December, 1860, it will become the duty of the President to take care that the laws be faithfully executed, and thus to execute the office of President, and to protect and defend the Constitution of the United States, that is of all the States, and in all the States, which by its adoption became the United States; and to execute all the powers of the government upon the people of such seceding States.

PORTS OF ENTRY—TREATMENT OF SOUTH CAROLINA.

SUGGESTED TO THE HON. JOHN COCHRANE, M. C., IN DECEMBER, 1860.

It is the right and the duty of every nation to regulate by law its commercial intercourse with other nations. By the Constitution of the United States, "The Congress shall have power to regulate commerce with foreign nations, and among the several States and with the Indian tribes." Under this power the whole coast of the United States was divided into "Collection Districts" by the Act of March 2d, 1799. This act is the foundation of "the revenue system of the United States."

The 18th Section, clause 2d, declares, "None but vessels of the United States shall be permitted to unlade in any other than the ports following, to wit" beginning with "Portsmouth in the State of New Hampshire," it extends to "St. Mary's in the State of Georgia,"—"or to make entry in any other district than in the one in which they shall be admitted to unlade."

By Section 18th, clause 1st of the same act, it is declared that "No vessel which shall arrive from any foreign port or place within the United States, or the cargo on board of such vessel, shall be entered elsewhere than at one of the ports of entry established; nor shall such cargo or any portion thereof be unladen elsewhere than at one of the ports of delivery. Every port of entry shall also be a port of delivery."

By Section 92 of the same act it is declared as follows: "Except into the districts on the northern, northwestern, and western boundaries of the United States, adjoining to the dominion of Great Britain in Upper and Lower Canada, and in the districts on the rivers Ohio and Mississippi," "No goods of foreign growth or manufacture, subject to the payment of duties, shall be brought into the United States from any foreign port or place in any other manner than by sea, nor in any other ship or vessel of less than thirty tons burden," * * * "Nor shall be landed or unladen at any other port than is directed by law, under a penalty of seizure and forfeiture of all such vessels and of the goods imported therein, landed or unladen in any other manner."

By the 70th Section of the same act it is declared, "The several officers of the Customs shall make seizures of, and secure any vessel or goods which shall be liable to seizure by virtue of any act of the United States respecting the revenue, as well without as within their respective districts."

By section 99th it is declared that "the officers of the Revenue Cutters" shall respectively be deemed officers of the Customs "with power to board all vessels which shall arrive in the United States or within four leagues of the coast thereof, if bound for the United States, and search and examine the same." The seizures thus authorized to be made are founded on the assumption that a vessel bound for a port or place which is not a "port of entry" is a smuggler.

It is the practice of nations to give to each other notice of the ports or places in their respective dominions which are ports of entry, and the *comité* of nations forbids any collector or other officer of the Customs of any govern-

ment to give a clearance to a vessel of his country to any port or place other than such as is by law made a port of entry of another country; should the Congress of the United States repeal or suspend so much of the act of March 2d, 1799, or of any other act, as declares a port or place in any one of the states in actual rebellion a port of entry, and give notice of such repeal or suspension, no collector of any other government would give a clearance for any port or place which had ceased to be a port of entry; and if any vessel should be found with or without a clearance bound for such port or place, she would be liable to seizure and forfeiture.

The effect of this would be, that the collectors of every foreign government would be instructed by their respective governments to refuse clearances to vessels intending to sail for a port or place in any of those States which had ceased to be ports of entry; and thus all foreign trade with the States in the Slave Confederacy would be cut off more effectually than by a blockade, inasmuch as that no vessel of any country is allowed to sail from any port in the world without a clearance.

Adopting such a course, we should be required only to have a sufficient force to cruise off such harbors in order to seize any vessel bound for the ports of the Slave States, and to prevent the egress of privateers which might be fitted out in the ports of those states. By the same act all vessels of the United States should be prohibited from going to such ports under pain of forfeiture of such vessel and her cargo, and of the penalty of treason by the owners and crew of every vessel which should sail for such port and thus "give aid and comfort to the enemy."

Under this state of things, Great Britain and France would be compelled to take their ground, either by instructing collectors to give clearances to Southern ports, and thus directly to recognize the Slave Confederacy; or by instructing them to refuse clearances, and thus to declare that they considered these States as within the jurisdiction and subject to the laws of the United States. This would blast the last hopes of the traitors.

Should the ports of entry in South Carolina be thus closed, the trade of that State by sea would be immediately broken up; and her citizens would be compelled to transport their exports to the ports of entry of another state, thus giving to such State advantages of a superior character. This course would be more effectual than a blockade, and would avoid the evils of treating the rebellious States in this respect as public enemies.

CHAPTER XIII.

THE REBELLION, CONTINUED.

An appeal to arms inevitable—Letters to President Lincoln, Secretary Chase, &c.—Letter from George Sumner—Offer of services—Visit to Washington—Interview with President Lincoln—Plan of operations suggested—Proposal to free the Negroes—Return to New York—Meeting with financiers—Results reported—Democratic Association of the Friends of Freedom—Suggestions to Mr. Chase—Letters to Secs. Cameron and Wells—Letter from Washington Hunt—Dr. Lieber—Kentucky.

As long as there was a hope of avoiding an appeal to arms, I was earnest in my endeavors by compromise to avoid that dire necessity, and at the same time to preserve the Union and the Constitution.

I remembered that those who were the leading men in the formation of the latter yielded much in regard to slavery in order to preserve the union of the States; the rendition of slaves, the three-fifths representation, and the permission for twenty years to carry on the Slave trade, were all sacrifices made to that great end—the union of States.

The following letters were written under that influence.

Under the conviction that the Southern States would make a well-prepared and desperate effort to secede, and thus to establish "that great Southern Empire," I addressed one or two letters to Mr. Lincoln as soon as it was ascertained he was elected, to induce him to believe that there was to be a desperate war, and that if the Democratic party of the North should sustain the Government, the issue could not be doubtful. To that end, I urged him, in forming his Cabinet, to take at least two of its members from that party. His path was full of difficulties, and among others this most fatal one—Seward and General Scott believed it would be best to "let the wayward sisters go." Scott's letter presenting that alternative delivered to him on his arrival in Washington, and written after consultation with Seward, was intended, by magnifying the difficulties of successful coercion, to induce him to come to the conclusion which Seward had already arrived at, under the absurd assumption that if the traitors were allowed to go unharmed, they would return in "sixty or ninety days." Indeed, it is now (as I am told) well known that the President was, immediately after his inauguration, so earnestly pressed to take that course, by gentlemen who

were entitled to his confidence, that Mr. Blair, senior, felt it was his duty to go to him and tell him, if he took that course he "would commit perjury and be a traitor to his country."

JAMES A. HAMILTON TO HON. A. LINCOLN.

"January 9, 1861.

"As I am sure you will not attribute this letter to any other than a patriotic motive, I make no apology for addressing it to you.

"I am a Republican from conviction, and as you have been informed by a previous letter, I have no personal object in view. I love the Union and the Constitution, as I do the memory of my father (Alexander Hamilton,) one of the chief architects of the last.

"The object of deepest interest now is, to hold fast the Border States, and first of all of these is the State of Maryland (see Gov. Hicks's address to his people, where the great battle of secession is now being fought). I feel bound to urge you to raise your potential voice to aid in making a settlement with her, and the work will be done.

"Mr. Rice of the Senate (a Democrat) proposed in the Committee of thirteen of the Senate the resolution I annex, which was accepted by Mr. Seward and the representatives of that Committee. If Kansas was excepted from its action, it then appears no principle is required to be yielded by its adoption, but a mere question of expediency.

"In view of the great interest at stake, I must frankly say that our friend, Mr. Seward, committed in this a grievous mistake. It was certainly unstatesmanlike to risk the settlement of a vital dispute by insisting upon that which was a mere matter of expediency: how unimportant it is whether Kansas should be admitted a few months sooner or later. Indeed, it is hardly possible that a law admitting her as a State will be passed at the present Session. The adoption of this project, she having all the conditions required for admission, would probably bring her in at an earlier period than otherwise.

"If you take this view of the subject, and would write a letter to some friend in Congress, expressing your approval of Rice's resolution, it would settle the whole question immediately.

"A correspondent in Maryland of the first rank leads me to speak confidently on this subject.

"The accord of the Northern and Western Governors of States in relation to the Personal Liberty Bill; the certain action of the Committee of the House in relation to slavery in the States, and to the Fugitive Slave Law; Adams' resolution to make New Mexico a State, would most certainly, with your approval of the Rice proposition, pure and simple give absolute security as to the Border States.

"Allow me to say further that, under existing circumstances, involving so much that is dear to us all, it does not become our party, or its successful and illustrious Chief, even to seem to stand aloof. To be indifferent is impossible.

"As to Carolina and the other States in rebellion, there is no other course after all measures of isolation and repression are exhausted, than to appeal to the *ultima ratio regum*.

"The secession of Louisiana inevitably involves a conflict. The Western States never will and never ought to permit the mouth of the Mississippi River to be in the hands of a foreign power.

"I have the honor to be, with great respect, your obedient servant."

JAMES A. HAMILTON TO THE HON. EDWARD HAMMOND.

"HOWARD COUNTY, MARYLAND, January 16, 1861.

"SIR: I take the liberty to address this letter to you as a representative man, who can exert a salutary influence upon your fellow-citizens, by correcting the erroneous opinions they now entertain in consequence of the (wilful) misrepresentations by their opponents in the late canvass of the opinions and purposes of the Republican party, and its candidate for the Presidency in regard to slavery."

"As a member of that party, I speak with entire confidence when I say that a vast proportion of that party were, like myself, induced to exert themselves in the recent contest in order to break down the Democratic party, and thus change the administration under a well-founded belief that it was thoroughly corrupt. The memorial inclosed prepared by myself (not now intended for publication), will give you the evidence in part upon which that belief was founded. It is taken from the investigations made by the House of Representatives.

"The course of Mr. Buchanan in regard to Kansas, prompted by his democratic advisers, and sustained by that party of the South, governed by that lust of power which instigated the repeal of the Missouri Compromise, necessarily brought the question as to the power of Congress to prohibit slavery in the territories prominently into the discussion.

"The question as to slavery in the ill-fated territories having been settled by the people thereof two years before, there really was no practical question on that subject before the people. That is to say, there was no territory in relation to which, in establishing a government, the question of slavery could come before Congress. A territorial government had been established in New Mexico without any prohibition of slavery which settles that question as to the country south of the compromise line 36° 30', and as to the territories north of that line, the contest on that subject in Kansas rendered a prohibition by Congress unnecessary.

"Your fellow-citizens, as well as those in all Southern States have been told, and they believe that the Republican party intend to exclude you and your party from the territories. This cannot be said with propriety, the Republican party have not the power to do so; they insist that under the Constitution, Congress has the power when a law is passed establishing a territorial government, to inhibit slavery. That power having been exercised under the administration of Washington, Jefferson, Madison, and Monroe, in 1820, when the question was fairly and squarely submitted to his Cabinet, Calhoun, Crawford, and Wirt, all Southern men and slaveholders, including the President, gave their opinions in writing admitting the power. It is believed that a sanction so eminent and so well established had settled the question.

"But let it be remembered, in order to exercise the power to exclude, there must be a majority in the Senate and House of Representatives, which should entertain the same opinion, and with the President should consider its exercise expedient; this is all the Republican party have said on this subject; no more.

“No such law could be passed by this Congress or the next, or during Lincoln’s administration; and by that time it is quite certain that governments for all existing Territories will be established without that prohibition; consequently, this question is of no practical importance. We further insist that, while persons are held to service or labor in a large number of the States by the laws thereof, they cannot be held as such beyond the jurisdiction of these States. If the Supreme Court of the United States has decided differently, we submit to such decision whenever we are called to act, or to suffer under it; but we still retain our opinion and the right, by argument and other lawful means, to change such decision if one has been made which is denied.

“Again, as to slavery in the States where it is established or recognized by law, your fellow-citizens have been taught to believe that the Republican party and Mr. Lincoln, the President elect, intend to abolish slavery. This is a misrepresentation made by men at the North in order to elect the candidate of their party, and by men of the South for that purpose, and to excite their people to madness, in order that in the event of the election of the Republican candidate, they might under that excitement plunge them into rebellion.

“Be assured that there is no such purpose, and if there were, there is no power to effect it, and further, that whenever Mr. Lincoln shall address his fellow-citizens, he will repeat in the most emphatic manner what he has said before, that he will most scrupulously guard all the rights of the people of all the States.

“For myself, I have no hesitation to repeat after much reflection what I said in a letter published four years ago: that to free the slaves now in the United States, would be productive of greater crime and greater misery to both races than can be imagined; humanity would shudder at the consequence of such an act.

“I would willingly, and I believe an overwhelming majority of the Republican party would, adopt the propositions for a settlement published in the *National Intelligencer* of the 12th inst., to wit: By amendments to the Constitution.

“When I express the conviction that a vast majority of the Republican party would adopt these propositions, it is proper to say that, in various ways, leading men of that party have approved of these propositions; as to the last, Mr. Seward and the Republicans of the Committee of Thirteen of the Senate declared that they would accept the last proposition as to the Territories if Kansas was excepted from it, thus showing that no principle of the party was abandoned, and that the exception was a mere question of expediency. If it were becoming in one as humble as I am to question the course of the Republican members of that committee, I would say that it appears to me not to be the course of wise statesmen to reject a proposition for the settlement of this vital conflict, as that which is the only point of real difficulty, for a matter of mere expediency—the point of time as to the admission of Kansas—and particularly when, as she has both the conditions for admission required by the proposition, she would probably be admitted at as early a period, if not excepted as she will now.

“When we look at the questions between the different sections, and the facility of their solution when taken up in a patriotic spirit; it is hardly to be conceived that a people as practical and as well-balanced as we are, should be guilty of jeopardizing the admitted advantages of our Union, under that constitution which may be said to be ‘the happiest device of human ingenuity’ to secure the welfare of a great nation, or, on the other hand, to incur the miseries which will eventually attend its disruption.

"I trust that we are incapable of such madness and such wickedness. If this question of slavery is to produce such results, it may be reverently and truly said, this is another evidence that 'Heaven works its purposes through human folly.'

"As to the Border States, and particularly the people of the State of Maryland, I cannot believe that they will be dragged by the Gulf States into such vast and calamitous complications as would result from disunion, and, above all, when the real or imaginary wrongs may be righted more regularly and satisfactorily within than without the Union. As to the seceders, let them be given over to their idols—free trade and the slave trade—whenever any scheme can be devised under which they can be independent. In the mean time, as I go for conciliation before coercion, I would try the experiment of repealing all the laws which affect these people, particularly the laws regulating commerce, and establishing the postal service; and thus let them enjoy the advantages of a supposed independence, and be exposed to the evils of total isolation; let them carry their own mails; and their harbors, no longer being ports of entry and delivery, would be closed without being blockaded; let them send their products to market, as they would be compelled to do or starve, by the Ohio Railroad to Baltimore.

"The expense of this circuitous transportation would fall upon the producers, and the trade, external and internal, of those ports to which the products should be sent, and from which they would draw their supplies, would be vastly increased.

"I hope you will excuse this very long letter, as the subject compelled; and allow me to tender to you my best wishes for your health and happiness.

"Your Fellow-Citizen."

[The above letter was written at the request of a Southern gentleman residing in New York.—J. A. H.]

JAMES A. HAMILTON TO HON. ABRAHAM LINCOLN.

WASHINGTON, D. C. February 27, 1861.

"SIR: I again have the honor to present to your consideration an important suggestion upon which the more I reflect, the more confirmed I am of its wisdom.

"Assuming that you are still uncommitted as to the Treasury Department, I submit to you whether it would not be a dictate of wisdom and good policy to offer that place to the previous incumbent, Mr. Dix. I am aware of the objections which will be made to this course, but I am sure they are not insuperable; in most of the affairs of life and particularly in those of public concern, in your own words, 'this is a world of compensations;' we must balance difficulties, and hazard something to arrive at the greatest good. It will be said two departments are filled by New York, be it so; Mr. Seward is indispensable, his wisdom and virtue, public and private, will command the confidence of men of all parties, Mr. Dix represents the best, because the most conservative, portion of the Democratic party. New York, the great centre of the wealth and commerce of the whole Republic, may be considered rather as representing the whole of these great interests throughout the country than those of New York alone, and therefore the selection for that department which especially deals with these great interests, may be independent of the general rule.

"It will be objected that you take a man who is not of the Republican party as one of your cabinet.

“Frequent reference is made to the platforms of the Republican party in 1856. One of the great purposes proclaimed was that of restoring the action of the Federal Government to the principles of Washington and Jefferson; taking this as your guide, the actions and principles of both these men forbade removals to promote and subserve party ends. You will, therefore, be sustained in the course I suggest by one of the great principles upon which our party was founded.

“As to the expediency of this course, the future of events will disclose a necessity for such strong measures of the Executive, as to be successful must be sustained by the head of the nation. The Republican party is already divided between those who are for disunion because they are abolitionists, and those who are in favor of sustaining the Government by conciliation from, and by the exertion of, a mighty and overwhelming energy, when imperatively necessary, as it certainly will be should Louisiana continue in rebellion. The great father of waters will demand in imperative tones, uttered in behalf of the millions who inhabit its borders and those of its tributaries, that no foreign power shall hold its mouths. Here is an inevitable contest.

“Nothing could be done which would bring to us so large a portion of the Democratic party of the nation as such an appointment would; it would be received as the herald of a policy, which by calling all Union men ‘without regard to past political differences and divisions,’ into one association, would be entitled equally to public favor.

“I have the honor to be, with great respect,

“Your obedient servant.”

JAMES A. HAMILTON TO THE PRESIDENT OF THE UNITED STATES.

“DOBBS FERRY, N. Y., March 6, 1861.

“SIR: I have taken the liberty, on two or three former occasions, to express my views to you, as I intend to do now, with candor and frankness, without any other view than to promote the success of your administration, so happily commenced by your admirable inaugural. Nothing could be better; I pray God to give you power to defend and preserve our Union and glorious Constitution.

“I was District Attorney of the United States from 1829 to 1834. I called President Jackson’s attention to Swartwout’s embezzlements at their commencement. I resisted his, Price’s, and Hoyt’s appointments to office because they were bankrupts, and all experience proves that it is a grave mistake to appoint any one to an office connected in any way with revenue, who is indebted. Poverty is not an objection; but a man’s indebtedness is, because he cannot be said to be a free man. It is always to be feared that he will not have power to resist the threats or importunities of creditors.

“There are persons in this condition who are to be applicants for the principal places in the New York Custom House, toward whom I have any other than unfriendly feelings.

“I make one other suggestion; in the existing disastrous condition of the country, and the discords in our party, would it not be wise and politic to select some distinguished man of the Democratic party, and tender to him an appointment? I am satisfied that such a course toward General Dix or Mr. Holt would reach the hearts of the people, and give great strength to your administration.

“Exceptional circumstances of great public interest justify, nay, demand bold and extraordinary measures.

“I have the honor to be, with great respect,
“Your obedient servant.”

JAMES A. HAMILTON TO SALMON P. CHASE, Secretary of the Treasury,
Washington, D. C.

“NEVIS, DOBBS FERRY, March 18, 1861.

“SIR: Having been District Attorney of the United States for the Southern District of New York for five years, I acquired some knowledge of the Collection Laws and the details of proceeding under them. I therefore speak with confidence when I say it is hardly possible, consistent with laws, to collect duties on water, and particularly on board a vessel in an open roadstead or bay.

“Every vessel with dutiable goods on board, as soon as she comes within the jurisdiction of the United States, and the bounds of a port of entry, is held (judicially) to be in the actual possession of the Collector of such port, and so to continue until the duties are paid, and she is discharged. To secure the faithful ascertainment and payment of such duties, and to prevent smuggling, an inspector is to go on board such vessels as soon as she enters the bounds of such port, there to remain until the cargo is discharged. It is the duty of the master of the vessel to deliver a manifest of his cargo; a copy is afterward sent to and delivered at the Custom House; the goods on board must correspond with this manifest, and (either more or less under penalties) the master is forbidden to open hatches, or to take out cargo except under a permit and in the presence of an inspector. When the importer goes to the Collector (which he is not required to do within a certain number of days) to make entry, if the goods are subject to an *ad valorem* duty, one or more out of every twenty packages, as indicated by the Collector or his Deputy, must be sent to the appraiser's office to be examined and appraised; here is a great difficulty, to get at the goods the ship must ‘break bulk.’ The goods must be taken out and put into a store to be examined, appraised, weighed, or gauged; this requires much time and more space than could be commanded afloat. Every consignee has the right to elect to send his goods to the public store, there to remain for a month or a year, before he can be required to pay the duties; this cannot be done afloat, or in the harbors of the rebellious States.

“If the vessel, the whole or any part of the cargo, should be liable to seizure on account of any attempt to defraud the Government, a seizure must be made under a warrant (to be issued on the affidavit of the Collector) by the marshal who is to keep the vessel or goods in a secure place; and such legal proceedings must be taken within the judicial district where the seizure is made.

“I could point out other difficulties were it necessary, to show that duties cannot be so collected. Again, although Congress may, under peculiar circumstances, alter the Collection laws to meet an emergency, they cannot, under clause 5, article 1, section 9, require cash duties to be paid in one port, and not in all. ‘No preference shall be given by a regulation of commerce or revenue to ports of one State over those of another.’

“The only remedy under existing difficulties is to suspend or repeal such parts of the Collection Law of March, 1799, as make the ports of the States in rebellion

ports of entry and delivery, the whole law referring to such ports must not be repealed; by the 92d Section of that law, vessels having dutiable goods on board attempting to enter a port or place which is not a port of entry or delivery, are liable to seizure and forfeiture, and by another section the officers of the revenue service are made Custom-house officers for that purpose. It is essential that the provisions remain intact.

"On the 11th of December last, I requested the Hon. John Cochrane, of the House of Representatives (Chairman of the Committee on Commerce), to introduce a bill to suspend or repeal the law relating to Charleston, Georgetown, and Beaufort, and the other ports of entry as soon as South Carolina should secede, and on the 24th of December I suggested the same to Buchanan as a proceeding which would relieve him conscientiously from his oath to enforce the collection of duties. If this had been promptly done, South Carolina, in a state of *quasi* independence, would be in total isolation, and other States pursuing the same course would have hesitated.

"Allow me to touch upon another subject—appointments to office. Your Deputy Collectors ought to be men of *established integrity*; they have greater opportunities to cheat, and are consequently more exposed to be corrupted than any others; for instance, an invoice of goods, subject to *ad valorem* duty, is presented to the Deputy; he is to designate the packages to be examined as samples of the whole. The importers, and particularly those who are the agents of foreign manufacturers, bring out a certain number of packages which are of the value at which they are entered on their invoices; there is a private understanding and mark which is known to the Deputy, and he indicates such as the packages to be examined; this being done, all are passed, and a large amount of duties lost to the Government. This trick, I know, was successfully practised in New York.

"The same as to weighers and gaugers; integrity is the only security against such practices. Again, no man who is deeply in debt should ever be appointed to a place connected with the public money. I want no office, and would not receive one. Although advanced in years, I am anxious to promote the success of this Republican administration and the public interests. What there is left of me at 73, is at your service.

"I have the honor to be, with respect, your obedient servant."

GEORGE SUMNER, ESQ., TO JAMES A. HAMILTON.

"March 26, 1861.

"MY DEAR SIR: I have a letter from the Secretary of the Treasury, Mr. Chase, in which he asks an outline of the plan submitted to Mr. Cochrane. I had told him of your work in December, and that you induced John Cochrane to bring in the bill authorizing the President to close ports; and had drawn his attention to this in a measure which, if passed in due time, would have spared this Administration the sad position it now appears to be in: left naked to its enemies.

"Now will you write to Mr. Chase (S. P. Chase) and give him your plan, and also any further suggestions upon its operation which time may have developed. I have told Mr. Chase that I would ask you to write to him.

"What I fear is, that the long delay may lead to some action in Europe, which will establish a disastrous precedent against us. The "Tariff Bill" was unfortunate;

but this may be counterbalanced by the tarring and feathering of the British Captain Vaughan at Savannah, the result of which in England we have yet to hear.

“Ever, my dear Sir, with much respect, faithfully yours.”

JAMES A. HAMILTON TO THE HON. SALMON P. CHASE, Secretary of the Treasury.

“NEVIS, Dobbs Ferry P. O., March 27, 1861.

“SIR: I have the honor to address this letter at the request of my friend, Mr. George Sumner.

“The plan to which I called the attention of the Hon. John Cochrane, Chairman of the Committee on Commerce of the House of Representatives, on the 11th December last, looking to the probability that South Carolina would adopt an ordinance of secession, was this:

“To repeal or suspend the 18th Section of the Collection Laws of 1799, which made the ports of Charleston, Beaufort, and Georgetown ports of entry and delivery, the effect of which would be to cut off all commerce with these places in vessels having dutiable goods on board, that is to say, all foreign vessels. Another section of that law subjects all vessels having dutiable goods entering, or attempting to enter such ports or places, to seizure and forfeiture by the officers of the customs, and another section makes the officer of the revenue cutter officer of the customs for that purpose.

“Mr. Cochrane (as did other members) introduced a bill for that purpose, which, as I was informed, would have been passed by the House without any difficulty, but for Mr. Seward's opposition to it. Such a course could not be considered by States which have seceded as hostile or coercive, because it would be in the interest of peace, and could be recommended particularly as a measure which would relieve the President from the necessity, under his oath, of attempting to collect the duties, which would almost necessarily induce collision, and also inasmuch as such ports are by the Acts of the seceding States no longer ports of entry of the United States, it would be doing no more than they have attempted to do. It would, in effect, leave the traitors in a condition of *quasi* independence and total isolation.

“Should this be done, I would advise that the President, by proclamation or instruction to Ministers, give notice to all the world that such ports are no longer ports of entry; the consequence of which would be, under the comity of nations, that no clearance would be given at any foreign port for such ports or places. A vessel with dutiable goods on board going to a place not within a Collection District, is deemed a smuggler, and by the law referred to, no nation will give assistance to smugglers. Again, I believe the law of nations authorizes the seizure of any vessel found on the high seas which has left a port or place without the passport of an officer of the customs of a recognized government. There could be no such officer in a port or place which was not a port of entry, or within a Collection District as established by law.

“In a former letter I had the honor to address you, I pointed out the insurmountable difficulty of collecting duties on the water even if a custom-house or collection-office should, by Act of Congress, be authorized to be held on board of a vessel.

“This and the danger of collision would furnish good grounds for urging upon

Congress the propriety of authorizing the President by proclamation to declare that the ports in the States of Louisiana, South Carolina, Alabama, Mississippi, Texas, and Georgia are no longer ports of entry and delivery."

JAMES A. HAMILTON TO LIEUTENANT-GENERAL WINFIELD SCOTT.

"NEW YORK, April 16, 1861.

"DEAR GENERAL: I am gratified beyond measure to inform you that there is a degree of loyalty in this community which is equal to any thing. I have passed some days here, and have taken pains to ascertain the truth. The energy of the President has touched the heart of the nation. All party distinctions appear to be swallowed up in devotion to the Union and our country.

"Permit me to ask if a hale man, of seventy-three years of age, can be useful in any way, that you will command my services?

"To cut off the remnant of an inglorious life by a glorious death in the service of our country to which my ancestors of two generations devoted their best services, ought not be considered as an event to be avoided.

"I have the honor to be, with great respect, your friend and servant, &c."

In April I was informed by note, that I had been appointed a member of a committee to go to Washington to see and advise with the President as to the course to be pursued to suppress the rebellion. At that time I was engaged in aiding General Wool and others, and particularly Mr. Wadsworth, in providing supplies of all kinds to be sent to Washington. It being considered important that the dispatches from General Wool should be conveyed to the Secretary of War—the regular postal intercourse having been interrupted by the way of Baltimore—I left New York without delay, and made my way by Annapolis to Washington. On the evening of my arrival, I called upon the President; presented myself to him, stating in what capacity I came; was introduced by him to Secretary Chase, whom I then saw for the first time. I told the President that my business was to know from him whether he "intended to *give* as well as *receive* blows, in order that my fellow-citizens of New York might understand what their duty was, and be prepared to perform it." He said, "I intend to *give* blows. The only question at present is, whether I should first retake Fort Sumter or Harper's Ferry." I said I was glad to hear that he had determined to coerce the rebels into obedience; and to that end, with his permission, I would read a plan of military operations I had prepared. He assented, and I read the following:

'NO TRUCE, NO COMPROMISE—ONE OR THE OTHER: SLAVERY MUST CONQUER FREEDOM, OR FREEDOM MUST CONQUER SLAVERY.

"A PLAN OF MILITARY OPERATIONS. A SHORT WAR IS THE MOST HUMANE AND LEAST EXPENSIVE IN BLOOD AND TREASURE.

"*First.*—An immediate and effectual blockade of all ports South of the Delaware, if Maryland secedes, or if by an attitude of neutrality she disobeys the laws, which is nullification:

"*First.*—In a military point of view this measure is called for. By destroying commerce, the pecuniary resources of the enemy are cut off.

"*Second.*—The flying squadron of steamers and others vessels which Commodore Breeze is fitting out with great expedition at Brooklyn must be ordered to invade every assailable point on the Southern coast. By rapid and threatening movements from place to place, the whole people will be kept under arms and in alarm. First, Jefferson Davis began the war by calling for privateers to attack private property. The slaves are property by the laws of the Southern States. This example prompts us to exercise the right of attacking the private property of the enemy of every kind, whenever it can be reached. Second, In order to create immediately the utmost alarm, it would be judicious on the very first opportunity to enlist some of the slaves (they are held by us to be men—we have the same right to enlist men in the South that the rebels have to do so in the North), and to 'give them their freedom with their swords.' These recruits, carried along with the squadron, could be made useful by being thrown into the plantations with the soldiers.

"*Third.*—This movement would diminish the army of the rebels by requiring one half of their men to remain at home to keep the negroes in subjection, or,

"*Fourth.*—By driving the negroes from their work, it would cut off their crops, and thus impoverish and distress the whole Southern Atlantic region.

"*Fifth.*—It is probable that the negroes would be removed from the coast to the interior. This would require large means, and thus diminish contributions to the public chest.

"*Sixth.*—Attack Charleston with a force of 10,000 men to be landed on the coast. There are deep estuaries north and south of the city. The flying squadron being heavily armed and of light draft could be usefully employed in the landing of troops under cover of their guns. First, Thus punishment would be carried into the hotbed of treason and to the hearths of the authors of all this mischief. Second, It would call all the chivalry from the central army, and Fort Sumter, by starvation, would fall into our hands. Third, This measure should be deferred until the winter.

"*Seventh.*—Virginia to be made the battle ground. First, An army of 10,000 to enter (as a friend) Western Virginia, to protect and encourage the Union sentiment there, and then to recruit a sufficient force to march to Richmond. Second, An army of 10,000 men to be landed on the eastern shore, say at Norfolk or some other convenient point, to march up on the north side of the James River (a level country) to Richmond. Third, An army of sufficient force to be concentrated at, and to march from Washington to Richmond. These several bodies converging upon the capital of the State would drive out Letcher and the other rebels, and put the government into the hands of the loyal men and people—the Capital to be held until, by the votes of the people, new officers are chosen.

"*Eighth.*—New Orleans to be taken. The States of Louisiana and Mississippi to be attacked along their river borders. First, To do this, flat boats, rough, heavy, and of great strength should be built immediately on the upper Mississippi to carry heavy guns. A fleet of thirty to be manned by sailors and artillerists. These boats would be moved by steam-vessels on which soldiers could be carried and landed at any point down stream, particularly at New Orleans. Second, A considerable force would be required which, it is believed, could be raised in Kentucky and Tennessee, but certainly in the free Western States. Third, The gunboats would destroy all batteries which might be erected to oppose the passage of the army, and if neces-

sary, a sufficient force could be landed to attack such forts in the rear. Fourth, Whenever practicable, by destroying the levees on both sides of the river, the country should be inundated. Fifth, The slaves on both sides of the river should be treated in the manner indicated in the second article. Sixth, By destroying the property of individuals, the contributions to the public chest would be diminished. Seventh, This operation would call the fighting men of Mississippi and Louisiana from the central army to protect their slaves and other property. Eighth, From the imminent danger of servile insurrection it would soon bring the people to their senses; and by raising up the Union men to assert their rights, the leading traitors would be destroyed.

"*Ninth*.—The course proposed in regard to the slaves is justified as a necessity of war which, as Mr. Jefferson says, "is that condition of two parties where both are trying which can do the other most harm." Such an example would compel the Southern braggarts to realize that Slavery is an element of weakness. These measures taken promptly; effectively and unrelentingly carried out, would crush the enemy in one year.

"JAMES A. HAMILTON."

I find the following indorsement: "This paper, prepared by James A. Hamilton, was taken by him to Washington, read to the President, Mr. Chase being present, and a copy delivered to the President in May, 1861. Signed JAMES A. HAMILTON."

When it was read, Mr. Chase said, "Capital! And you intend to free the negroes as you go along?" I replied, "Certainly, and to make them soldiers."

The President, when I was about to take leave, requested me to call upon him the next day at ten o'clock. Mr. Chase proposed to take me to his lodgings in his carriage, I assented. As we went to the door, he said, "Have you any objection to call upon General Scott?" I replied, "On the contrary, I should like to see him."

The General was out of health. He complained of his back. He was complaining of his want of a sufficient force to defend Washington; querulous and fault-finding with his aids. We left him ere long; after we got into the carriage, Mr. Chase said, "Well! what do you think of the General?" I replied, "I think it would be a great blessing to the country if he should die."

When the Secretary left me at Willard's, he said, "When do you go to New York?" I said, "To-morrow, if the trains go." He said, "I wish you would call at my office after you have seen the President." I did so. He then asked me if I would attend on his behalf a meeting of bankers in New York in relation to raising money. I assented, and he engaged to get an order from General Scott to give me a special train for Annapolis, and a letter to General Butler to facilitate my getting by steamer to French Town, opposite to Havre de Grace. This was done, and I was to leave in the evening for New York.

I called upon the President, who received me in the most cordial manner. We talked over the condition of the country with much interest. He was hesitating as to when, how, and where he was to make an attack. I took the

liberty to intimate that he had the power to call out as many of the militia as he chose; but that Congress, at an extra session, would give him all the men and means necessary to put down the rebellion. He said he had read my paper with much interest—it was very comprehensive; and when I was about to take leave, he expressed the hope that I would return to Washington shortly, and whenever I did so, to come and see him.

I met the bank gentlemen in New York, and after much conversation became satisfied that the Secretary could not expect aid from that source. Mr. Belmont was present and took a leading part in the discussion. I afterwards met Mr. S. Hooper, of Boston, who came to New York on the same business. We conferred together, and concluded that the banks could not give the government the extensive means the condition of the country would require. I addressed the following letter to Mr. Chase:

“SIR: I was unable to get here until to-day at noon. The train did not leave Washington until 6½ o'clock, P. M., Saturday, and I did not arrive at Annapolis until the same time on Sunday morning. By telegraph I asked the Committee to meet me to-day at noon. Your letter was read and discussed. I regret to say, after the most earnest efforts, the decision was, that it was not possible to get bids for the balance of the loan, under the act of June 22d, 1860, at par or at any amount above the market price. It was suggested that you should advertise for the loans of June 22d, 1860, and of February 8th, 1861, at once, and thus secure to yourself the advantage of paying out Treasury notes or offering them for bids to the public. This decision was the result of discussion, and was adopted by the gentlemen present with entire unanimity.

“I hope you will continue to use me if I can be useful to you. Your letter to Mr. Hooper, with an addition by me, was put in the post office here on my arrival.

“Yours, &c.”

JAMES A. HAMILTON TO HON. SALMON P. CHASE, Secretary of Treasury.

“May 7, 1861.

“SIR: I have the honor to inform you that I had, by appointment, an interview this morning in New York with Mr. S. Hooper and Col. Lincoln, of Boston. These gentlemen informed me that, on the previous day, they had seen several of the Presidents and Directors of the New York Banks and other persons, and had urged them to take the loan now advertised at par, without any approach to success. They fully confirmed the impression I had before received from the same parties: that it was not possible to obtain bids for that loan or any part of it at par. The statements made by the Presidents to me when I urged them to take the loan at par, was this: ‘We cannot take that loan at par. We are willing to unite with others in taking Treasury notes at par. You urge us, by our duty to our country, to violate our duty as trustees of our stockholders to take this stock at par, when we can get a stock of equal value in market at 88 to 90 per cent. To do so, would impair the credit of our institutions, and would destroy our usefulness and deprive us of the ability to serve the Government in future.’

“I deemed it most prudent, after hearing these emphatic declarations, not to

press your views further, because I considered it of great importance that a seeming want of sympathy on the part of the Treasury with these sentiments should not diminish the inclination of those gentlemen to serve the Government.

"Mr. Hooper showed me a letter from General Wilson, expressing the anxiety of the President that your views should be adopted, which only increased our regret that we could not meet his wishes.

"Messrs. Hooper and Lincoln requested me to communicate the conclusion at which they had arrived, and to say that it became a necessity for the Government to submit to the actual condition of the market, and to suggest, as an easy mode of avoiding the appearance of defeat, that it would be well a few days before the time for opening the bids should arrive, to add a postscript to the advertisement, authorizing the bids of persons who would prefer Treasury notes at par, &c., to be made at the same time with offers for the stock. They believe in this way you would get offers for two or three times the amount of the proposed loan; that it would be unnecessary to give any other notice than that the offers for Treasury notes had been made to the amount of several millions, and that such bidders would receive respectively such a portion of their bids as the amount of the proposed loan bore to the amount offered.

"Upon the publication of Mr. Seward's letter to Mr. Dayton, the Government stocks went up to 2 per cent. An invasion of Virginia by attacking Harper's Ferry, commanding a force to be collected on the western boundary of Virginia to advance upon Richmond in that direction, and thus give strength to the Union sentiment of that part of the State, would give such confidence of energy, and thus that the war was to be a short one, as would immediately raise the stock to par.

"I have the honor to be, with respect, your friend, &c."

JAMES A. HAMILTON TO WILLIAM CAULDWELL, Esq., Sec'y, &c.

"DOBBS FERRY, April 21, 1861.

"SIR: I had the pleasure to receive your circular yesterday. I much regret that I cannot be with you in person, although I shall be in spirit.

"Public duty requires me to go to Washington on Monday (22d inst.). I hope you will appoint a Committee of Public Safety to act with and in subordination to the public authorities to prevent all traitorous action.

"The eastern border of our county may be used to fit out privateers; the Committee may be useful in looking after all such crafts as would be adapted to such purposes, and immediately giving information to the Marshal of New York, or in an emergency making a seizure.

"I wish you success in your manly efforts to maintain the Union and to reach all the people, regardless of former party distinction.

"Yours truly."

JAMES A. HAMILTON TO THE HON. SALMON P. CHASE, Sec'y of the Treasury.

"NEW YORK, April 30, 1861.

"DEAR SIR: I addressed a letter to you yesterday after meeting with the Committee of the Chamber of Commerce, which was forwarded by a special messenger, informing you that the Committee had decided unanimously that it would not be

possible to obtain par or any bids much over the market price. They advised immediate advertisement under the Acts of June 22, 1860, and February 8, 1861; also the like course under that of March 2, 1861, in time to avail yourself of Treasury notes on the 1st July next. I afterward conferred with two other gentlemen, Mr. John E. Williams, a President of a Bank, and the other a most influential officer in one of the great Trust Companies. Mr. Williams is esteemed one of the best financiers of the city; both these gentlemen informed me that it would be impossible to obtain par. Mr. Williams suggested that it would be well to advertise under Act of February 8, 1861, for \$3,994,000 to be taken at a price to be named by the Secretary, say at 9 per cent. or less, and to offer to take the Treasury notes redeemable 1st July next at par, in part payment at once. This would be a fair price for the loan, a liberal offer to the holders of the Treasury notes, and prove to the world that the Government was in a condition to anticipate its payments. I present this to you at his request, as he wishes it done. Allow me to suggest that Congress ought, as soon as it meets, to authorize a loan of one hundred millions at an interest of not more than 7 per cent., not redeemable before ten years, and to pledge the proceeds of the public lands to pay the principal, and the proceeds of certain imposts revenue for payment of the interest, say those which are derived from imports from the Mediterranean, or from France or Great Britain. There were, I believe, about thirty laws passed during the early period of the Government, giving such security, and there were such laws passed during the war of 1812, and that with Mexico. There is high authority for believing that it would be wise to make this the rule of the Government in reference to all loans. I have no doubt that with such a scheme I could place the whole loan of \$20,000,000 sterling in London without any difficulty. If I can serve you here, or by going to Washington, or elsewhere, I hope you will command me without hesitation.

“I have the honor to be, with great respect, yours, &c.”

JAMES A. HAMILTON TO THE PRESIDENT OF THE UNITED STATES.

“WASHINGTON, D. C., June 5, 1861.

“DEAR SIR: There are strong reasons and high authority for believing that the President has not power to make ‘original appointments’ to office during the recess of the Senate, and without its ‘advice and consent.’ I send you a pamphlet where this subject is considered at large.

“But in reference to the appointment of officers in the regular army which you have very properly called into being, without the authority of the law, I beg to call your attention to a letter written by Alexander Hamilton, in 1799, to the Secretary of war on this subject.

“Congress, you will recollect, had in 1798 authorized a provisional army to be raised in anticipation of a war with France, and particularly to add a battalion to the second regiment of artillerists and engineers. Mr. Henry, Secretary of War, addressed a letter to Alexander Hamilton who had been appointed a Major-General of that army, by and with the advice and consent of the Senate, requesting his opinion as to whether the officers in that battalion could be appointed by the President during the recess of the Senate, or without the advice and consent of that body, under article second, section second, and clause third of the Constitution which is in these words, ‘The President shall have power to fill up all vacancies that may happen during the

recess of the Senate, by granting commissions which shall expire at the end of their next session.'

"Hamilton in reply says, 'After mature reflection on the subject of your letter of the 26th of last month, I am clearly of opinion that the President has no power to make alone the appointment of officers to the battalion, &c., &c. In my opinion "vacancy" is a relative term, and presupposes that the office has been once filled. If so, the power to fill a vacancy is not the power to make an original appointment; the terms "which may have happened" serve to confirm this construction, they imply casualty and denote such offices as having been once filled have become vacant by accidental circumstances.'

"Allow me to add, that inasmuch as that the enlistment of soldiers for the additional regular army, cannot be so promptly made as to require that; they should be immediately officered, it would not be 'advisable to exercise a doubtful authority,' particularly as the Senate will be in session within one month from this time.

"Should more be enlisted than are required to fill up the ranks of the old force, the surplus can be drilled preparatory to being arranged in different corps; and officers can be appointed to fill vacancies which have happened by resignation or death.

"I have the honor to be, with great respect, yours, &c."

CHARLES SUMNER, ESQ., TO JAMES A. HAMILTON.

"June 8, 1861.

"MY DEAR SIR: I thank you very much for your patriotic and clear paper upon the port question. Since I saw you, I have worked constantly in bringing it before those who can act, and I think there is now no doubt that the President will recommend it in his message.

"I have ventured to suggest to Mr. Chase that the bill should contain provision by which the President might by proclamation reestablish as a port of entry any one which had been closed by the act, thus enabling him to appoint Custom House officers with the march of the army.

"I am glad that the secession game of getting up a war with England is likely to fail. The President, at his first diplomatic dinner last week, said, 'He had no complaints to make of any power; that in the delay attending a new organization here, it is very natural they could not see their way clearly as to its footing, but that time would make all things right.'

"Lord John Russell's account to Lord Lyons of the visit to him of the secession Commissioners shows a very decided snubbing for them. He refused to see them at his office; they called at his house after breakfast and urged a recognition, which he positively refused. He spoke to them of the feelings of England upon slavery, and they replied evasively. These are Lord John's own words. Now these men have not been so evasive outside, but have persuaded innocent John Bull that slavery, circumscribed as it will be by them, can be easily managed and finally extinguished. So they really, in the absence of action on our side, have disarmed those who would have stood by us.

"To return to the Port Bill. Had that been passed, all this discussion about belligerents and neutrals would have been avoided. Two mistakes have been made: 1st, In neglecting this key to the situation; 2d, In declaring in the proclamation of

blockade, that it would be 'according to the law of nations.' The law of nations should not have been mentioned, for it implies the recognition of the rebels as a nation. The blockade is entirely a municipal affair; the unhappy expression once used, we cannot ask England to be more rigid or more virtuous than we are ourselves.

"Faithfully yours."

1861. DRAFT OF ARTICLES OF ASSOCIATION.

THE DEMOCRATIC ASSOCIATION OF THE FRIENDS OF FREEDOM.

"*Article 1st.*—This Association has adopted the name of Democratic, not in reference to former party distinctions which they entirely ignore and eschew until this wicked war shall be ended; but because the form of our government being emphatically in its spirit and organization a 'Representative Democracy,' it becomes all men who recognize this distinctive characteristic to assume its name.

"*Article 2d.*—The great and leading purpose of the Association is to secure the freedom of the whole human race; to promote the progress of Christian civilization, and 'the unity of brethren, and love of neighbors.' Although our means may be inadequate to this great end, the effort is worthy of our age and our country, and we rely upon our people, inviting all persons of all parties, of all religions denominations, and of all social conditions to unite with us in the hallowed work, by their sympathies, their countenance, and their personal efforts. We intend to go forward in this great work with courage and confidence.

"*Article 3d.*—First we propose to bring about ultimate emancipation throughout the United States; to support the President in this war until its successful termination; to preserve and maintain the Union in its integrity; to procure such amendments to the Constitution of the United States as will eradicate all such parts of it as convey the idea of slavery, or the laws of State which recognized or established such a condition of any human being; to insist that the slaves who become practically freed by the advance of our armies, or by acts of confiscation, shall never be reduced to bondage; and that no treaty of peace be made except on condition that the rebel states shall establish the emancipation of all persons held to service or labor within their borders.

"*Article 4th.*—We propose that these objects shall be obtained by peaceful and lawful regulations, by public meeting, by discussions in the newspapers, by tracts and essays freely distributed, by efforts to form auxiliary and coöperative societies throughout the land, and by giving our cordial and effective support in the service of our rights as citizens to the President and Congress, in all such measures as will promote the great and leading object of our Association.

"*Article 5th.*—Any person who agrees to contribute one dollar annually to the funds of the Association, shall be a member, and upon payment of five dollars shall be a life member, and exempt from further payment.

"*Article 6th.*—Auxiliary and coöperative associations formed in the other States, having the same objects in view, may be received in full communion with this Association and become members thereof, through their representatives, upon such terms as the Executive Committee may prescribe.

THIS PAPER PREPARED FOR MR. CHASE.

June, 1861.

First.—AMOUNT OF LOANS. *Second.*—THEIR CHARACTER. *Third.*—RATE OF INTEREST AND SECURITY. *Fourth.*—WHERE AND WHEN TO BE OBTAINED.

First.—*Amount of loans.* At this moment, expediency and duty to our country indicate the propriety of asking for power to raise the extreme amount required. To do so is most expedient, First, Because the existing enthusiasm of the people will lead them cheerfully to meet all the burdens and consequences of this war of rebellion. Second, Because to assume a large responsibility inspires respect and confidence. It is the best assurance to our people that the contest will be conducted with all the energy required to command success in the shortest possible time, and thus to relieve the producing classes from the evils of that suspension of their powers, which, at this moment, is the greatest calamity to the country as well as to themselves. Third, Its moral effect upon the enemy will be overwhelming by inducing the conviction that they cannot resist, with the hope of success, the overwhelming power of men and money which is called into action against them. Fourth, In Europe it will give confidence that we are equal in our resources and in the vigor of our administration to the occasion. Fifth, To England and France it will afford reason to hope that cotton may shortly be at their service. This consideration, skilfully used, will give great advantage in the endeavor to obtain foreign loans.

It may be assumed that not less than one hundred and fifty millions will be required.

Second.—*Their Character.* Ask for the power to issue stock for one hundred millions, and under the discretion of the President to issue Treasury Notes for fifty millions in denominations, say of 5's, 10's, and 20's, and without interest; the object being to afford a circulation, particularly in our Western States, where that is much needed. Interest ought not to be allowed on these, because its effect is to deprive them of the quality of circulating as bank-notes. These should be made redeemable by being received in payment of duties, taxes, and payments for public lands, and also giving the holder the power to convert them into \$100 notes, bearing interest at every Sub-treasury. Such conversion would not increase the amount of the debt but would merely change its form. The lowest denomination might, with safety, be made convertible into specie. These qualities would give them an additional value as a means of paying wages and for supplies. The Mint ought to be authorized to issue Treasury Notes to parties making deposits of bullion for coining,—these to be paid in current coin after _____ days from their date without interest. The number of days to be no greater than it requires, according to the ability of the Mint, to return coin for bullion. This course would save to the party depositing bullion the expense of conveying the coin from the Mint and the loss of his capital during the time it is in the Mint, and the effect as to the Treasury Notes would be that the

holder (being payable to bearer), confident that he could get the coin for them on demand, would not make the demand; they would circulate as bank notes—the same reasons that such notes do so circulate.

2d.—The larger denominations of notes bearing a high rate of interest, say eight per cent., payable at the pleasure of the Government after one, two, or three years from date to the order of the Assistant Treasurers, and after their indorsement to bearer would be sought by investors, by banks of issue and Savings Banks as security for their notes and deposits; and the latter banks might, by the action of State laws, be required to receive and hold as special deposits such notes. This would be advisable as assisting the credit of the United States. Currency, it is to be recollected, is made up of coin, bills of credit, and all other securities public and private which are founded upon solid credit, whether redeemable upon presentation or at a future day. Thus, the funded Government debts, if secured to be paid by a specific pledge of revenues, form a material portion of the circulation. The amount of such loans to be obtained in Treasury Notes would be confined to this country, and they might be advisable to be so arranged as to be brought within the reach of the masses of the people.

Such a course would be valuable by making the duty of supporting the Government the result of particular interest as of patriotic motive. Could the masses be induced to take a considerable amount of these Treasury Notes, it would produce an effect upon the enemy in the view heretofore referred to when treating of the amounts of loans.

I have great confidence, with proper exertions, a well-devised system under the influence of animated appeals to the people through the newspapers, and by public meetings, that a large amount of such Treasury Notes could be disposed of.

Stock loans.—Another and the most important part of the required loan should be presented to Capitalists in the form of public stocks. On this subject, various suggestions are presented for consideration. First.—It is important that Capitalists should have a reasonable ground for believing that the amount to be proposed now to be raised will be all that will be required to prosecute the war to a successful end. In the war of 1812, the evil practice of making small loans at different periods resulted in an agreement with Jacob Barker, who was the great taker of loans for himself and others, that if future loans should be offered at less rates than those for which he subscribed, he was to receive a return of the difference on the amount for which he had subscribed. This unwise proceeding made him and others who held the first loan interested operators in disparaging the credit of the Government, and consequently the price at which subsequent loans could be placed. Its effect was, to give him the condition of receiving all the advantage of a rise on his enterprises and to put the Government in the condition of bearing all the burdens of a fall. There were other blunders committed at that time in relation to Treasury Notes, not neces-

sary now to repeat, which brought into the Treasury worthless bank-notes to, I think, about the sum of \$4,300,000. Second, the period of redemption. A long loan well secured, will be taken abroad at a much better, even at a less rate of interest than a short one.

The low rate of interest in London when domestic investments are made in three per cent. consols, and when large sums are left with bankers on call at two and two and a half per cent. (400,000,000 of the public debt of Great Britain held by trustees in obedience to the orders of the Courts of Law), it having been decided that if a trustee invests in other securities, he takes the risk of the loss. This policy is considered wise, since by withdrawing from the market nearly one half of the public debt, it induces the capitalists to seek investments for long periods, particularly in cases of family settlement at a less rate of interest than shorter ones at a greater rate.

Our Government, from its ability out of its surplus revenue to pay off its debts, and its assured credit and consequent ability in time of peace to borrow at low rates, is interested in making short loans at higher rates of interest (by which I mean over six per cent.) than long ones at that or its accustomed rate.

At present, the six per cent. stocks of the United States are worth 85; no greater amount could therefore be placed here or abroad at present at a higher rate, which at six per cent. gives a fraction over seven per cent. per annum, with the advantage of an increase of capital of 15 per cent. when paid off.

Should a higher rate of interest be paid on the new loan than six per cent., it would raise the delicate question whether it would not be well to give those banks that have subscribed very considerable amounts of previous loans in order to sustain the Government, the right to come in and exchange the old for the new loan at the rate at which the new loan might be placed here or abroad.

Third.—When and where to be obtained. I take it for granted that the new loan would be offered to foreign capitalists at as early a day as possible, as well from the considerations before referred to, as because if successful it would afford the specie basis upon which arrangements in regard to the redemption of the Treasury Notes could be safely made. This would extend the specie basis of our currency, and the drafts might be so conducted as not to raise the rates of interest in London. It is worthy of consideration whether or not the existing ministry might not be induced, in order to make amends for past bad conduct, and by an earnest desire to make a prompt conclusion of the war, to aid the agent who might be sent there in his negotiations. It is quite clear if certain leading houses—the Barings and others who are connected with the existing administration—should be prompted to take hold of the stock, that it would be all taken up with eagerness. I entertain the opinion that Amsterdam would afford us one of the best, if not the very best, field for operations. The Dutch were our first and most efficient aids during our struggle for independence; and I recollect very well, at a time when our financial arrangements could be made advantageous to them, they suggested claims to such favors

which were freely recognized, founded upon their early and efficient aid to us. In some of their great banking houses there exists an hereditary conviction of great mutual interests. The house of Van Stophorsts and Crompter, I well know from my personal intercourse with them, entertain these feelings.

Secondly—What Security. Hamilton in his first report upon public credit (I quote from memory) says: "I am far from believing that a public debt is a public blessing, but I am quite sure that a properly funded debt becomes useful as a means of extending the currency of the country, and by that I mean that whenever a loan shall be made, funds shall be provided and pledged to secure the payment of the interest and ultimately the principle of such loan, and that by this course of proceeding, public credit may be made immortal."

Proceeding upon this view in his system of public credit, he advised that certain revenues—the surplus of the post-office revenue and others should be pledged to those purposes, as were the proceeds of the sale of public lands. The same was done to secure the payment of the debts incurred by the war of 1812. A very large amount of revenue, without inconvenience to our fellow-citizens, may be derived from duties upon tea and coffee and sugar. By the acts of 1814 and 1824, (I speak from recollection)—see Gordon's Digest and Notes—the duty on coffee was five cents a pound, which, at the average imports for the past six years—two hundred millions of pounds—would produce ten millions of dollars. The probability is that the importation would be diminished, but not to as great an extent as one third, which some people believe. Tea was subject by the same laws to various rates of duty, from 10 on Bohea to 50 on the higher qualities. Should the same rates be imposed again which would not be advisable, and the importations continue as for the last year, another ten millions of revenue might be thence derived. There are other subjects of imports from which revenue might be raised.

The habits of the people, and the industrial condition of the country, as a general rule, conform themselves to the actual condition of the country in time of war as well as in peace. The stagnation in business at the present moment will not continue long, as it is not occasioned by the fact of war as much as it is by antecedent events now brought into activity by the distrust of solvency, occasioned by the non-payment of Southern debts, and the arrest of Southern business. The capital and enterprize engaged in that business have not yet had time to seek new fields.

It will be found that the war, should our loans be made successfully abroad, will, instead of diminishing our active capital, vastly increase it; although a very extravagant and wasteful purchaser has come into the market. What he spends, remains in the country; and by removing to the army a large amount of labor, the effect will be, by increasing the wages of those who remain behind, proportionately to increase their ability to purchase and consume. Our cereals will be abundant, and subjected to a great foreign demand. It is a remarkable fact that the tax-gatherer of the United States is unknown to the people of our

country, and it is believed that only on three occasions, and those of very limited duration, have the United States touched that great source of revenue which would result from direct taxation and excises.

I am clearly of opinion that such a system, as the surest under any contingency, should now be adopted, and that it ought never to be abandoned—although in peace the rates might be reduced so low as to afford revenue very little more than enough to defray the expenses of the system. This is a subject of vast importance, and deserves the most profound consideration.

Should this source of revenue be opened, it would necessarily increase the confidence of all at home and abroad in our ability to carry on this war of life or death; but it would awaken a conviction abroad that we were providing against the contingency of a foreign war, and thus give efficacy to the tone of the Administration with foreign powers. Its wise anticipation of all contingencies would justly commend the Secretary and the Administration to the confidence, and I may add, the applause of all mankind, by securing beyond all peradventure the means of conducting the present war to a successful and prompt completion; and also by making an adequate preparation for those vastly increased expenditures to which our country must be subjected, of a standing army adequate to keeping a large number of bitter communities in subjection after they are conquered.

The issue of this contest must be the conquest of the rebels; and most probably the effect of that will be that they will return to their allegiance upon such terms as Congress may impose; but can it be believed that such a conclusion of the present war will restore such relations as will permit us to lay down our arms at once? I believe not. From this moment, we must be a power among the mightiest of the powers of the earth. Our Government must come out of the contest stronger, and our people wiser and better than they ever were before.

A direct tax according to the Constitution would, at a very low rate, including the "three fifths of all other persons," afford a considerable amount of revenue, and would compel the rebels to bear in part the burden of the war they have commenced. This, with an excise duty upon articles of luxury, would be all that could be required to enable us to borrow on the most advantageous terms; to extinguish our existing debt and the debt of the Union in a very short time; to extend our Army and Navy, and build the Pacific Railroad. The latter is a duty which must be deferred under existing circumstances, but can never be lost sight of.

Hon. SALMON P. CHASE, Secretary of the Treasury, to JAMES A. HAMILTON.

"TREASURY DEPARTMENT, June 12, 1861.

"MY DEAR SIR: A moment I must seize to acknowledge your kind letter, though I am too much indisposed to-day to write without much pain.

"Be assured that the good opinion of such gentlemen as yourself and Mr. Fish

far outweighs with me all favored advantages of which some hold out the prospect. My wish is to serve my country, and in serving her, to have the approval of good men.

"If my consciousness and the public voice assure me that I accomplish the first object, and such testimonies as you furnish warrant the belief that the second is not unattained, my highest desires are satisfied.

"Accept my warmest thanks for the interest you have taken in me and my work, and believe me faithfully and gratefully,

"Your friend, &c."

A REPORT PREPARED BY JAMES A. HAMILTON.

"TREASURY DEPARTMENT, July 4, 1861.

"SIR: In obedience to the act of Congress entitled 'An Act supplementary to an Act to establish the Treasury Department,' approved May 10, 1860, I have the honor to submit the following report:

"By the Act referred to it is made the duty 'of the Secretary of the Treasury to digest, prepare, and lay before Congress, at the commencement of every session, a Report on the subject of finance, containing estimates of the public revenue and public expenditures; and plans for improving and increasing the revenue from time to time for the purpose of giving information to Congress in adopting modes of raising the money requisite to meet the public expenditures.'

"This high duty, at all times attended with great difficulties, is one of grave responsibility. At a period when the Government is called upon to exert all its power, civil and military, to defend the Constitution of the United States against so formidable a rebellion by a portion of the people of several of the States, when resistance to the execution of the laws have assumed the proportion of an extended civil war, which exercise of power must be continued until the offenders are brought unto subordination to the laws of their country.

"Under these circumstances, the Secretary has conceived it to be his duty in this report to confine himself to the duty of presenting for their consideration such information only as will enable Congress to raise the money requisite to meet the extraordinary expenditures required most effectually, and in the shortest period to restore to the loyal people of this country Peace and the undisturbed exercise of their characteristic enterprise and energy.

"The Public Debt on the 4th of March, 1861, was as follows:

making a total sum of.....	\$
To which is to be added the following sums received for loans made up to date of this report, making the total amount of the Public debt.....	\$
By the report of the Secretary of the Treasury, of December 4, 1860, it is stated that the aggregate for the of the fiscal year ending June 30, 1860, amounted to.....	\$81,091,309.43
And that the expenditures during the fiscal year ending, June 30, 1860, were as follows:	

For the quarter ending September 30, 1859.....	\$20,007,174.76
“ “ December 31, 1859.....	16,025,526.69
“ “ March 31, 1860.....	20,377,502.70
“ “ June 30, 1860.....	21,051,898.57
	<hr/>
	77,462,102.72
Leaving an assumed balance in money at the end of the fiscal year of 1860 of	3,629,206.71
The receipts for the first quarter of the fiscal year of 1861, from July 1 to September 30, 1860, were	
From Customs.....	\$16,189,831.22
“ Public Lands.....	281,100.34
“ miscellaneous sources.....	318,857.98
	<hr/>
Making the actual sum of receipts.....	20,368,996.25
The expenditures for the first quarter of the fiscal year of 1861, from July 1 to September, 1860, were, according to that report, in the aggregate.....	16,548,472.59
	<hr/>
Leaving the sum of.....	\$3,825,523.66
The actual receipts for the second quarter of the fiscal year of 1861, were	

For third quarter up to March 31, 1860, and the estimated receipts of the fourth quarter up to January 30, 1861,
 Making a total
 The actual expenditures of the second and third quarters of the fiscal year were as follows :

Of this expenditure, the aggregate and estimated expenditure for the fiscal year 1861, up to June 30, 1861, amounted to . .

Showing the receipts for the estimated and ascertained amounts of the last quarters of the year 1861 the criterion from which to form estimates for the fiscal year 1862 (from January 30, 1861, to January 30, 1862,) the amounts will be as follows, to wit :

First quarter, from June 30 to September 30, 1861, to wit :

Customs.....	
Public Lands.....	
Miscellaneous sources	
Second quarter.....	
Third quarter.....	
Fourth quarter.....	

Proceeds of loans made from March 4, to the date of this report, to wit :

Loans of 18	
“ “	
Treasury Notes.....	
Total.....	
Expenditures.....	

“The required means and the proposed resources, the self-sacrificing devotion of the people to their Government and country, manifested by the amounts of voluntary contributions by States, by municipalities, by towns, by corporate bodies, and by individuals who have rushed to the defence of their country in numbers vastly in excess of the calls of the Government, justifies the proud confidence that our popular Government is equal in power to every exigency, induces the Secretary to believe that expediency concurs with the maxims of sound policy, in suggesting to Congress the propriety of making provision at this time by loans for the extreme amount which may be required to bring this unnatural and unprovoked conflict to an immediate and successful conclusion, and to raise by imposts and internal taxes the amount of revenue which may be required to pay the interest upon such loans, and their ultimate extinguishment, and to pledge specifically such revenue, or so much thereof as may be necessary to such purposes.

“In submitting this suggestion, the Secretary confidently appeals to the report upon finance made to Congress on the 9th day of January, 1790, in which we find this emphatic language : ‘He (the Secretary) ardently wishes to see it incorporated as a fundamental maxim in the system of public credit of the United States, that the creation of debt should always be accompanied with the means of its extinguishment; this he regards as the true secret of rendering public credit immortal, and he presumes that it is difficult to conceive a situation in which there may not be an adherence to this maxim.’

“The Secretary recommends, as the extreme amount required to pay the ordinary expenses of the Government, the increase and support of an effectual naval force, and to bring into the field and sustain an army of two hundred thousand men of all arms, and thus be prepared to meet all eventualities which may result from the measures taken by the Government to suppress this rebellion. That the Secretary be authorized to raise by loans and Treasury notes the sum of two hundred millions of dollars, as follows :

“One hundred millions on public stock, bearing interest at the rate of 8 per cent., redeemable at the pleasure of the Government after ten years.

“Seventy-five millions in Treasury notes, to be issued as a national loan, bearing interest at the rate of 8 per cent., to be redeemed at the pleasure of the Government, in one, two, or three years from date. The arrangements for offering this loan to the people with the denominational amount of such notes to be devised and directed by the Secretary of the Treasury.

“Twenty-five millions of Treasury notes to be issued in various denominations, not less than \$10 or higher than \$100 in part, with interest not over 8 per cent., redeemable at the pleasure of the Government after three years, and in part without interest, to be paid in cash at any sub-treasury of the United States. This loan, in all its details, to be arranged by him as the public exigencies may require. As it is

indispensable to the successful exercise of the power to make the above loans on terms most consistent with the deservedly high credit this Government has always enjoyed, and with most advantage to the Treasury.

“The Secretary proposes that the following duties be imposed.

On coffee, 10 cents per lb. when imported in an American vessel, and 10 per cent. additional when imported in a foreign vessel.

On black teas of all description, 15 cents, and on green teas of all description, 25 cents per lb.

On raw sugar, 3 cents per lb.

On refined sugar, 5 cents per lb.

On Manilla hemp, 3 cents per lb. \$1,200,000

On cassia, 7 cents per lb.

On pimento and cassia, 10 cents per lb. 800,000

On pepper, 10 cents per lb. 800,000

On tin, 30 per cent. ad valorem, or better an equivalent specific duty.

On Malaga raisins, 10 cents per lb.

On nutmegs and mace, 30 cents per lb.

On light wines, per gallon.

“These duties to be payable on and after the 15th day of September next. All goods in warehouse on or before the duties take effect under this Act, are to be subject to the above rate of duties after that day.

“It is believed, under the diminished importation of 25 per cent. below the average rate of importation of the above articles for the last few years, that they will yield a duty per annum of not less than

Internal Duties—

Income tax of 1 per cent. (We want the English tariff to give us a system. Theirs is very complete.)

Excise—

On spirits, 10 cents a gallon \$4,000,000

On ale and lager beer, 5 cents per gallon 4,000,000

On gas companies, 50 cents per cubic foot. 2,000,000

On railroad passengers on city railroads, to 200 miles, 10 cents; under 100 miles, 20 cents 5,500,000

Steamboat passengers, 10 cents 1,500,000

Manufactured tobacco, 10 cents per lb. 5,000,000

\$22,000,000

Tea—

Manilla hemp, 3 cents per lb. revenue \$1,200,000 gold.

Coffee 5 cents 9,000,000

Sugar, importation, at 3 cents raw.

Sugar, refined,

Cassia, 7 cents per lb. 20,000,000

Hemp. 12,000,000

Pepper, 80,000 lbs., 8 or 10 cents. Pepper. 80,000

Tin, 30 per cent.

Coffee, 5 cents.

Teas, black, all kinds, 15 cents per lb.



Green, 20 cents per lb.

Sugar, raw, $2\frac{1}{2}$; refined, 4. Duty to take effect 1 August, or before.

Malaga and other raisins, 8 to 10 cents per lb., crop comes in September.

Pepper, pimento and cassia, 8 to 10 cents.

Nutmegs and mace, 30 cents.

“All goods in warehouse should be entered for consumption on or before the new duties, or be subjected to them after they go into effect.”

JAMES A. HAMILTON TO HON. S. CAMERON, Secretary of War.

“NEVIS, DOBBS FERRY P. O., September 20, 1861.

“DEAR SIR: I verily believe your department has been required to do and has done more work than any other department in the world during the same period. Under this conviction, and in order to assist you, I make the following suggestion:

“Division of labor is the great mean of success in extended and complicated affairs. Carry out this idea by a division of the preliminary labor of your department—thus: your war operations are carried on in various departments of the country. Employ as many reliable persons as there are such departments. The duty of each shall be to receive all written or personal communications made by, from, or in relation to the affairs of the department to which he is assigned, and to make a succinct analysis of each of those communications; and to submit to you or your assistant secretary the core or points of such analysis, and to prepare for your consideration and adoption or signature the reply or direction you may indicate on each subject.

“You have officers of the army who are not in active service (by reason of age, &c.), who are under pay and competent to this service. I am ready, at a moment's notice, to go to Washington to confer with you on the details of this plan, or to be employed in the manner indicated.

“I have the honor to be, with great respect, yours, &c.”

JAMES A. HAMILTON TO HON. GIDEON WELLES, Secretary of the Navy, Washington, D. C.

“July 10, 1861.

“DEAR SIR: Allow me as a friend to suggest to you to give your influence to the appointment of a Committee of Inquiry into the frauds and peculations which have been recently committed; and particularly that such Committee shall be composed of men of intelligence, firmness, and integrity; and that they have power to send for persons and papers, and to sit during the recess. By the exposure of past offences, can the future alone be guarded.

“I am sure no member of the Administration can be more anxious than you are that such inquiries should be searching. A Committee not of the proper stuff would be worse than useless, and the culprits will be very apt to take means to have feeble men appointed; ——— of this State is up to all that.

“There are numbers of vessels to be seen all along our wharves, whose owners would be glad they should be employed on reasonable terms. Should you require more, advertise for them; and let sealed proposals be sent to you, with a general description of the craft. After this, appoint two or three proper men—one an

adept—to examine the vessels. In this way, you will escape the harpies who are awaiting at your door to steal the public money.

“I am devoting myself to obtaining information to be submitted to the Committee when it is appointed.

“I have the honor to be, with great respect, your obedient servant.”

JAMES A. HAMILTON TO HON. SALMON P. CHASE, Secretary of the Treasury,
Washington, D. C.

“DOBBS FERRY P. O., July 10, 1861.

“MY DEAR SIR: I am gratified to be enabled to say that your report is in all its essential features almost universally approved; of course, there are various opinions as to some of its details. I hope and believe that Congress will concur in your views, and promptly pass the laws necessary to afford you the large means you require to carry on the Government.

“I am most earnestly engaged in gathering information in relation to the monstrous frauds recently committed by men of high social position, in this city, in the hope that such a Committee of Inquiry will be appointed as will thoroughly probe the whole subject; and here let me beg you to use such means as are within your reach to induce the Speaker to appoint the right men on this Committee, proposed to be raised by Mr. Van Wyck (I do not know his character). Mr. * * * would be a good man.

“A committee of five of the right stuff, with power to send for persons and papers, and to sit during the recess, would by exposing past transactions, and those who have been engaged in them, to public scorn, be most useful as to the future. I have no doubt that vast sums would thus be saved to the Government.

“My heart is in the matter, and nothing will turn me aside from it. A letter from my friend, ex-Governor Fish, says: ‘Chase’s report has but this moment come in. I have only looked at one or two sections, yet I like the tone of them. He is the salt that is to save this Administration, if it is to be saved. Can he live amid the extremists—the corruptions that have taken possession of the Government?’

“This letter is filled with the most painful statements of corruption, which I am not at liberty to repeat. The future, my dear friend, can only be taken care of by laying bare the past.

“Let us have a proper Committee, and the scoundrels will call upon the mountains to crush them; I could mention names of men in the community, hitherto held above reproach, who have been putting thousands and tens of thousands in their already well-filled pockets.

“Present my respects to Mr. Fessenden, whom I consider one of our very best men; allow me to ask you to tender my regards to * * *.

“Your friend, &c.”

WASHINGTON HUNT TO JAMES A. HAMILTON.

“LOCKPORT, July 31, 1861.

“MY DEAR SIR: I thank you, with unaffected sincerity, for the kind expressions in your letter of the 25th inst.

“I have read your published letter with great interest and satisfaction. It is

very able and forcible, and your positions are well taken. I am confident it will do much good in the present state of public feeling. Your argument on the Missouri Compromise is exhaustive and unanswerable. I am very glad to see the doctrine of *acquiescence* so admirably applied; when this principle is presented so distinctly, the enormity of the repeal stands out in glaring colors. The idea of compromise implies some surrender of supposed rights and extreme opinions. After both parties have stood upon such a settlement for (30) thirty years, it requires a degree of audacity almost inconceivable to propose that we go back and re-argue the question on the original basis, as if no agreement had been made. It is an appalling breach of public faith and political morality.

“If controversies may be reopened in this way, of what avail are treaties, and compacts, and written constitutions? I hope you will send a copy of your letter to Mr. Rives, under your own hand. I have long considered him one of the most candid, certainly one of the ablest statesmen in the South, and I believe he will concede the force of your argument.

“Some of our friends here propose to publish your letter and mine in pamphlet form. I think the same thing will be done in other places.

“With great regard,

“Yours, faithfully.”

JAMES A. HAMILTON TO HON. SALMON P. CHASE, Secretary of the Treasury.

“NEVIS, DOBBS FERRY P. O., August 6, 1861.

“MY DEAR SIR: My friend, Samuel B. Ruggles, has passed three days here with me. He informs me that among bankers and others in New York of enlarged views, the conduct of the Senate in regard to your financial scheme, and particularly that part of it in which you so wisely and boldly proposed a *funding system*, is condemned with great severity, and well-founded fears are entertained that you will be driven in the first half year of this great struggle, to irredeemable paper. He writes the articles for the Times under the title of ‘War Loans, &c.’ (not the money articles), and was very much disposed to attack the delinquents. It was decided, however, that it would be wiser to endeavor to make the scheme, as it is, go along.

“We cannot understand why the whole force of the Administration, the President and all the members of his Cabinet, did not exert all their influence with the majority of the Senate to carry out the views of its Secretary of the Treasury. Suspicions are entertained that sinister and personal feelings dictated the reticence which it is believed was manifested; however this may be, patriotism forbids the expression of such feelings. The country must be sustained.

“I related to you an experiment in regard to the Treasury notes during the war of 1812, tried by Mr. Dallas, which affords a lesson not to be disregarded. It is now intimated that the Treasury will endeavor to draw the banks of the interior to its aid and support, by making them deposit banks. There can be no doubt that you will be subjected to an immense outside pressure by Congressmen and others to adopt this course. I am sure you have too much wisdom and firmness to yield. To do so would be to exchange your means for an irredeemable currency—to make bad worse.

“The banks of issue in this State are all required by law to deposit their capital with the Banking Department as the security upon which their notes are based, and

in the event of failure, such deposit is to be applied first to the payment of these notes. They consequently have a mere remnant of property to secure depositors, but regardless of this, they can, by being made government Deposit Banks, give no aid whatever to the government. It would result exactly as did Jackson and Van Buren's system of Deposit Banks, under more unfavorable circumstances.

"I do not expect you to answer my letter, you have too much to do for that—but if I can be of use to you either from my experience or any faculty I may have to work under your directions, command me. I am ready to go to Washington to do so upon the slightest intimation.

"Your friend and servant, &c."

THE UNITED STATES AND GREAT BRITAIN.—PUBLIC FAITH.

The examination of the question as to which nation has preserved its fidelity, the United States or Great Britain, in respect to their pecuniary engagements, is forced upon us by the arrogant assumptions and groundless assertions in regard to the United States by the press and people of Great Britain.

The course of Great Britain, at a remote period of her history, was marked by the same reckless want of fidelity so common among the nations of the continent. We do not mean to array the offences of those days against the people and government of latter days, but to confine our remarks to that period which followed the Independence of the United States.

Rufus King, our Minister to London, March 8th, 1797, wrote thus: "On the 28th ultimo, the Bank of England stopped payment in specie; and since, every bank in Great Britain has followed its example." Parliament has authorized the banks to reissue notes under five pounds; and they have also repealed the laws prohibiting individuals from making and circulating their own notes payable on demand for small sums under (£5) five pounds.

The consequence is, that the banks are throwing into circulation 20 shilling and 40 shilling notes to supply the absence of guineas, and the manufactories and private bankers are likewise issuing to their workmen and customers small bills of every denomination which supply the absence of shillings and sixpenny pieces."

Here we find the government of Great Britain sanctioning the payment of debts by the bank and the people in a currency which was necessarily depreciated every hour. The bank of England did not resume specie payment until 1821, the notes of the bank fell at the moment of its bankruptcy 5 per cent., and continued to go down until they reached 15 per cent. During all this period, at least 24 years, the government of Great Britain paid the interest of its public debt in these depreciated notes to its own subjects and to foreign holders of its stocks.

The United States has always paid its public creditors in gold or its equivalent; the interest on stock held abroad has been paid at all times, in war or peace, in sterling money in London, the currency of France or Amsterdam at

par in those cities; at two epochs embracing a period of only 30 years, she has paid off the public debt. The 3 per cent. stock was paid off at par when it might have been purchased at 75 or 80 per cent. in open market.

Point to any other nation whose fidelity to its engagements has been as scrupulously guarded as has been that of the United States.

It has been intimated by the notorious correspondent of the *London Times*, that the Smithsonian fund has been lost by its having been invested in Arkansas Bonds, and that in regard thereto the United States had been faithless to its trust. The writer of that letter having been in Washington, must have known at the time he learned in what bonds that fund had been invested, that the Smithsonian Institute was sustained. He, no doubt, visited that institution and conversed with its officers; he probably then and there or elsewhere had learned that when Arkansas repudiated, the United States promptly volunteered to assume the responsibility of the amount of the trust, and has at all times provided the necessary means to secure that fund. These facts place the two countries in contrast, in a measure which is not altogether creditable to Great Britain.

JAMES A. HAMILTON TO THE PRESIDENT OF THE UNITED STATES,
Washington, D. C.

"DOBBS FERRY, N. Y.," August 12, 1861.

"DEAR SIR: Duty alone prompts this letter; your decision on what it proposes may involve the successful issue of this contest; what I now state I state (upon the responsibility of my character) as the result of extended examination, not influenced by other than patriotic motives.

"The removal of Mr. * * * * * is demanded by the voice of the country. The hesitation yesterday of the bankers and capitalists in New York is, I assure you, owing to a want of confidence in the further expenditures by the * * * Department. We will not advance money to the Government to be wasted, or perverted to private gain by the * * * * *, is the common expression among those upon whom your administration is compelled to depend for money to carry on the war.

"Should Mr. * * * * * be removed and Mr. Holt appointed, or upon your assurance that a removal would be made, the banks in New York and Boston would immediately close an arrangement for (100) one hundred million dollars; that being done, the balance required would take care of itself.

"I earnestly suggest, in the interest of the administration and the people, with entire respect for your position and character, that the removal of the one and the appointment of the other be made the subject of your most earnest consideration.

"I am aware that this is language which ought not to be used by me to you unless it is demanded by the great interests of the country.

"Should the negotiations now pending be unsuccessful, that disastrous result will be due alone to the want of confidence to which I have referred; such a failure, at this time, will bring the Treasury to the necessity of depending upon irredeemable notes constantly depreciating, which is bankruptcy.

"And on the other hand, should it succeed, the confidence thus manifested by our people in their Government would command from abroad any amount of money which the present or the future expenditures may demand.

"I do not go into a detail of facts, or reasons for the removal; all is comprised in these words, 'No confidence in the * * * * *.'

"Mr. Holt's appointment would touch the heart of the nation by inspiring full confidence that the * * * Department would be directed by ability, energy, and perfect integrity. By giving entire satisfaction to the Democratic party, which has come up to its duty so manfully, it would in this State, in the face of the refusal of the Democratic party leaders to unite with the Republicans as a national party in one ticket, destroy those leaders with their people. The step in advance made by Kentucky firmly planted, and the loyalty of that State would be as well assured as is your own.

"I pray you, my dear sir, to take this suggestion into your most earnest consideration, and let your clear head and honest heart govern your decision.

"A reply, 'It shall be done,' under Mr. Hay's name, directed to me, Jauncey Court, Wall street, New York, will be understood; and the loan will be immediately made.

"Your, perhaps too bold, but honest friend."

JAMES A. HAMILTON TO THE SECRETARY OF THE NAVY.

"August 17, 1861.

"DEAR SIR: A suggestion for your serious consideration :

"Sink in several of the inlets along the Southern coast hulks of such dimensions laden with sand as will close them; this will be less expensive and more effectual than the large squadron you intend to use in shutting up the Southern ports.

"I say fill them with sand, because when the hulks are to be removed as they can be most effectually and at little expense, the sand would be dispersed by the flow of waters, whereas stone would not.

"I would thus close the port of Charleston, S. C., but not that of Georgetown, because the contemplated attack and recapture of the forts of Charleston ought to be made by landing an army through the latter, and not the former; so as to New Orleans, block up in this way two of the three entrances to that port.

"This measure would be most effectual in preventing the egress of privateers, and the ingress of foreign fleets, should that be attempted. It is high time that we should use all the means necessary, to attack most effectually our formidable enemy, and in this view I would send a naval and military force to alarm the whole Atlantic coast and the coast of the Mississippi, in order to draw off a part of the army of the enemy to protect their plantations.

"With great respect, your obedient servant."

HON. S. P. CHASE TO JAMES A. HAMILTON.

"WASHINGTON, D. C., August 20, 1861.

"MY DEAR SIR: Doctor Francis Lieber was here some time since, and was so delighted with the photograph of your illustrious father, that he begged me, if possi-

ble, to procure a copy for him. You know the Doctor's great reputation, and will, I am sure, take pleasure in sending one to his address in New York.

"I must not presume so far upon your kindness as to ask you to come to Washington, but I shall always be most happy to see you, and whenever you place yourself within my reach, shall not fail to use your experience and attainments to the public gain. Whenever you come, you must make my house your home.

"With the greatest regard, yours truly."

FRANCIS LIEBER, ESQ., TO JAMES A. HAMILTON.

"August 30, 1861.

"MY DEAR SIR: Be pleased to accept my best thanks for the precious gift you sent, under date of the 28th inst. The boldness with which I requested Mr. Chase to express to you how highly I should value a copy of that portrait, must prove to you the satisfaction which its possession now gives me.

"I shall take it to-day to be properly framed, so that I may place it on the mantelpiece in my library. I like to write on the back of such pieces historical notes, and I would now ask you whether I understood Mr. Secretary Chase rightly that this photograph is taken from service plate on which Prince Talleyrand had ordered the portrait of your great father to be painted? And if so, may I ask from what portrait the *Sèvres* portrait was painted?

"Your father's bust is among those that grace my lecture room at Columbia College,—grace it, at least symbolically, for the bust is of the common plaster cast. It is at least the sign, the mark, the symbol of the greatest pupil of that institution. Neither Washington nor Schiller, Humboldt, nor Prescott fare better in my lecture room.

"Are you aware that long before, as publicist, American citizen, or economist, I could honor your father, Niebuhr the historian had directed my attention to him as 'far the greatest genius of the revolutionary men, and of the whole American history.' I have given Niebuhr's words in my 'Reminiscences of Niebuhr.'

"Repeating my thanks, I am, with great regard."

JAMES A. HAMILTON TO DR. FRANCIS LIEBER, New York.

"NEVIS, Dobbs Ferry, August 31, 1861.

"DEAR SIR: Your very gratifying letter of yesterday is received; the opinion of Niebuhr, indorsed by you, is a tribute which confirms my convictions on that subject, and touches my heart.

"It is true, as stated by Gov. Chase, that the photograph you received from me was taken from a miniature on *Sèvres*, which Prince Talleyrand caused to be made. He showed it to me at Valençay, and on his death-bed it was directed to be sent to me with a lock of his hair, and his spectacles. I received and now keep these precious gifts as tokens of his regard for my father.

"When in the United States, M. De Talleyrand was on such intimate terms at my father's house, that after he had taken his leave on his return to France, he returned and took from the mantel-piece a miniature of my father, an original, which belonged to my mother. He sent a note by the pilot of the ship in which he sailed,

informing my mother of what he had done, alleging in excuse 'that he could not leave the country without taking the likeness of his friend Hamilton with him.'

"When he heard of my father's death, two copies of the miniature were made on *Sèvres*; he retained the one I have got, the other he sent to my mother by one ship, and the original by another; both were received.

"The Prince, on various occasions, expressed his high appreciation, and manifested, when I first met him, his sincere affection for my father. He took my hand between his and said, 'Thank God, I embrace the son of my dear friend!'

"When he met Mr. Van Buren in London, he told him 'the three greatest men I have met with were Napoleon, Alexander Hamilton, and Charles Fox;' he expressed the same to Mr. Buchanan and Lord Holland.

"His niece, the Duchess of Devon, who lived with him, informed me that one of the copies of his Memoirs was left with her, and said, 'You will be much gratified when you see it. He speaks much of the distinguished men of your country, who were cotemporaries of your father.'

"You, my dear sir, may see these Memoirs—I probably will not; seven years is far too long a period for a man of 73 to hope for. I visited him in October, 1837; he died in the spring of 1838; the Memoirs are not to be published until thirty years after his death.

"These recollections are most agreeable to me, as will be those which have afforded me the honor of your acquaintance.

"With great regard, your friend."

JAMES A. HAMILTON TO GOV. MORGAN, Albany, N. Y.

"NEVIS, Dobbs Ferry, N. Y., September 7, 1861.

"DEAR SIR; I am very anxious to be employed in any situation connected with military affairs where I can be useful. I acquired some knowledge of staff duty in the war of 1812; I confess that at the age of (73) seventy-three, I have not physical power to serve in the field, as my friend, General Scott, very frankly told me, when, at the commencement of this life and death struggle, I volunteered to be one of his staff; still there is much work in me. With moderate abilities, I can bring to any place in which I can be useful, connected with the commissariat or quartermaster's Department, unflinching firmness and integrity.

"I am not prompted to make this appeal by any desire for rank or emolument, or any other honor than that of performing my duty to my country.

"As the recent arrangement made between the State and the United States Government will vastly increase your labors, I have supposed that you might have occasion for such services as I can render.

"I have the honor to be, with respect, your obedient servant."

JAMES A. HAMILTON TO THE HON. PETER DUDLEY, SAMUEL GILL, GEORGE J. WOODS, E. H. TAYLOR, AND JOHN B. TEMPLE, Kentucky Military Board, Frankfort, Kentucky.

"Dobbs Ferry P. O., N. Y., September 24, 1861.

"GENTLEMEN: Without having the honor of your personal acquaintance, I take

the liberty to address this letter to you on the subject of the loan you are about to make, in order to sustain your patriotic State in the contest in which it is now engaged against a diabolical rebellion.

"Inasmuch as the United States Government has determined to pay to the States respectively whatever amount they may expend in this war, or to assume any debts they may contract, I beg to suggest that it would promote your success in making your loan if the President of the United States should direct the Secretary of the Treasury to address a letter to your Board, declaring that the debt you contract of one million of dollars, &c., will be assumed to be paid by Congress. With such an assurance it is believed that your loan would be taken in Boston, New York, and Philadelphia without delay.

"If the rate of interest is not restricted below eight per cent., I would advise you to put it up to that rate.

"I beg leave to tender to you my services in the negotiation with the Government, and also in taking measures when that is done to obtain the loan. For this service I ask no compensation whatever; my duty to my country alone prompts this offer.

"I have the honor to be, with great respect, your obt. servant."

J. B. TEMPLE, President of the Kentucky Military Board, to JAMES A. HAMILTON.

"FRANKFORT, KY., October 1, 1861.

"DEAR SIR: Your esteemed favor of the 24th ult. to the members of the Kentucky Military Board has been received and considered.

"We hope to negotiate with the banks of our own State for the money now authorized to be borrowed by the acts of our legislature, at an interest of 6 per centum. It is highly probable, however, that this sum may be insufficient for war purposes, and that we shall be compelled to go into the market at a higher rate of interest; at present we are unable to decide what it may be necessary to do.

"The Board instructs me to tender you their sincere thanks for your generous and patriotic offer, and to assure you that they will be most happy to avail themselves of your generous proposal if occasion should require.

"I have the honor to be your ob't serv't."

JAMES A. HAMILTON TO THE HON. J. B. TEMPLE, President of the Kentucky Military Board.

"NEVIS, DOBBS FERRY P. O., N. Y., October 7, 1861.

"DEAR SIR: I am honored by your letter of the 1st inst., received to-day.

"After my letter of the 24th ultimo was written, I learned of the healthful fiscal condition of your State. With immense resources, an unimportant indebtedness, you ought to be enabled to borrow on the most favorable terms. I suggested a high rate of interest as most expedient, because the United States were in the market as a borrower at $7\frac{3}{4}\%$ per cent.

"It will give me much pleasure to serve your great State, as I proposed before, whenever I may be called upon to do so.

"Have the goodness to present to your Board my grateful thanks for their ex-

pressions of kindness and confidence; all my time and faculties are devoted to our country. Did not my advanced period in life prevent my serving in the field, nothing would be more agreeable to me than to fight in the ranks of the gallant sons of Kentucky.

“I have the honor to be, with great respect, your ob’t serv’t.”

JAMES A. HAMILTON TO ABRAHAM LINCOLN, President of the United States.

“DOBBS FERRY, N. Y., October 11, 1861.

“DEAR SIR: I am most anxious to be employed.

“I do not seek the honor or emolument of office, but to devote the remnant of a long life (seventy-three) to the service of our country, whenever and in any way which, with moderate abilities, an extensive acquaintance with public affairs, unyielding integrity, industry, and firmness, I can be useful.

“To promote the success of your Administration, and the reestablishment of that Union and Constitution to which my ancestors of two generations devoted all their energies, is my first duty and highest ambition.

“I beg, Mr. President, whenever you may require the services of a faithful agent, at home or abroad, to remember

“Your friend and servant.”

JAMES A. HAMILTON TO HON. SALMON P. CHASE, Secretary of the Treasury.

“DOBBS FERRY P. O., November 20, 1861.

“DEAR SIR: Your last arrangement with the banks is a good one for both parties. By it they are enabled to extend their specie basis, and to make a reasonable profit by disposing of the stock in Europe. I congratulate you that you have in effect secured your whole loan of two hundred and fifty millions, without going abroad.

“The successful invasion of South Carolina will present to the Administration the question as to the treatment of slaves with such force as to require it to adopt a clear and decisive line of policy. The issue may be emancipation or insurrection.

“Should they be enlisted in large numbers, formed into companies and battalions, to be used at first in manual labor, drilled and prepared to receive ‘their freedom with their swords,’ they would make useful and most efficient soldiers; accustomed to the climate, acquainted with the country, and capable of living upon food less difficult to provide than that required by white soldiers.

“By proper treatment, through their instrumentality, combinations for insurrectionary purposes could be ascertained and repressed.

“I suppose it will be best to leave the port and district of Beaufort subject to military authority for the present. I was deprived of the pleasure of calling upon you by indisposition, which confined me to the house during the past week.

“Your friend and servant, &c.”

HON. SALMON P. CHASE, Secretary of the Treasury, to JAMES A. HAMILTON.

“WASHINGTON, November 24, 1861.

“MY DEAR SIR: It gives me increased confidence to find that you approve of my late negotiation.

“Some of the banks wish to reduce the rate from 905,184 agreed to be the equivalent in 6's of 75 at 20 years, because some calculator has discovered that it is the equivalent of 75 bearing annual, not semi-annual interest. I wish that as the rate of 905,184 was distinctly spoken of and no other lower rate mentioned, or even suggested, and the whole negotiation had reference to that rate, it cannot be fairly changed. This to you in confidence.

“You know I hate a wavering undecided policy, and I urge the Administration to take definite grounds in relation to the slave question. Employ as laborers, or if necessary as soldiers, all who offer and are needed; and free such, with confiscation, would be my first Bill; afterward enfranchisement, if rebellion exists or makes it necessary.

“I should be glad to see you in Washington. Remember that chamber, bed, and table are always ready for you at the house of

“Your friend, &c.”

JAMES A. HAMILTON TO H. Y. PLAIT, Private Secretary.

“NEVIS, DOBBS FERRY P. O., November 24, 1861.

MY DEAR YOUNG FRIEND: As I know the inclosed printed letter will interest our friend the Secretary, I wish when you can find a time when he is not oppressed with his official duties, that you would read it to him.

“The subject is so deeply interesting to me that I caused it to be published in the *New York Times*. If the Government would permit, or rather give me authority to do so, I would go to Port Royal, without a moment's delay, to organize a brigade of slaves; first, to work in trenches, in picking cotton, or otherwise, as they might be required; at the same time drilling them by companies in marching, teaching them to live in barracks, and as soldiers; and at the same time instructing them in such things as would prepare them to take care of themselves, and particularly to make them good soldiers. Their habits of submission, their adaptation to the climate, and their thorough acquaintance with the country, would make them useful as well as excellent soldiers, and by giving them ‘their freedom with their swords,’ I would secure their fidelity, animate their energy and courage, and open a door to the emancipation of those who should remain on the plantations.

“With regard, yours truly, &c.”

JAMES A. HAMILTON TO SALMON P. CHASE, Secretary of the Treasury.

“NEVIS, DOBBS FERRY P. O., November 25, 1861.

“DEAR SIR: I received your note of the 21st instant with great pleasure. Your views on the great question which divides the administration are satisfactory to me. Slavery has been the vice of our system from the beginning; and now when we have an opportunity to get rid of it without violating any right or principle, the Doctrinaires hold that we must not touch this moral and political evil. All we can do, or ought to do, is to lead the people to interpret the Constitution as it was written, and intended to be interpreted; that all our remedies will be found in a religious observance of the constitutional rights of the rebellious States.

“This is as wicked as it is absurd. All influences, be they material or moral,

slavery, religion, aristocracy of birth or wealth, which tend to weld any considerable part of the community into a solid mass, are inimical to our republican institutions. This mass, taking advantage of the differences and party divisions among the rest of the community, by giving their strength to either of such parties, must control the affairs of our Government.

"Slavery has, by joining with the Democratic party, with which it had no sympathy whatever, governed the country, and so it will do again. Our only security, therefore, is now to extinguish it, which we can do by spreading our armies over the southern countries, and using the fugitive slaves as our friends and allies.

JAMES A. HAMILTON TO CHARLES KING, Esq., President, &c.

"NEW YORK, December 9, 1861.

"DEAR SIR: I have projects in regard to public matters which I think ought to be brought before Congress by the popular voice, expressed through memorials or petitions. In relation to them, as I now intend briefly to state them, I ask your frank opinion, and if you affirm, your assistance in preparing the memorials.

"*First.* That Congress should exert its unquestionable power to abolish slavery in the District of Columbia.

"*Second.* That Congress should repeal the act passed in May, 1807, sanctioning, by protecting, the internal State slave trade over the waters which are public highways under the exclusive jurisdiction of Congress; this act is unconstitutional.

"*Third.* That Congress should at once take measures to alter the Constitution; first, by expunging the Fugitive Slave clause; second, by changing the 2d clause of Sect. 2, Art. 1, so as to exclude three fifths of all other persons (slaves) from enumeration in ascertaining the ratio of representation and the apportionment of direct taxation; third, by expunging the 1st clause of Sect. 9, Art. 1, and inserting a clause prohibiting the slave trade, and the admission of Slave States (I join the two that the first may carry the last); fourth, that all laws passed by any State which shall in any way alter, impair, or conflict with the duties of such State to the United States, or with the rights of any other State, shall be void unless they shall receive the sanction of the Government of the United States (this forbids any act of secession, without assuming that, unless forbidden, it might be supposed to exist under the Constitution). Thus State laws which might produce antagonism would be forbidden to be passed, and State sovereignty would be exploded; fifth, the 4th clause of Sect. 9, Art. 1, must be so altered as to adapt it to these changes.

"*Fourth.* That laws should be passed declaring that if the States of Florida, Louisiana, Mississippi, and Alabama, now in flagrant rebellion, do not, by the acts of their Legislatures, on or before the 4th day of July, 1862, repeal their acts of secession, and declare their subordination to the Government and laws of the United States, they shall be considered as Territories of the United States. That by the same act a territorial government of the first class should be enacted for such territory; and that after the said 4th day of July all laws passed prior to that day for the government of the people, or which affect them, or prescribe the duties of the people of said territory, shall be null and void to all intents and purposes.

"This would destroy slavery, inasmuch as it only exists by virtue of State or territorial laws.

"By giving the people of these States this period to repent of, and change their course, and in the meantime, by pushing our armies into these States, we will raise up the Union men to assert their rights and perform their duties, and bring this rebellion to a close more certainly than in any other way.

"It appears to me that to print our memorials for their consideration, would tend to preserve the unity of the majority, by giving them definite measures to act upon; and particularly so if such memorials should be extensively circulated and signed by great numbers.

"I beg you, if you think well of any part of this plan, so to inform me, and appoint a day and hour when I can see you alone, or with any others you may please to select, to talk over this matter.

"It is quite important that if any thing is to be done, it should be done quickly.

"Yours truly."

JAMES A. HAMILTON TO THE PRESIDENT OF THE UNITED STATES OF AMERICA,
Washington, D. C.

"December 17, 1861.

"DEAR SIR: I had the pleasure recently to receive your Message to Congress in a manner that prompts my self-love to believe it was sent by your direction. I therefore write this note to thank you for ranking me among those of your friends who are considered worthy of this attention.

"Your moderation, firmness, and wisdom will, I have no doubt, by the blessing of the Almighty, carry us through this wicked conflict with success by bringing all the rebellious people into subordination to laws, preserving the Union and the Constitution.

"I congratulate you upon having the honor to be placed in the foremost position in this the most interesting chapter, not only in the history of this country, but of the world.

"I have the honor to be, with sincere regard,

"Your friend and obedient servant."

JAMES A. HAMILTON TO HON. SALMON P. CHASE, Secretary of Treasury.

"NEVIS, DOBBS FERRY P. O., December 18, 1861.

"MY DEAR SIR: I thank you for the copy of your report, and particularly for the expression of your best regards. I have read it again with great attention. It is eminently wise and manly. As I hope to see you ere long, I defer the expression of my opinion upon its various topics.

"The banks can and ought to give you another fifty millions. They can do so without any greater risk, because they will inevitably suspend specie payments. In that event, Congress will, I hope, create 'a circulation of notes bearing a common impression, and authenticated by a common authority,' and make them a legal tender. They will in many respects be better than coin, and therefore should be established as a part of your system.

"I have the honor to be, with sincere regard, yours, &c."

CHAPTER XIV.

JANUARY 1862—DECEMBER 1862.

Letters to Mr. Chase on Banking Associations and Financial affairs—Restoration of the Rebellious States—Letter from Hon. S. Hooper—Emancipation meeting at Cooper Institute—Address—Letter to Gov. Morgan on registering voters—Letter to Senator Sumner on the internal Slave trade—Letter to Charles Eames on the Slavery question—"Suggestions for the consideration of those who are much wiser than he who makes them"—Currency--Foreign Policy--The call of the President for volunteers—Arming the Negroes--Letter to President Lincoln on the crisis—Circular to Governors of the Loyal States—Raising troops—Interviews and suggestions to Secretary Chase—President Lincoln.

JAMES A. HAMILTON TO THE HON. SALMON P. CHASE, Secretary of the Treasury.

"DOBBS FERRY, January 1, 1862.

"MY DEAR SIR: I wish you many happy returns of this day, with grateful memories of your skilful administration of the public finances under the most adverse circumstances. Time and results will vindicate your wisdom.

"I hope Congress will do immediately what has been so long delayed, adopt your suggestion as to banking associations—give you authority to issue United States notes of \$5, \$10, and \$20 without interest, for circulation, receivable in payments of all public dues except imports, exchangeable for a 20 years six per cent. stock and make them a legal tender; tax luxuries, to wit: distilled liquors, carriages, musical instruments, gold watches, promissory notes and other evidences of debt of all kinds, including bank notes (excepting United States notes and stocks); increase the direct tax; repeal the law taxing incomes, which will be found to be more vexatious than profitable, and odious when it reaches the rent or other profits of real estate already assessed for the direct tax; give you authority to issue stock bearing six per cent. interest, not redeemable until after 20 years, to be sold in open market after due notice; repeal the Homestead law; and pledge the proceeds of the sales of public lands, and of duties upon teas, coffee, sugar, spices, and dried fruits for the payment of the principal and interest of the public debt.

"Excuse me, I have written much more than I had intended, which was to wish you the compliments of the season, and to tender my services in any way in which I can be useful to you.

"Your friend, &c."

JAMES A. HAMILTON TO HON. WILLIAM VANDEVER.

"DOBBS FERRY P. O., January 3, 1862.

"SIR: You are reported to have introduced a bill to reduce the States in rebellion to a territorial condition. I have had the same purpose, in a limited degree, under consideration; and have proposed to prepare a memorial to Congress, asking that laws should be passed to that effect in regard to Florida, Louisiana, and Arkansas. I would ask this as an entering wedge, as it would be deemed much less objectionable than the same course would be in regard to other, and particularly any of the original thirteen States.

"The territory of the three named originally belonged absolutely to, and was held in full sovereignty by the United States by right of purchase. The inhabitants thereof had then no political status. Those of the first were subjects of Spain, the last of France—they did not owe allegiance to the United States and were at liberty to leave the country; and when as colonies of their governments they were purchased by the United States, the inhabitants did not rise higher in the political scale than subjects of the United States, that is, if they remained on the purchased Territory, they were subjected to the laws enacted by the United States for the government of the inhabitants of such Territory.

"In due time, the owners of these Territories (the United States) conferred upon the inhabitants Territorial Governments of the first class—that is to say, a Governor, Secretary, and Judges; the latter forming a council with very circumscribed legislative powers, and after the necessary condition of pupilage, they received a Territorial Government of the second class, by which the inhabitants (not yet citizens of the United States) were permitted to elect a House of Representatives, the laws whereof received their power from the Congress of the United States.

"The third degree was derived from an act of Congress, by which upon certain conditions they were authorized to elect a convention to the end that the inhabitants might form a constitution, and by an act of Congress they were created a State, and as such one of the United States; to be and continue one of the United States was the implied condition of such creation. The express condition upon which Florida was admitted was, that the lands therein should belong to the United States, not to be interfered with by the State or to be taxed.

"When the people of Florida declared by secession that they would no longer continue a State of the United States, they violated the original condition upon which they were permitted to form a State government, and they therefore necessarily reverted to the condition of subjects and inhabitants of a Territory of the United States.

"By their assumed act of independence of the United States, and by their attempt to become a constitutional part of another Government, they violated the other condition in regard to the public land, because as an independent sovereign State, or as a member of a distinct and independent sovereignty, they necessarily asserted the right of ownership of the public lands and the right to tax the same, or committed the lands to the ownership and taxation of the new Confederacy. So much for Florida.

"As to Louisiana and Arkansas, they were admitted as States upon the express condition as to the public lands, as is above stated as to Florida.

"In the case of Louisiana, the act of April 8th, 1812, is in these words: 'That

the said State shall be one, and is hereby declared to be one, of the United States of America, provided that it shall be taken as a condition upon which the said State is incorporated in the United States, that the river Mississippi and the navigable rivers and waters leading into the same and into the Gulf of Mexico, shall be considered highways, and forever free as well to the inhabitants of the said State, as to the inhabitants of the other States and citizens of the United States, and that the above conditions and all other conditions and terms contained in the 3d section of the act, the letter whereof is herein before recited, shall be considered, and declared, and holden as fundamental conditions and terms upon which it is incorporated in the Union.'

"The people of Louisiana when they attempted to absolve themselves from their allegiance to the United States, when they gave in their adhesion to another State, not only violated the fundamental condition as to the public lands; but they necessarily assumed absolute jurisdiction over the river Mississippi, &c., and denied all right of the citizens of the United States and inhabitants of other States freely to navigate these waters, and to consider them highways, &c.

"This is too clear for argument; consequently the United States have an unquestionable right as owners in full sovereignty to insist that they have reverted to their original conditions of inhabitants of a territory of the United States, and that all the rights of property of, in, and to the said territory, as well as full sovereignty over the same, reverted to the United States of America.

"My idea was that a law should be passed, declaring that if the people of these States respectively did not by their legislatures annul the acts of secession and declare them fully subordinate in all respects to the Government and laws of the United States, as fully and completely as before such acts of secession were passed, on or before the —— day of —— 1862; then, and in such case, the inhabitants of the Territory of Louisiana should be subjected to the Territorial Government heretofore established.

"I am not quite clear as to this latter course. I think it well to give them a *locus penitentia*, and that thus the Union men might rise and do their duty.

"I hope I may be permitted to present to you some further changes, which I propose to petition for:

"*First.*—The abolition of slavery in the District of Columbia.

"*Second.*—The repeal of the 9th and 10th Sections of the Act passed March 2d, 1809, authorizing and regulating the inter-State slave trade.

"*Third.*—The following amendments of the Constitution of the United States, viz.: First, Expugn the Fugitive Slave clause; Second, Alter clause 3d of section 2d, article 1st, which provides for the apportionment of representation and taxes, by striking out the words 'three fifths of all other persons.' The clause should be made to read thus: 'Which shall be determined by adding to the whole number of free persons those bound to service for a term of years, and excluding Indians not taxed.' Thus slaves would be excluded from the enumeration of inhabitants for representation as property for taxation; and by including those held to service for a term of years, the States having slaves might be induced to change the perpetual bondage for an apprenticeship for a term of years. Third, Expugn the 1st clause of the 9th section, and in lieu thereof insert a clause prohibiting the slave trade forever; and also declare that no State shall hereafter be admitted into this Union which, by the laws thereof, shall hold any person to service or labor, otherwise than for crime.

“I hold it to be indispensable to the safety, honor, and welfare of these States that all such parts of the Constitution as in any manner or degree recognized the extension of slavery, or the laws of any State as giving effect to that great crime, be stricken from that ‘*Charter of human liberty.*’ I hold that every condition of things which necessarily tend to combine large masses of the people of any State into a body having one strong common interest, or as Benton said, ‘Which welds them into a solid mass,’ as hostile to the well-working of our popular Government.

“To reduce all the States now in rebellion which were not of the original thirteen, would give to the residue the power to alter the Constitution in the particulars above referred to. Unless this shall be done before this rebellion is crushed, it never can be done; for how much soever you or I may wish that slavery should be abolished, which I do most ardently, I do not believe it will be. As the next best thing, I most earnestly desire that I may be freed from all responsibility in regard to it; and that those who think proper to continue it, may be required to take care of their chattels, and may be deprived of all political power resulting therefrom.

“In this connection, and in reference to amendments to the Constitution according to the 5th Article, it seems to me to be most absurd and suicidal to consider the States in flagrant rebellion as States of the Union, and to be counted as such; and thus to defeat the will of three fourths or more of the loyal States.

“Let me illustrate this idea. It is the first duty of the government to protect each citizen in his life, liberty, and property. If a citizen commits treason, he forfeits his life, and his property may be confiscated. He is still a citizen, and in obedience to that first duty, the government ought not to take his life or property, because he is one of its citizens, a member of the body politic. It ought only by its strong arm to arrest him and prevent him from carrying out his treasonable purposes. When the people of a country (as was the case in 1793, in the Western counties of Pennsylvania, and one of the adjoining counties of Virginia) or a State rise in rebellion, and by force of arms resist the laws and authorities of the United States; it is the duty of the government to protect and defend each of the States of the Union, and preserve them from domestic insurrection.

You have therefore no right to treat the people of such States as having thrown off their allegiance or as having forfeited their privileges as States, sacrificing the interests of the Commonwealth to an abstraction.

“The wise and practical way to deal with the people in rebellion is to consider and treat them as public enemies, overrun them with your armies, confiscate their property, in short to do whatever the laws of civilized war authorize you to do in order to conquer, or in the words of Washington, “To reduce the refractory to a due subordination to the laws,”—and when this shall be accomplished readmit these conquered people to be States of the United States under the Constitution of Government so altered, or give them the alternative of remaining as a conquered people subjected to a military or civil territorial government. This is practical; is what they would subject the free States to, if they had the power. Indeed, it may be truly said that a part of their plan was to change the Constitution and then reconstruct the government.

JAMES A. HAMILTON TO HON. SALMON P. CHASE, Secretary of Treasury.

“NEVIS, DOBBS FERRY P. O., January 12, 1862.

“MY DEAR SIR: All men are anxiously and impatiently calling for the action of Congress in relation to currency and revenue. It is alleged by many that the Secretary of the Treasury will not take the responsibility of recommending that course which in the existing condition of the country is the only one which can give that immediate relief, which the Treasury requires. As your friend I make this statement to you.

“The suspension of the Treasury, caused by the suspension of the banks, forbids the further issue of United States notes payable on demand. There are claims against the Government which are admitted to be due amounting to millions and tens of millions of dollars, the holders of which are suffering even to bankruptcy from the failure of the government. They are willing, as one of them not to a large amount told me yesterday, to take Treasury notes in payment. Under these circumstances, after the most anxious examination of the subject and conversations with many others who are friendly to you and to the Administration, there appears no other remedy than the issue of a vast amount of Treasury notes of a small denomination. As they cannot be demand notes for the plain reason that the government has not, and cannot get for a long time the means of paying on demand, they must be issued in a different form. They must be receivable in public dues and exchangeable for United States stock payable after a lapse of years at say six or seven per cent interest.

“Your project for supplying a national currency through the banks existing under State laws to be established under an Act of Congress based on United States stocks is excellent, and ought to be enacted. At the same time, it is obvious that this plan cannot give the Treasury the immediate relief it requires. You cannot, here or abroad, sell the stocks of the United States on such terms as would be admissible, or if you could, such a process requires more time than you can give to it. The revenue which may be expected from a system of direct and internal taxes is too dilatory to give relief.

“I have the honor to be with great respect.

“Your obedient servant.”

HON. SALMON P. CHASE, Secretary of the Treasury, to JAMES A. HAMILTON.

“TREASURY DEPARTMENT, January 18, 1862.

“MY DEAR SIR: Your letter came yesterday, and has received the attention due to whatever you write.

“While gratified by your appreciation of the Secretary, I cannot say that my confidence in his integrity was enhanced by it. It was perfect before and could not increased.

“As to Mr. Morgan, I am convinced of the value of his services. But is this a time for gentlemen in the employment of the Government, to receive such sums for any services, whether the compensation comes from buyer or seller?

“I wish a better engraving of your father for the United States notes than that which appears on the fives. Will you not do me the favor of allowing the Ameri-

can and National Bank Note Companies each to engrave that of which you kindly sent me a copy?

“When shall I have the pleasure of seeing you here?”

“Yours cordially, &c.”

JAMES A. HAMILTON TO HON. SALMON P. CHASE, Secretary of Treasury.

“NEVIS, DOBBS FERRY P. O. January 28, 1862.

“MY DEAR SIR: Owing to my absence, I did not receive your letter of the 18th instant until Saturday evening the 25th instant. On Monday I took to the city the Talleyrand miniature (a photograph of the same miniature which my dear mother wore on her breast, with the letter last addressed to her by her husband, until her death), and an engraving of the original bust by Durand. You will see this in the 1st Volume of Hamilton's Works. I took these to the National Company first—the Talleyrand miniature was prepared for their work—then to the American, where their artist was engaged in copying Durand's engraving, intending to make it more life-like in various ways. For this purpose the directors wished me to leave with them the photograph and the two miniatures, which I did. In answer to my inquiries as to when they would be returned, I regretted to learn that it would not be short of a month.

“I will take care to afford each company every facility, well knowing how very important it is to you that you should be provided with these notes without delay.

“I agree entirely in your views as to Mr. M's compensation.

“As I cannot leave my wife in the absence of our daughter, which has confined me here, expecting the difficulty to be removed when my daughter, Mrs. Schuyler, leaves Washington, I anticipate the pleasure of seeing you early in February.

“Your obedient servant.”

HON. SALMON P. CHASE, Secretary of the Treasury, TO JAMES A. HAMILTON.

“TREASURY DEPARTMENT, February 3, 1862.

“MY DEAR SIR: Your letter of January 28th is received. I am glad the engravers are at work upon the likeness of your father, and I shall hurry them up. If the plates are not ready for the present issue, they may be used hereafter by substituting them for the head now used.

“Yours most truly, &c.”

S. HOOPER TO JAMES A. HAMILTON.

“WASHINGTON, February 9, 1862.

“MY DEAR SIR: I must thank you for your kind letter of the 6th instant, and assure you of the gratification to me of your approval of my speech, and your friendly expression in reference to it. My opinion is that the bill will be passed this week in the Senate, but I regret the necessity which obliged Mr. Chase to ask for authority from Congress to issue ten millions temporarily, for which he has arranged in New York at the rate of 5 per. cent. per annum, fearing it may be used as an excuse by the Senate for delay in passing this more important bill. I thank you for the references in regard to ‘Sinking Fund’ and ‘Legal Tenders.’ I have had

doubts in regard to special appropriations of any portion of the revenues as pledges for particular debts which were appropriate to the condition of the country in 1790, but as it has seemed to me, not to our present character of a first-class power among the nations of the earth.

"I regret that I have not time to reply more at length to your letter, but Mrs. Schuyler, whose visit here we have enjoyed very much, will inform you how little time I have to attend to letters, and it is always a great pleasure to me to read one from you.

"Mrs. Schuyler encouraged us to hope that we may have the pleasure of seeing you here next week, and I trust it is only a pleasure deferred for a short time.

"I am, my dear sir,

"Very truly and respectfully yours, &c."

SALMON P. CHASE, Secretary of the Treasury, to JAMES A. HAMILTON.

"WASHINGTON, February 15, 1862.

MY DEAR SIR: Your note has just reached me. It disappoints me much; but I shall regard it as only a postponement of the pleasure and benefit anticipated from your visit, and hope that the postponement will be only to the earliest day you can find.

"You are most kindly remembered by my daughter as well as by myself, and will always be a most welcome guest.

"Your friend, &c.

"Have you seen the proofs of your father's portrait as engraved? Which do you like best?"

JAMES A. HAMILTON TO HON. SALMON P. CHASE, Secretary of the Treasury.

"NEW YORK, March 3, 1862.

"MY DEAR SIR: The engraving by the American Bank Note Company from the bust is very good. That by the National from the miniature is much better—both are satisfactory.

"I have been invited to preside at a mass meeting here, to express the views of this city on such measures as are required to destroy the power of our enemy; slavery, confiscation, territorial governments, colonies of civilization to be planted in every slave State like that which you have authorized on the abandoned Sea Island plantations of South Carolina. Such a course would give to the slaveholders the choice between gradual emancipation and insurrection.

"The success of our armies will very shortly put down all forcible resistance. The necessity for exercising the war power to get rid of slavery will cease, and our Union will be restored with the slavery poison rendered more concentrated and effective for mischief than before. I have fearful forebodings as to the future peace and welfare of the country. We now have the power, but want the courage to correct the error of 'the fathers.' We will, again, in order to secure the Union, yield to the demands of Slavery. I rejoice that your department is relieved.

"With great respect, your friend, &c."

On March 6, 1862, I was invited to preside at an emancipation meeting at

the Cooper Institute. This was the first meeting on the subject in New York, it was very numerous and very enthusiastic. The President made the following address :

“ Fellow-citizens—The honor of presiding at this thronged meeting of those who represent the intelligence, the wealth, the enterprise, the mechanical skill and labor of this great city excites my sensibility from the conviction, that your choice has been induced not by considerations personal to myself, but from respect to the memory of him whose name I bear (cheers). We are assembled here to express to the President and the Congress of the United States our views of slavery, its influence upon our National character, and the destiny of our country, and to advise the adoption of such measures as will give us permanent peace, and thus secure the future from the dangers and calamities of the present. Let the voices of the loyal men of this metropolis be given out in no ambiguous terms; let it be the utterance of earnest men, impressed with the magnitude of the consequences involved. Let us under the hallowed influence of patriotism—of a sense of our duty to the oppressed of this Nation—treat this great subject so decisively as that the echo of your voice may come up from the loyal people in all parts of the nation, in tones which cannot be mistaken or disregarded by their representatives (cheers). With your permission I will briefly express my opinions of the duties of the people, the powers and duties of the Government in regard to slavery. The great principle on which our ‘ Representative Democracy ’ is founded, is ‘ The Freedom of Man ’ (Applause). In obedience to this great principle, it is your duty to express your earnest conviction, that slavery is not only a great crime, but also a great social and political evil (cheers); that it is the direct and immediate cause of the calamities which so sorely afflict the whole country; and, above all, to express your fixed determination that the course and policy of your Government shall hereafter be to develop the great principle of human freedom, and not as hitherto it has been to extend and fortify slavery (Applause). We are told the Government has no power to destroy slavery, because the right of one man to hold his fellow-man in perpetual and degrading bondage is established by State laws. I answer, such laws cannot rightfully exist, either under the Government of the United States, or of the States. Man was created in the express image of his Maker—a responsible being, having an immortal soul. No power less than that which created him, less than omnipotent, can reduce him from his condition of a man to that of a brute, a chattel (cheering).

“ Has the Government the power to destroy slavery? We are engaged in a war which involves the life or death of the nation. A blow in behalf of slavery has been struck at the national existence. Every Government, whatever may be its Constitution, is necessarily armed with all the powers required to preserve its life. In the exercise of those powers, it has the right and it is its duty, to destroy property, institutions, laws of State, and the lives of those who are, or may be employed for its destruction; or which may expose the nation to a death struggle at a future period. (Applause). These are rights and duties not to be sought for in Constitutions or laws. They are given and imposed on all Governments by that great law of nature, the law of self-preservation.

“ The President, by his oath of office, is bound to ‘ the best of his ability to preserve, protect, and defend the Constitution.’ You will observe he is required to devote to this first great duty all his ability. He is not limited in doing so to the

means committed to him by the Constitution or the laws. From these considerations, it is indisputable that slavery, whether sanctioned or not by State laws, now imminently endangers the national life, or threatens to do so; and therefore may be destroyed by the Government of the United States. As to the question, whether in the exercise of this power the Government can disregard its own obligations or the right of persons (applause), I will, in answer, refer to an authority which is well entitled to your respect. One of 'the fathers' (Alexander Hamilton), in discussing the question whether a nation may, in certain extraordinary cases, be excusable for not observing a right in the performance of a duty, says:

"A nation is excusable, in certain extraordinary cases, for not observing a right in performing a duty, if the one or the other would involve a manifest and grave national calamity. But here also an extreme case is intended. The calamity to be averted must not only be evident and considerable, it must be such as is likely to prove fatal to the nation, as threatens its existence, or at least its permanent welfare.

"Of the second class of exceptions (those which threaten the permanent welfare of the nation), the case of certain feudal rights which once oppressed all Europe, and still oppress too great a portion of it, may serve as an example: rights which made absolute slaves of a part of the community, and rendered the condition of the remainder not much more eligible.

"These rights, though involving that of property, being contrary to the social order and to the permanent welfare of society, were justifiably abolished in the instances in which abolitions have taken place, and may be abolished in all the remaining vestiges. (Cheering.)

"Whenever, indeed, a right of property is infringed for the general good, if the nature of the case admits of compensation, it ought to be made; but if compensation be impracticable, that impracticability ought not to be an obstacle to a clearly essential reform!" (Applause.)

"Fellow-citizens! the people of the loyal States have, with unequalled patriotism, devoted their lives to the service of the country. The Government, through its various departments, has formed an army and a navy of vast proportions and the most efficient character, with a promptitude and skill most honorable to them. Now let the people require that this accumulated power shall be used not only to crush out armed rebellion, but its malignant cause. (Tremendous and long-continued cheering.) Your military and naval forces, with rapid blows, are destroying the military power of your enemy; but unless the last blow which is struck strikes off the fetters of the slaves, the work of restoring the Constitution and the Union will be mockery. (Great applause.)

"I may here remark, that although I detested the system of slavery as a great crime and a great social and political evil, I was not an abolitionist, because I well knew that when the Constitution of the United States was formed and adopted, it was well known that slavery might and would continue in all the States which should so decide, and that during a period of twenty years, Congress was not allowed to pass any law prohibiting the slave trade; and further, that if this had not been so understood, the Constitution would not have been adopted by the slaveholding States. I therefore believed, in the true spirit of this understanding, that I was inhibited from interfering with the accursed thing. But as soon as the slaveholders threw off their obligations under the Constitution, I was freed from mine; and I therefore indulged those feelings which my father had excited when he wrote:

“The sacred rights of mankind are written as with a sunbeam in the whole volume of human nature, by the hand of the Divinity itself, and can never be erased or obscured by mortal power.’

“Again:

“I am inviolably attached to the essential rights of mankind and the true interests of society. I consider civil liberty as the greatest of terrestrial blessings. I am convinced that the whole human race is entitled to it, and that it can be wrested from no part of them without the blackest and most aggravated guilt.’

“Blackstone.—‘The Deity has constituted an eternal and immutable law which is indispensably obligatory upon all mankind prior to any human institution whatever. This is what is called the law of nature.’ Hamilton adds: ‘Upon this law depend the rights of mankind. The Supreme Being gave existence to man together with the means of preserving and beautifying that existence. He endowed him with rational faculties by the help of which to discover and pursue such things as are consistent with his duty and interest, and invested him with the inviolable right to personal liberty and to personal safety.’

“‘Natural liberty is a gift of the beneficent Creator to the whole human race, and civil liberty is founded on that and cannot be wrested from any people without the most manifest violation of justice. Civil liberty is only natural liberty modified and secured by the sanctions of civil society. It is not a thing in its own nature precarious, and dependent upon human will and caprice, but it is conformable to the constitution of man, as well as necessary to the well-being of society.’”

JAMES A. HAMILTON TO HIS EXCELLENCY GOV. MORGAN, Albany.

“DOBBS FERRY P. O., March 19, 1862.

“DEAR SIR: I take the liberty to suggest that it would be eminently proper that a law should be passed at the present Session of the New York Legislature, authorizing all persons who, being inhabitants of this State, have enlisted in the army of the United States, or volunteered in the service of this State, who may be in the field at the period of any election held in this State for the election of officers of the United States, or the State of New York, shall be entitled to vote at the next and all future elections; and that the Governor shall appoint two Commissioners to go to the place where such persons may be to receive their votes, and that all such persons hereafter whenever they return to this State to reside therein, shall be entitled to be enregistered and to vote at any election in this State. And I beg leave further to suggest that it would be well for you as Governor, by a special message to bring this subject to the attention of the Legislature.

“I have the honor to be, with great respect, your friend and servant,

“JAMES A. HAMILTON.”

JAMES A. HAMILTON TO SENATOR CHARLES SUMNER.

“NEVIS, DOBBS FERRY P. O., April 30, 1862.

“DEAR SIR: The most offensive legislation of the United States in regard to slavery is that which protects the internal slave trade. It is found in the Act of March

2d, 1807, Sections 9 and 10. The language, 'No captain' and 'of any vessel, &c.' shall after the 1st of January, 1808, sailing coastwise from any port of the United States to any port or place within the jurisdiction of the same, having on board any negroes, &c., for the purpose of transporting them to be sold or disposed of as slaves, &c., shall previous to the departure of such vessel make out and subscribe duplicate manifests of any such negro on board such vessel, &c., and deliver such manifests to the collector of the port, &c., and the collector shall give a permit, &c., authorizing him (the captain) to proceed to the port of his destination. The 10th section provides that on arrival at the port of destination, the collector shall give a permit to land such negroes, &c.'

"I call your attention to this Act in the hope that you will cause this section to be repealed; and, prohibiting a vessel from receiving a clearance, will strike another blow at the monster, and thus present another claim to the applause of your countrymen.

"I have the honor to be, your obedient servant, &c."

May 2d, 1862, Mr. Sumner gave notice that he intended to introduce a bill to repeal the above law.

JAMES A. HAMILTON TO EDWARD COOPER, Esq., New York.

"DOBBS FERRY, May 14, 1862.

"DEAR SIR: I had the pleasure yesterday evening to receive your letter of the 12th inst., with the pamphlet to which it refers. Receive my thanks for both. I am anxious to impress upon the public mind and the Government the necessity and advantage of developing the vast resources of our country in all materials necessary to produce iron of the best, as well as all other qualities.

"I hold that diversified labor is the source of the greatest wealth and power of a nation; that the production of iron is of greater advantage than of gold, and that the change in the engines of war from wood to iron renders such development a duty of the Government and a necessity for the nation.

"To pay the interest on our public debt will require a high rate of duty on manufactures which will thus give them adequate protection. This is necessary; but I hold it to be more necessary that capitalists should be assured that the Government will adopt that as a persistent policy.

"As a practical and intelligent man, I should like to have your views on this subject.

"Do me the favor to present my best respects to your father, Mr. Peter Cooper whom I so much esteem and respect. Let me give you an anecdote.

"During the late canvass for President in which I felt a deep interest, being in a railroad car passing the Cooper Institute, there was an excited conversation upon the subject of the President; when standing upon the platform, I said in a loud tone, 'Gentlemen, I would rather be the man who built that house than be President of the United States;' this was received with acclamation.

"With respect, your obedient servant."

JAMES A. HAMILTON TO SALMON P. CHASE, Secretary of the Treasury.

“NEVIS, DOBBS FERRY P. O., May 19, 1862.

“MY DEAR SIR: It affords me very great pleasure to congratulate you on the triumphant success of your financial system.

“I am greatly amused by the commotion of those who, confident in their very superficial knowledge of the subject, imputed to your measures the suspension of the banks, and the inevitable destruction of the credit of the Government, now rejoicing at the rise of stocks, the increase of their specie basis, and other advantages; but at the same time insisting that, according to all sound banking principles, this ought not to be so. I have now only to hope that you will be enabled to establish your banking system, and thus render to your country the inappreciable advantage of a currency of universal credit based upon the best security—the stocks of the United States.

“The system would be permanent because it would be sustained by the State institutions and the strong Government of the United States.

“I am, my dear sir, with great respect, your friend, &c.”

HON. SALMON P. CHASE, Secretary of the Treasury, to JAMES A. HAMILTON.

“WASHINGTON, May 21, 1862.

“MY DEAR SIR: Accept my thanks for your kind and too affectionate letter. Your support at the first and from the first has been of the greatest value to me.

“It is absolutely necessary to the success of my whole system, that a proper Funding Bill become a law. Can you not give me a visit of a few days and see some members of the two Houses?

“My daughter will welcome you gladly, and we shall both try to make your sojourn with us not intolerable.

“Cordially yours, &c.”

W. J. POTTER TO HON. JAMES A. HAMILTON.

“NEW BEDFORD, MASS., June 24, 1862.

“DEAR SIR: Your letter of the 18th inst. and the accompanying pamphlet we duly received, and read with pleasure and profit. The latter I have just finished reading a second time. It is admirable in argument and in my opinion unanswerable. I am glad to have also so clear a historical statement of the question.”

See also the following letter to a “Gentleman” in Washington.

JAMES A. HAMILTON TO CHARLES EAMES, Washington.

“DOBBS FERRY, June 24, 1862.

“DEAR SIR: I address this letter to you because I am sure you will appreciate the importance of the subject it touches, and that you will appreciate the motives which impel me to presume to deal with matters of such grave national importance.

“The future of our country presents more important questions for profound consideration than have heretofore commanded the attention of the statesmen of any other country, and of more difficult solution, because the history of the world

gives no analogy to them, and consequently experience affords no guide to a right decision.

“First. The question of the abolition of slavery involves a radical change in the social condition of millions of the white, and of a like number of the black race, both inhabiting the same region and both mutually dependent. 1st. Congress has, or will pass Confiscation and Emancipation Acts. These affect the property, real and personal, of the first, and the freedom of the last race. 2d. The advance of our armies has freed thousands of the latter, and in the course of the war will completely unsettle the relations of the latter to the former. 3d. Freedom or insurrection will be the alternatives of those who are not made free by the advance of the armies of the United States. 4th. A Bankrupt Act to collect the debts, and the collection of the direct and other taxes in the Southern country, desolated as it is, will necessarily lead to the sale of the estates upon which the black race are now employed, and may bring into the Southern country a new race of owners. 5th. When the slaves are freed what is to become of them? Colonization is one answer. It cannot be coercive, nor is it wise to take from the country two millions or more of efficient laborers accustomed to the peculiar cultivation and to the climate of that country.

“Second. The commerce of the country must be in some directions, for a limited time, fostered by the Government. 1st. It is a fact that the commerce along the eastern coast of South America is almost absorbed by Great Britain; whereas, inasmuch as it may be said to be a coastwise trade for us, we ought to monopolize it. The bare fact that the vessels of Great Britain are to pass a distance of 3,000 miles on the outward voyage before they arrive at the scene of action, and to pass the same distance on the return voyage, whereas we are to begin the work almost as soon as we take our departure from our coast—gives rise to the question, with such advantages on our part in the race, how have we been cut off from that valuable trade? Answer, by the subsidies of Government, which ought to be counteracted, be they what they may. 2d. The trade of the Pacific deserves our attention. When the Pacific Railroad shall be finished, we may successfully compete with all the world for the China and Japan trade.

“I do not go into details, but I do indulge a confident belief that under a proper system, Europe will receive at our Atlantic ports the rich products of those countries.

“Third. A system of internal improvements, wisely devised and gradually extended, will not only vastly increase the internal commerce of the country, but will bind the various exterior regions to the centre.

“Fourth. The financial system of the country presents considerations of the most interesting character, whether for weal or for woe, according to the policy which may be established and determinately pursued. A debt of eight hundred or two thousand millions requires taxation to provide for the payment of the interest, and ultimately to extinguish the principal. This debt at 6 per cent. for interest and 1 per cent. as a sinking fund, may be extinguished in thirty years, and will thus require a revenue over and above the expenses of the Government of one hundred and fifty millions of dollars. The annual expenses of the Government may be estimated after the war at not less than one hundred millions, making together two hundred and fifty millions. The Customs revenues will be at least one hundred and fifty millions, leaving one hundred millions to be raised by internal taxation. This

may be an extravagant estimate. If good sense, guided by experience, governs our policy, this debt will not be an unmitigated evil.

"The debt of England is five times the amount of ours. The payment of the interest at 3 per cent. of that debt, with the expenses of its management, calls for 29 to 30 millions of sterling pounds, or 150 millions of dollars. One-half of this debt is absorbed by the investments in trust funds, made voluntarily or by order of the courts, and it is thus measurably withdrawn from the market. The other half being at near par, forms a part of the capital of the country, as will every public debt so secured as to command public confidence. Thus our public debt will increase the amount of our capital, now so inadequate to our field of enterprise.

"Fifth. The currency of the country necessarily belongs to this question. Should the Government boldly assume the exclusive power in relation thereto conferred upon Congress by the Constitution (see Mr. Madison's Messages of 1815 and 1816), should the existing Legislature interpose to defeat these rights, duties, and responsibilities, what practicable remedy would there be? Appeals to the Supreme Court of the United States would be dilatory, expensive, and not in all cases, particularly in the case of the freedmen, practicable. What other or better remedy is there, than that Congress should assume, as it is believed they may properly do, that by treason the State Governments are dissolved, and to establish territorial Governments of the first class, that is, to appoint a governor, secretary, marshal, and several judges; the latter to form a Legislative council. In this way, there would be a civil Government with an Executive, a Legislature, and a Judicial Department. It might be necessary to sustain this Government by a military force. Should the people find that they were thus subjected to a Government of plenary powers to which they were compelled to submit, it is believed they would come to their senses and seek to return to their condition of a State of the Union. Congress would thus pass an Act authorizing them to form a Constitution, with proper provisions, &c.

"The course to be pursued by the Federal Government in relation to the people of the Gulf States, should they, after the exertion of military force is unnecessary, continue obstinately to resist by their civil authorities and otherwise submission to the laws of the United States, deserves grave consideration.

"First, Taxes are to be gathered. Second, Property, real and personal, is to be sold in the event of non-payment. Third, Vast sums of money are due in these States to Northern citizens. Fourth, These citizens, under the Constitution of the United States, are entitled to the same rights in South Carolina that a citizen inhabiting that State has. They have a right to the protection of the United States in the exercise of these rights, and particularly in the collection of their debts. Fifth, The negroes are to be protected in their freedom. The purchasers of the estates of traitors, under the Confiscation laws, are to be secured in their purchases."

JAMES A. HAMILTON TO A GENTLEMAN IN WASHINGTON, D. C.

"July 1, 1862.

"DEAR SIR: I have prepared and now submit to you the inclosed 'suggestions' for your consideration, in order that if you think well of them and of the plan I now propose in relation thereto; you may put them into such hands as will probably take an interest in the subject.

"It appears to me, however competent they may be, that the members of the

executive Government are necessarily so much engaged with the important current business of their respective departments, and with the administration generally, that they are unable to give their attention to that great future of our country to which I have referred; and consequently that it is a necessity that a few of our most matured statesmen, who after the adjournment of Congress will have leisure, should now meet, and confer together as to the great question of public policy which will require to be settled; and that each may take a subject for his deliberate consideration, and thus upon their return to their duties be prepared to treat such questions with confidence, and in such a manner as will lead to such a definite end and purpose as may be most proper and most expedient.

"It is unnecessary for me to say more. I commend the whole subject to your discretion.

"Suggestions, &c., for the consideration of those who are much wiser than he who makes them."

SUGGESTIONS.

"The future of our country will present more important questions for profound consideration than have heretofore commanded the attention of the statesmen of this, or perhaps any other country; and of more difficult solution, because history gives no condition of affairs analogous to many of them, and consequently experience affords no guide to a decision.

"*First.*—Slavery; its treatment, and the consequences which must follow emancipation.

"I. It may be assumed that the freedom of four millions of the blacks is the inevitable result (as it ought to be) of this rebellion.

"The Act of August 6th, 1861, 'to confiscate property used for insurrectionary purposes,' will free vast numbers in all parts of the rebellious States, which have been or may be exposed to the approach of our armies. The Emancipation Act to be passed at the present Session will necessarily free many more; indeed it may be said that the number which the two acts do not reach will be very few.

"II. The Confiscation Act will expose for sale the real estate of a very large number of slave-holders.

"III. The tax laws, and a bankrupt bill (should one be passed), will bring to the hammer many of the estates of the same class of persons.

"IV. The march of our armies into the regions of slavery will, as it has done, free vast numbers.

"V. Those who are freed by these processes will be so numerous and so far extended over the region of slavery as, from natural and inevitable causes, to present to the residue of slave-holders the choice between insurrection or the voluntary freedom of their slaves.

"VI. The consequences of the emancipation of the slaves, and the confiscation of the estates of their masters, involves a radical change in the social condition of millions of the white, and a like number of the black race, both inhabiting the same region and mutually dependent.

"VII. This consequence presents a variety of questions of the most important and difficult character. 1st. When the slaves are freed, what is to become of them? Colonization is one answer. This cannot be coercive; it will not be voluntary, nor

would it be wise to remove millions of efficient laborers, accustomed to the peculiar cultivation and to the climate of the country they inhabit.

"2d. Should the black race remain, which I assume will be the fact, will they trust and be willing to work for their old masters; and if they should be, by what course of legislation can their freedom be secured? These, it is assumed, will be some of the points to be considered; various others of equal or greater difficulty will be suggested to those better acquainted with the subject. Should the estates of the slave-holders, now traitors, be sold and purchased by men of the North, some of the difficulties would be removed.

"3d. The poor whites in the Southern regions are to be cared for; could they be educated, and thus be raised by profitable labor to the condition of independent and industrious citizens, it would effect a change of great value, and one which would assist in the solution of other difficulties.

"*Second; The Commerce of the Country.*—1st. It is a fact that the commerce of Mexico, and all along the eastern and western coast of South America is nearly absorbed by Great Britain, notwithstanding that our proximity gives us decided advantages. In the first place, to us it is measurably a coastwise trade (always the most profitable). The vessels of Great Britain have to incur the expense of a voyage of 3,000 miles in the outward before they begin the race with us, and the like expense on the return voyage; other things being equal, this ought to be decisive against her. It is believed that her merchants owe their success to the fostering aid of their Government.

"The evils now occurring in Mexico admonish us that it is interest as well as security to draw closer, by all means in our power, our commercial and political relations with South America than they now are.

"2d. Our trade with Cuba might be much improved; indeed, it ought to be as essentially ours as if the island were annexed.

"3d. The trade of the Pacific deserves attention. When the Pacific Railroad is finished, which, by proper exertions, can be done in less than five years, we may successfully compete with every other nation for the trade to China and Japan. I cannot go into the details, but I indulge in the hope that the time will come, when, under a system of enlightened policy, the nations of Europe will receive the rich products of the East at our Atlantic ports. The voyage from Liverpool to Canton will average 130 days; from New York to the same place by railroad and the Pacific, will be 34 days at most; from San Francisco we can use steam, the voyage by the ordinary routes can be made by sailing ships alone.

"*The Financial System of the Country.*—1st. The public debt. A solid and permanent funding system to secure the payment of the interest and extinguish the principal. This is to be done by constituting a fund sufficient in every possible event for extinguishing the debt in a period not exceeding 30 years.

"NOTE.—A fund which yields 6 per cent. for interest (or whatever other per centum the interest may be), and one per centum additional properly applied, will extinguish the whole debt in that period.

"2d. By 'fixing the destination of this unchangeably:' not only by appropriating it permanently under the direction of commissioners, and vesting it in them as property in trust, but by making its faithful application a part of the contract with the creditors. See the Reports of the first Secretary of the Treasury, of January 9th, 1790, and January 20th, 1795, 3d Vol. Hamilton.

“Should the debt of the country amount to four thousand millions of dollars, and the regular payment of its interest, and the eventual payment of the principal within the period mentioned be secured beyond all peradventure, the stock representing it would always be at or above par; and thus it would, by becoming a part of the capital of the country, cease to be an unmitigated evil; in truth, it would assist to swell the volume of capital to an extent which would be competent to meet, in a great measure, the demands of the vast field which is opened to the enterprise and industry of our countrymen.

“*The Currency of the Country.*—Should Congress boldly assume the exclusive power conferred upon it by the Constitution in relation to the currency (see Mr. Madison’s Messages, 1815 and 1816), they will confer upon the people (and particularly that portion least capable of taking care of themselves) the inappreciable advantage of having notes in circulation of equal value throughout our vast republic. The absorption, at this moment, by the western people, of the legal tender notes to so vast an amount as to place them above par, gives earnest of what a proper system would secure.

“*The Armament of the Country by Land and Water.*—Recent events have given vast proportions to this subject; our own army as a peace establishment must be much extended.

“The disloyalty of the people of the South, in any possible termination of the existing contest, will require a complete armament of all the forts in the harbors, and probably of permanent fortresses on various parts of their interior.

“The navy will also require to be increased, and kept in a condition of great efficiency.

“During the existence of the present generation, there will be a disloyal element in our midst, ready at any moment to take part with a foreign enemy against their Government.

“*The Foreign Policy of our Country.*—The affairs in Mexico foreshadow consequences which may eventually force us into a foreign war.

“It may be said that the relations of the Federal Government to the people of the United States will hereafter be essentially different from what they were.

“That Government has been known to them as a shield and by the glory of its flag. It is hereafter to be known by the tax-gatherer, a most necessary but unwelcome visitor; a wise course of policy in regard to commerce by internal improvements, and to the currency, may tend to bring it home to the people in a more useful and beneficent character.”

JAMES A. HAMILTON TO HON. SALMON P. CHASE, Secretary of the Treasury.

“NEVIS, DOBBS FERRY P. O., July 10, 1862.

“DEAR SIR: It has occurred to me that if the President would modify his call for volunteers in the manner following, it would receive a prompt response: ‘50,000 men to reduce Texas to submission, the same pay and bounty in money, with 160 acres of land to those who will settle there.’ It can’t be doubted that men would more readily enlist for such a specific object than to remain in the service for three years or an indefinite period. The residue of the call, with the men now in the field, will be adequate to all ulterior purposes.

"It may be important to send an army to Texas without delay in reference to the attack of the Emperor upon Mexico. There is too much reason to believe that his ulterior purpose is to intervene in order to establish the great Southern Empire, or to secure provinces to France.

"Texas is as large as France. By soil and climate it is adapted to the culture, by free labor, of cotton, sugar, tobacco, the cereals, and domestic animals of all kinds. By this plan, a free State could be formed there. I am informed there were only 123,000 slaves in the whole country in 1861, of whom 20,000 have gone off.

"I have suggested this plan of obtaining men to three very intelligent gentlemen, who all urged me to bring it to the President's attention. Will you do me the favor to do so. I have the honor to be, with great respect,

"Your friend, &c."

C. B. SEDGWICK TO JAMES A. HAMILTON, Esq.

"WASHINGTON, July 13, 1862.

"MY DEAR SIR: I am under great obligations and thank you heartily for the information given in your note of the 12th instant. I am very glad to find that upon the subject of arming the negroes I am supported by an authority of such weight as your father.

"The time is in fact coming when the propriety and safety of this measure will be almost universally conceded, and will be resorted to by our Government.

HON. S. P. CHASE TO JAMES A. HAMILTON.

"WASHINGTON, D. C., July 15, 1862.

"MY DEAR SIR: Your excellent note is just received, I will send it to the President, and shall be glad if he will read and heed it.

"I have seen little of him for some time past; when he thinks fit to ask my counsel or to impart his own, I attend his summons.

"Otherwise I confine myself to my special work. What I think ought to be done is so generally left undone, and what I think ought not to be done so generally done, that I am led to doubt greatly the value of my views on any subject.

"Your friend."

JAMES A. HAMILTON TO HON. WILLIAM VANDEVER, House of Representatives, Washington.

"NEVIS, DOBBS FERRY P. O., July 16, 1862.

"SIR: I thank you for the copy of the bill reported by Mr. Harlan of the Senate, No. 132. After reading that bill a second time with care, I take the liberty to suggest after the word 'until' on the tenth line section 1st, page 2d, the following words be inserted after the words 'until the rebellious people of said district shall be reduced to a due subordination to the laws of the United States,' and I would also add to section 10 the following: 'the navigable waters running through said districts or on the borders of either of them shall be and continue highways and forever free to the people of said districts, and to the citizens of the United States without any tax, toll, duty, or assessment whatever.'

"I am still of opinion that it would be expedient to limit the bill to the States formed out of territory which once belonged to the United States, to wit: Florida, Alabama, Mississippi, Louisiana, Arkansas, and Tennessee. The argument is so conclusive as to these States that there would be a much greater possibility of passing such a bill; embracing the old States would excite that absurd pretension of State rights and State sovereignty, which was nurtured in the early period of our government for party purposes, into almost a reality; and until it exerted such a political influence as to justify in the minds of so many of our fellow-citizens the right of secession.

"I would also give the people of those States a day of repentance. This would, when they begin to feel that their affairs are disastrous (which they will shortly) induce the Union men and the less truculent of rebels to rise up and cast out their devils. It might induce some to vote for the bill who would not otherwise do so.

"Another law could afterward be passed to deal in the same way with other rebellious States, should they obstinately stand out—as I have no doubt the people of South Carolina will—for years, if not during the present generation.

"I have the honor to be,

"Your obedient servant, &c."

JAMES A. HAMILTON TO ABRAHAM LINCOLN, President of the United States,
Washington, D. C.

"DORRIS FERRY P. O., July 24, 1862.

"DEAR SIR: I perform a public duty in addressing this letter to you; and let me add that if the frank and earnest expression of my opinions at this crisis of our country is distasteful to you, I do not correctly appreciate your character.

"The people of the loyal States have through all the accustomed channels expressed their most unequivocal conviction that the war must be conducted with a vigor and sternness which has no other limit than that which may be demanded by the laws of war; that all the rights of property of rebels of every kind, slaves included, shall be destroyed.

"The question as they now understand it is, whether the Government they have ordained and established, and their rights as citizens of the United States are to be preserved, or whether the assumed rights of those in rebellion against that Government are to be destroyed. This is the issue, as they believe, in this detestable war, and further they call upon you in whom they now have full confidence to use all the means at your command, and all further means which they are prepared to give you, without delay to crush out this foul attempt at the life of the nation, and to issue a proclamation declaring that you will do so.

"I implore you as a duty to yourself, to your country, and to your God, immediately to issue such a proclamation, and at the same time to call into service, as a reserve force to be placed in camps of instruction, half a million of men in addition to those you have already called for. This course will assure the loyal and destroy the confidence of the traitors as to their ultimate success.

"I have the honor to be, with great respect,

"Your friend and obedient servant."

CIRCULAR TO THE GOVERNORS OF THE LOYAL STATES.

JAMES A. HAMILTON TO HIS EXCELLENCY E. D. MORGAN, Governor of the State of New York.

“DOBBS FERRY, August 4, 1862.

“SIR: Prompted by an earnest desire to promote the public welfare in this crisis of our country, without having the honor of your personal acquaintance, I take the liberty to address this note to you.

“It is well understood that, a day or two after the adjournment of Congress, such a proclamation as they believed the President ought to issue was prepared and presented to him by several members of Congress and other gentlemen—that the President approved of the policy thereby indicated, and declared that, with slight modifications, he would issue it. Unhappily for the country, this purpose was frustrated by two members of his cabinet.

“It is believed in the city of New York and elsewhere, that if the Governors of the loyal States, and other representative men from various parts of the country would meet at Washington at an early day, and frankly present to the President their views, urging him to issue a proclamation, declaring it to be his purpose to prosecute the war with relentless sternness, only limited by the military law, and that the late Confiscation and Emancipation Acts of Congress should be carried out to the very letter, that he would follow such advice; when Congress indicates by law a line of policy, or a course of conduct to be carried out, it may be said with confidence that the President and his cabinet are as much bound to obey such laws as is any other man in the nation.

“I have the honor to be, with great respect,

“Your Excellency's obedient servant.”

C. B. SEDGWICK TO JAMES A. HAMILTON.

“SYRACUSE, N. Y., August 7, 1862.

“MY DEAR SIR: I have been engaged all the time since my return in raising volunteers, speaking every night, and late at night.

“We shall fill our Regiment promptly and truly with men who believe in it.

“I look on your proposition for a committee as a good one; to save time, as I have delayed so long, if you will advise me when you will be in Washington, I will look about me and find suitable men, have them meet you there, and will give them letters to you.

“The country is aroused, and full of enthusiasm.

“I am very truly your friend.”

LETTER TO JAMES A. HAMILTON FROM A VERY DISTINGUISHED GENTLEMEN.

“August 18, 1862.

“MY DEAR SIR: I was absent from home when your note arrived, and beg to express my regret for this delay in its acknowledgment.

“I was not one of the committee who had the interview with the President in

regard to the Emancipation act; but from conversations I had with gentlemen who were present I learned that there seemed little prospect of his enforcing the act of Congress for the present.

"Of the wisdom, necessity, and duty of a proclamation from the Executive, announcing to the army, the enemy, and the slave the new policy of Congress, I have no doubt, and I regret to know that we are indebted for the hesitancy of the President, in great part, to influential politicians from this State, whose former anti-slavery professions tend to give undue weight to their present assurances to the President, that if he obeys the act of Congress in regard to Emancipation, the country will be forever ruined.

"The emancipation policy is now demanded by Francis B. Cutting, Esq., Matthew Morgan, and other gentlemen of the old pro-slavery democratic party, demanded as a military necessity, as the only possible mode of dispersing the army of Jeff. Davis, and crushing the rebellion speedily without sacrificing, in a prolonged struggle, the blood, and treasure, and energies of the nation.

"And I am told that the President would have listened favorably,—that he did listen to Mr. Cutting's demand, that the strength now offered to the rebels should be immediately transferred to the army of the Union, and that there was reason to suppose he would take instant steps to that end, when the influence of Mr. Wood turned him again, and left us to continue our present suicidal policy.

"As far as I can learn, this course has been pursued as part of a plan to a coalition in this State, between the Conservative Republicans and the Secession sympathizing Democrats, by which they hope to control New York at the coming election."

The following papers referring to the measures directed by the Governor of New York to be taken in order to enlist or draft the quota of soldiers required to be furnished by the 8th Senatorial district of the State of New York, and particularly Westchester, were prepared by James A. Hamilton.

"TO THE SUPERVISORS, ASSESSORS, MAGISTRATES, AND OTHER OFFICERS, CIVIL AND MILITARY, AND ALL OTHER LOYAL CITIZENS OF THE SECOND ASSEMBLY DISTRICT OF THE COUNTY OF WESTCHESTER."

"The subscribers have been required by the military committee of the 8th Senatorial district forthwith to ascertain the number of inhabitants of the towns of Greenburg, Mount Pleasant, North Castle, Poundridge, Rye, Harrison, White Plains, Scarsdale, Mamaroneck, and New Rochelle, who have enlisted in or from said towns since the 2d day of July, 1862; in order to ascertain the deficiency of each town in its quota of the whole force to be raised by draft. To do this work properly, it will be necessary to ascertain and give at large the name, the age, the occupation, and last place of residence of the person who has been enlisted in and from each of said towns, with the company and regiment in which he has enlisted.

"The quota for the county of Westchester of the two last calls by the President is 3076 men. The enlistments on the 25th inst., according to the report to the military commander, for the regiment from Westchester, Rockland, and Putnam, did not exceed (800) eight hundred men. In order to ascertain the number to be drafted

from each town, the towns will be charged with their quota of 2076 men, and credited with the whole number enlisted in such town, or who have gone from such town to be enlisted elsewhere subsequent to the 2d of July last.

"It becomes the duty of all good citizens not only promptly and truly to give to the enrolling officers of each town the names of persons liable to be drafted, but also to inform those officers and the subscribers of the names, &c., of all persons who have enlisted, that each town may truly give to the public service all the men who are to be called by draft and no more.

"Fellow-citizens, the traitors who have been for years maturing their plans for this rebellion against the most beneficial government in the world are now pushing on vast armies raised by the most relentless conscription to invade the border slave and the free States. It becomes you, therefore, to decide whether it is a less evil to meet these armies on their own soil, and by overwhelming powers to destroy them, or to meet them at your own doors.

"The glorious enthusiasm of the freemen of the North, their loyalty, energy and intelligence do not permit a doubt as to their decision in this eventful crisis. We will rise as one man with God for our strength, and crush the barbarous hordes fighting to establish an aristocracy founded upon slavery, and will thus vindicate the Constitution and the Union, and the great principle upon which all our political systems are founded: Popular Government and the Freedom of all mankind.

"JAMES A. HAMILTON, Dobbs Ferry P. O.,

"A. J. PRIME, White Plains P. O.

JAMES A. HAMILTON TO A. J. PRIME, M.D., White Plains, N. Y.

"DOBBS FERRY P. O., August 28, 1862.

"DEAR SIR: When I had the pleasure to meet you, referring to the poster I had prepared addressed to the supervisors of our County, and to which, with your permission, I added your signature to my own, you told me that your democratic friends laughed at you for having sanctioned the expression, 'We will vindicate the Constitution, the Union, and the great principles upon which our political system is founded—Popular Government and the Freedom of all mankind.'

"It is due to myself to say when I wrote that paper, I knew nothing about your party associations. I am certainly incapable of causing any man unwittingly to express opinions at variance with those he entertains upon any subject, or to seem to do so; further allow me to say when your Democratic friends laugh at you for saying, 'The Country, the Union, and the great principles on which our political system is founded—Popular Government and the Freedom of all mankind,' they do you and their party and themselves great injustice, or are grossly ignorant of the principles upon which our Constitution and our political systems are founded.

"Without going into an argument to sustain this, or appealing to most numerous and the highest authorities of distinguished Democrats and others on the subject, I give you one which ought to be decisive. Mr. Madison, speaking of the Constitution, called it the great Charter of Human Liberty.

"When the Constitution was formed, all those who participated in that great work believed negro slavery a wrong and an evil, and that it would soon be destroyed.

"The cultivation of cotton which commenced about 1792, and the purchase of Louisiana induced the South to desire its indefinite extension as a means of political

power; and of wealth, and now fearing to lose the former, they abjure popular governments and strike at the national life.

“With the earnest hope that we agree in these views,

“I am with respect, &c.,

“Your obedient servant.”

The following statement of my interviews with President Lincoln on the 10th and 11th September, 1862, was noted down immediately after they were closed.—J. A. H.

STATEMENT.

INTERVIEWS WITH PRESIDENT LINCOLN, SEPTEMBER 10TH AND 11TH, 1862,

Of John E. Williams, McKnight, Mr. Stevens, and James A. Hamilton, a committee on behalf of the War Committee of New York to present to the President of the United States a report of that Committee on the conduct of the war.

The Committee visited the President by appointment on the 10th September, 1862, the gentlemen were introduced by Hamilton. The report was read to the President and commented upon by Mr. Williams, who expressed his opinions, in which the Committee concurred, as to the unsatisfactory conduct of the war, and particularly of the appointment of General McClellan to the command of the Army of the Potomac. The opinions of Mr. Williams, expressed with proper respect for the President, and with becoming frankness and decision, were combated by the President, until their conversation became a sharp encounter, and not a little excitement was manifested by both parties. Mr. Williams, in closing what he had to say, informed the President that his friend, Mr. Hamilton, desired to have an opportunity to express his views in relation to a part of the report.

Mr. Hamilton suggested to the President that perhaps it would be best to defer what he had to say to a future interview, when there would be less excitement than at this moment. The President rejected this suggestion, and Mr. Hamilton proceeded: In the report it was stated that, in the opinion of some of the Governors of loyal States, the public mind was desponding, and dissatisfied with the Administration in consequence of the reverses to which our armies had been subjected. Confirming that opinion of the Governors, he desired to suggest to the President that the depression and dissatisfaction could be alleviated or removed in one or both of two courses. First, By a change of his Cabinet; Second, By a Proclamation declaring that the war should be prosecuted with the utmost vigor, and that the laws of Congress, confiscating the property and freeing the slaves of the rebels, should be enforced by the armies.

Mr. Hamilton would now take up the first point.

By referring to Mr. Seward's letters to our Foreign Ministers, and particularly to Mr. Adams, it was manifested that his policy was not to wage war

against the rebels with vigor, but in such a way as to be accompanied with as little suffering as possible to them. Indeed, Mr. Seward had in one of his letters informed Mr. Adams that "the President had adopted as true the favorite dogma of the Secessionists, that this Government had not power to subdue the people of a State in insurrection by force of arms." As soon as this statement was made, the President, in an excited manner, said, "Sir! you are subjecting some letter of Mr. Seward's to an undue criticism in an undue manner," and then pointing first to Mr. Hamilton, and then to Mr. Williams, he said, "You, gentlemen, to hang Mr. Seward, would destroy this Government." Mr. Hamilton said, "Sir, that is a very harsh remark. It does not excite me, however, because I consider it an inadvertence on your part, and because you do not know me, or the feelings under which I am endeavoring to perform my duty; I am actuated, in all this, by no feelings for or against Mr. Seward or any other man. I came here for no man, nor with ill feelings against any man. I look only to the country, and in this I am moved by the same interests and feelings which excite your solicitude, Mr. President, to preserve the Union, the solicitude of this gentleman (pointing to Mr. Williams), and the solicitude of the loyal men of the country. And allow me to say, I am moved, much moved by a solicitude which cannot move you. My father, sir, was one of the architects of this government, and he was one of those who gave it its first impetus. Should our system of government now fail under its present pressure, his reputation would suffer. Mankind would insist that he and his collaborators had undertaken to perform a work which they were not equal to. These considerations and these alone actuate me to express the opinions I was about to express. And now, Mr. President, let me again suggest that at another interview we may discuss these subjects with all the calmness their importance demands, and which is certainly most desirable to all." The President said, "Very well,—can you be here to-morrow at 9 o'clock?" I said, "Certainly—at any hour most agreeable to you." The President, "Very well; to-morrow at 9 o'clock, *if I am permitted to be here.*" (This was founded upon a fear just then prevailing, as I afterward learned, that on the previous Saturday, Sunday, and Monday it was believed that Washington might be taken at any moment.) The President's conversation with Mr. Barney, as it was related by the latter to me on the 22d September, explained this.

The Committee took leave. The manner of the President was perfectly respectful; indeed, it was kind.

September 11th.—I called at the Executive Mansion at a few minutes after nine o'clock, and was told Mr. Seward was with the President. I waited about half an hour until he went his way, and was admitted. After the usual salutation (all in perfect good feeling), I began by saying: "I will proceed with the line of argument I desire to present to you, that Mr. Seward entertains opinions as to the manner of conducting this war which renders him an

unsafe adviser of the President. I presume, Mr. President, since we parted, you have examined the letter to which I referred yesterday from Mr. Seward to Mr. Adams?" The President replied: "No, sir! I have not. I do not know where to find it; I know nothing about it." Mr. Hamilton—"I have brought the official documents with me, and will read that part of the letter to which I referred, and others." I read as follows:

"Mr. Seward, April 10, 1861, to Mr. Adams, Minister in London. 'For these reasons, he (the President) would not be disposed to reject a cardinal dogma of theirs (the seceders), namely, "that the Federal Government could not reduce the seceding States to obedience by conquest," even although he were disposed to question that proposition; but, in fact, the President willingly accepts it as true. Only an imperial or despotic government could subjugate thoroughly disaffected and insurrectionary members of a State. This Federal Republican system of ours is of all forms of government the very one which is most unfitted for such a labor.'

"Also a letter from Mr. Seward to Mr. Adams, June 8, 1861. 'This Government insists * * * * * on the integrity of the Union as the chief element of national life, since, after trials of every form of forbearance and conciliation, it has been rendered certain and apparent that this paramount and vital object can be secured only by an acceptance of civil war as an indispensable condition. That condition, with all its hazards and deplorable evils, has not been declined. The acceptance, however, is attended with a strong desire and fixed purpose that the war shall be as short, and accompanied by as little suffering, as possible.'

The President was silent. I then remarked: "Here you have a declaration that our Government has not power to do what you are now attempting to do; that is, by force to compel the members of the States in rebellion to come into submission to the laws and authority of the United States. And further, this is not alone the opinion of Mr. Seward, but it is alleged to be your opinion. Now, in frankness, permit me to ask how you, Mr. President, can justify yourself to the world and to a higher Power, in carrying on this gigantic war, shedding so much blood, when you do not believe you can accomplish by such means the end proposed?"

"Again, Mr. Seward, in his letter to Mr. Adams, charges him "to make no admission of weakness in our Constitution.' Mark! this was written in April, and in December following he hands this letter to you to be published with your message, thus declaring to our enemy your admission of your weakness and of the weakness of 'the cords of our confederacy,' as Mr. Seward calls our Government, and he thus encourages them to continue the contest. He, at the same time, by these assertions, discourages the loyal men; but, above all, he affords to the Powers of Europe the best reasons for intervention, by taking the ground that in the interests of humanity they are required to prevent such calamities as are inflicted on both parties by the continuance of a contest

which you admit you have not power, from the character of our Government, successfully to carry out.

“The gentleman who entertained these views of his Government, and could cause them to be published to the world, is surely unfit to be the adviser of the President.

“The other quotations from the letter are absurd in their face. To talk of a short war, accompanied with the purpose of making as little suffering to the enemy as possible, is an absurdity. These letters afford a key to the course General McClellan has pursued in guarding the property of rebels, of sending their slaves back to them, and perhaps in not following up his advantages by taking Richmond. Mr. Seward shows by these letters, and by his speeches, that he does not comprehend the magnitude of this contest, or if he does, that he would not advise the most effectual measures to bring that contest to a successful issue. If he did the first, he would not have declared that it was not your purpose to wage war; or the last, he would not have expected these traitors to return to submission as soon as they have time to come to their reason. The general impression is, that Mr. Seward is the drag, the hold-back of your administration, indulging in some idle theory that the traitors will, after sixty or ninety days, return to their allegiance.

“His estimate of the strength and power of our Government is a grievous mistake. What people could have manifested more devotion than we have? What Government could have exerted higher powers than you have with their full consent? You have struck down, from necessity (I admit, and I applaud the energy you have displayed) the dearest rights of the people: the freedom of the press, the freedom of speech, the right of being free from arrest unless under due process of law, and the imprisonment of the citizens without legal warrant.

“The strength of our Government is founded upon the devotion, the loyalty, and the intelligence of our people. Mr. Seward greatly mistakes the character of our Government, and all popular Governments, when he insists that it has not power to preserve its own life.

“The following, from a letter written by one of General Scott's aids, gives force to the suggestion that General McClellan's constrained action in the advance upon Richmond was the result of the advice of the Secretary of State ‘to make a short war, accompanied with as little suffering as possible.’

HEADQUARTERS OF THE ARMY, }
WASHINGTON, October 23, 1861. }

Governor Seward and General McClellan are the ruling spirits. They hold conferences, make plans, and ignore entirely the general-in-chief, * * * * Anxiety, care, and gloom is pictured on the countenances of all in power.

“I now proceed to the second point—a proclamation declaring that the laws of Congress confiscating and freeing the slaves should be enforced by the armies.

“The Acts of Congress making all slaves employed in aiding the rebellion and forbidding their being returned to their masters, I believe is an authority to you to issue a proclamation of emancipation. Indeed, there is very high authority for saying it is your duty, under the laws referred to, to issue such a proclamation, because ‘a law of the land, till revoked or annulled, is binding not less on each branch or department of the Government than on each individual of the society.’” The President: “Repeat that, if you please.” I did so. The President: “Will you write it down for me?” I did so, and stated that I quoted from a paper written by “A. Hamilton” in defence of Jay’s treaty. I then went on to say, “Mr. Seward, in a dispatch to Mr. Dayton, declared that ‘the condition of slavery in the several States will remain the same whether the revolution succeeds or not.’ Under this conviction he must oppose a proclamation should you propose to issue one.” The President: “Have you drawn such a proclamation?” Answer: “No, sir.” The President: “Will you do so”? Answer: “I certainly will.” The President, during my remarks upon Mr. Seward’s letter, said not one word. This was perhaps the result of a suggestion by Mr. Seward. When we parted, he said, “Mr. Hamilton, it will give me pleasure to see you whenever you come to Washington.”

I returned to New York, drew the following proclamation, returned to Washington with it on the morning of the 23d September, 1862, and delivered it to the President, who however had on that day issued his preliminary proclamation. He thanked me most heartily for the trouble I had taken, and said he would examine it with care when he should prepare his further proclamation, should another be required.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

“*Whereas*, a Rebellion, of gigantic proportions, endangering the national life, is now flagrant in various States of the Union,

“And *whereas* the Congress of the United States, in order to afford the President ample means to suppress said rebellion, have vastly increased the military and naval forces of the nation,

“And *whereas* the Congress, in order to suppress insurrection and punish treason and rebellion, have enacted that if any person engaged in armed rebellion against the Government of the United States, or any person aiding such rebellion, shall not within sixty days after public warning and proclamation given by the President cease to aid such rebellion and return to his allegiance, all the estate and property of such person shall be liable to seizure, and it shall be the duty of the President to seize and use such property or the proceeds thereof for the support of the army of the United States,

“And *whereas* such proclamation was issued and such warning was given by me on the 25th day of July last, so that the term of such warning has expired, but the peo-

ple of said States disregarding such warning still continue in armed rebellion against the United States, and have invaded loyal States of this Union,

“And *whereas* the Congress of the United States, in order to suppress insurrection and punish treason and rebellion, did further enact that the slaves of all persons who shall hereafter be engaged in such rebellion, or in giving aid and comfort thereto, escaping from such persons and taking refuge within the lines of the army, and all slaves captured from such persons or deserted by them and coming under the control of the Government of the United States, and all slaves of such persons found on or being within any place occupied by rebel forces, and afterward occupied by forces of the United States, shall be forever free, and further that all slaves who shall be required or permitted by persons claiming their service or labor to take up arms or to work in any military or naval service against the Government of the United States, shall be free. And further, that the President is authorized to employ as many persons of African descent as he may deem necessary and proper for the suppression of this rebellion, and for this purpose he may organize and use them in such manner as he may judge best for the public welfare: and further, that when any man of African descent who, by the laws of any State, shall owe service or labor to any person who, during the present rebellion, has levied war against the United States or given aid or comfort to their enemies, shall render any camp or military or naval service to the United States, he shall forever thereafter be free.

“And *whereas*, all persons, inhabitants of any State or Territory, born within the jurisdiction of the Constitution of the United States excepting those who owe allegiance to a foreign State or potentate, and not excepting such persons as may be held to service or labor in any State by the laws thereof, are subject to the laws of the United States, and owe full faith and allegiance to the Government of the United States, and all such persons not above excepted being inhabitants of the United States, when called upon by the Government are absolutely bound to render any and every military service to the United States.

“And *whereas*, under every Constitutional Government the highest guarantee of civil liberty is found in the fundamental principle that every Department of the Government and every officer thereof in his official capacity is as much bound by the Constitution and the laws of the land as the humblest individual, and more especially is this so under the Government of the United States, founded on the sovereignty of the people—the President being imperatively commanded by the Constitution ‘to take care that the laws are faithfully executed;’ and every other civil or military officer of the United States being under a Constitutional obligation to observe and obey the injunctions of the laws and to give full and complete effect hereto,

“And *whereas* because of this rebellion the execution of the laws of the United States has been for more than a year past and still is obstructed and defeated throughout the rebellious States,

“And *whereas* such rebellion is confined to those States wherein human beings are held in slavery, and is based upon the assumption that the security and perpetuation of slavery require the disruption of our national unity and our existence as a nation,

“And *whereas* the persons so held in slavery contribute greatly while so enslaved to the aid and comfort of the rebels, by their labor on fortifications, and for the supply of their commissariat, and thus giving strength and support to their arms,

“And *whereas* in this contest, involving as it does the national existence, it is the absolute duty of the Government to avail itself of the utmost power, civil and military, and to employ every means not forbidden by the laws of nature, and by the usages of civilized warfare, placed within its reach, in order to bring to a speedy end the existing protracted and desolating cruel war,

“And *whereas* among the means at its disposal the President may, in strict accordance with the Constitution, take for public use, when urgent public service demands it, private property of every kind, making just compensation therefor,

“And *whereas*, as clearly appears by these recitals, that to hold and use human beings as property, always morally wrong, is found to be an element in our political system eminently dangerous to the supremacy of the law, the peace of the country, and the existence of the Government,

And *whereas* in obedience to the universal law of self-preservation, it is the imperative duty of the Government to take, use, or destroy private property, the lives of individuals, and to subvert the institutions and laws of any State in rebellion whenever it shall be clearly necessary to do so in order to protect and defend the Constitution and preserve the life of the nation,

“Now therefore, I, Abraham Lincoln, as President of the United States, in fulfilment of the solemn obligations and responsibilities imposed upon me by the Constitution and laws, and assumed by me in taking the oath of office; and under the profound conviction that so only can I save the country from disruption, and the overthrow of popular institutions, do issue this my Proclamation, declaring that, as a necessity of war and as essential to the salvation of the Republic, the condition of slavery is hereby forever abolished throughout the United States, and every one of them, commanding all officers, civil and military, to execute the laws of the land, and to give full effect to this *My Proclamation of Liberty* throughout the land to all inhabitants thereof. And I do exhort all good and loyal citizens to give heed and render obedience to this proclamation, hereby pledging the faith of the Government to all those among them who may be divested of property thereby, that every slave-holder who has hitherto been, and shall continue to be, loyal to the Union and the Government of the United States, shall receive just compensation from the Government for his loss of property, as all good and loyal citizens are at all times entitled by the Constitution of the United States to be remunerated for any loss of property, which may be taken or destroyed by authority for public use, to avert a great calamity, or to preserve the national life.

“And I hereby call upon each able-bodied male person whom the acts of Congress or this Proclamation shall have declared and made free, to report himself to the nearest military post of the Union armies for direction as to the service he may be required to render to the Government, to which he owes his freedom. And I hereby order and require every officer, civil or military, or other person in the service of the United States, to treat each person so reporting himself with kindness and humanity, and strictly to respect in all things the rights to which, as a freeman, the action of the Government has entitled him.

“And now, humbly looking to the Almighty God for blessing on this act, as well of long delayed justice to an unoffending and oppressed race in our midst, as of necessary self-defence on the part of the nation, I again call upon all good Citizens, whether in the States now in rebellion, or in those which have maintained their loyalty, to aid in giving full effect to this Proclamation, and to unite with me in the

most vigorous efforts, promptly to overcome this rebellion and thus to restore our afflicted country to the blessings of peace, order, and lasting prosperity."

JAMES A. HAMILTON TO DR. O. A. BROWNSON.

"NEVIS, DOBBS FERRY P. O., September 15, 1862.

"DEAR SIR: I enclose an extract from a letter written by a gentleman of integrity and intelligence, residing in Washington, to a friend in New York, dated July 21st, 1862. The original letter was shown to me, and I am permitted to make the extract. The writer says, 'publish it on the house tops, but do not give my name.'

"I know the writer and have full confidence in the truth and accuracy of his statement. Under these circumstances I send the extract to you.

"With respect, your friend, &c."

"At a great diplomatic dinner on the 20th July, 1862, Seward declared first 'that he regrets not to have the power of Louis Napoleon, and to make a *coup d'état* against the Congress, which by its Confiscation Bill has prevented a peace from being concluded with success, and further that he, for the first time, understood the necessity of a Cromwell."

DRAFTING.

JAMES A. HAMILTON TO HON. E. M. STANTON, Secretary of War,
Washington, D. C.

"NEVIS, DOBBS FERRY, N. Y., September 30, 1862.

"SIR: I beg to call your immediate attention to a conflict of orders from you and Governor Morgan of New York.

"At a meeting of the military committee of the 8th district of the State of New York yesterday, and of the towns claimed to be exempted from the draft, it was held such towns had from the beginning of the war furnished a greater number of soldiers than the number of its quota, and that claim was sustained by referring to an order issued by you.

"The case is this, Governor Morgan's order to our Committee is, to charge each town with its quota, and to give each town credit for the number of soldiers furnished since the 2d day of July, 1862. Whereas your order, issued one day subsequent to the date of the Governor's order, directs that credit shall be given for the whole number furnished without limitation of time.

"I respectfully submit that inasmuch as all our proceedings taken to ascertain the number to be drafted from each town, have been in obedience to the order of the Governor, it would be best to conform your order thereto.

"Indeed, under every circumstance, to limit the period to a later day would be best; for while it would be just to all counties and States, it would conduce to certainty and facility in ascertaining the numbers to be credited.

"Allow me further to intimate that it is of great importance that this point should be settled promptly. I induced our Committee to defer their decision in relation to this conflict of orders until the next meeting on the 16th proximo, in the hope that the order might be countermanded by a new order from your Department.

"I have the honor to be, with great respect, your obedient servant.

"P. S.—Our draft is ordered to be made on the 10th October next."

W. E. WEBSTER and CHARLES W. SLACK, Committee, to JAMES A. HAMILTON.

“BOSTON, October 1, 1862.

“VERY DEAR SIR: A Committee of the citizens of Boston, sympathizing with the Administration and sustaining its measures for the speedy suppression of the rebellion, purpose inviting the people of this State to meet in Faneuil Hall on Monday next, October 6th, at 12 o'clock, M., to listen to addresses from Hon. Charles Sumner, Hon. John A. Andrew, and other distinguished gentlemen.

“Knowing that you fully approve such indorsement of the Government in its present trial, the Committee respectfully and cordially invite you to be present, and offer your views to the meeting.

“An early response will oblige your friends of the Committee.

“Very truly, your friends, &c.”

JAMES A. HAMILTON to CHARLES W. SLACK, and Others.

“NEVIS, DOBBS FERRY P. O., October 10, 1862.

“GENTLEMEN: The letter of your Committee of the 1st ultimo, addressed to me at New York, was not received until this morning. After going into various hands, as appears by indorsements on the envelope, it was received yesterday at my son's office, and by him inclosed to me.

“That I should have been thus deprived of the pleasure of being present as an invited guest, at a meeting at Faneuil Hall of the patriotic people of your State upon such an occasion, is sincerely regretted by me.

“I should have esteemed it a peculiar favor to have had this opportunity of uniting with you in the expression of my sympathy with the recently adopted policy of the Administration, announced by the President's proclamation of the 22d ultimo.

“Do me the favor to explain to your friends of the Committee the cause of my absence, and of my seeming neglect in not answering their very kind and flattering invitation.

“I have the honor to be, gentlemen, with great respect, your friend, &c.”

HON. SALMON P. CHASE, Secretary of the Treasury, to JAMES A. HAMILTON.

“WASHINGTON, October 11, 1862.

“DEAR SIR: I am much obliged to you for your promise of some financial suggestions with reference to my next report. Please let me have them at as early a day as practicable.

“I hope that General Wadsworth will be cordially and earnestly supported by every friend of the Administration; and that when elected he will prove himself incapable of treating his success as a triumph over any class or individual of his supporters.

“Yours very cordially, &c.”

BRIEF TO PREPARE SUGGESTIONS FOR THE TREASURY.

AMOUNT OF LOANS—DUTY AND EXPEDIENCY OF ASKING FOR THE EXTREME AMOUNT REQUIRED.

“First, 1. The people will now meet the burdens before reverses.

2. Assuming responsibility commands respect, the best assurance of prompt success.
3. Moral effect upon the enemy.
4. In Europe, confidence; Equal in resources and vigor to the occasion.
5. To Great Britain and France, Hope of receiving cotton. ~~☞~~ This consideration may be used there effectively.

“*Second.* Amount \$200,000,000 Treasury notes and stocks.

1. Treasury notes; Small denominations 5's 10's, and 20's, without interest; Circulation at the West; Payable in duties, &c., and convertible into notes of a higher denomination bearing interest; The 5's convertible into specie on demand; To pay wages and for supplies; The Mint to issue notes on deposit of gold, payable after — days without interest; They would circulate as Bank notes, be received on deposits, and perhaps issued by the Banks.
2. The higher denominations; Interest at 8 per cent. at the pleasure of Government after one, two, and three years; Investing, &c.
3. Currency; What is it?
4. These loans would be confined to this country; The people's loans; Effect; Interest and duty to sustain the Government.

“*Third.*—Stocks—Capitalists should have reason to believe that more loans would not be required.

1. Practice in war of 1812. Jacob Barker \$13,000,000.
2. Length of loan less interest; Debt of England; Trustees.
3. Ability to pay debt an inducement to short period and high interest.

“*Fourth.*—When and where to be obtained.

1. Abroad; Great Britain, France, Holland; Early day; Specie basis of notes; Lord John Russell might be made useful in placing the loan; Amends; Cotton by prompt conclusion; Barings in the Government useful.
2. Dutch are our fast friends.

“*Fifth.*—Security; Duties Specific; Lands; Hamilton said to make.

1. Public credit immortal, (3d vol. writings of Hamilton); Whenever a loan is made, pledge funds to pay interest and principal.
2. Tea, coffee and sugar as revenue, \$16,000,000 to \$20,000,000.
3. Amount of duties; Acts of 1814 and 1824; Coffee 5 cts. 200,000,000 lbs.; Tea from 10 to 50 cts. 173,000,000 lbs.; Sugar 3 cts. with drawback on refined two thirds. (See Gordon's Digest.)
4. Business will revive; Present depression results in a measure from previous losses.

“*Sixth.*—Direct taxes; Slaves, luxuries; The system to be preserved; The time to establish it propitious.

1. Useful in future contingencies abroad and at home.
2. Confidence in Government: Increase of army and navy; Pacific Railroad.
3. The future between the sections.

“JAMES A. HAMILTON.”

JAMES' A. HAMILTON TO HON. SALMON P. CHASE, Secretary of the Treasury.

“NEVIS, DOBBS FERRY P. O., November 19th, 1862.

“DEAR SIR: I have this moment completed in great haste the suggestions I pro-

posed to send you by my letter of October last. I regret that to read what I have written should make so great a demand upon your time and attention, but I verily believe that should you adopt the system recommended, it will add to your fame, will secure the country against serious and imminent evils, and will have the effect immediately of giving increased confidence to the excellent system you have adopted to meet the vast expenditures required to sustain this most gigantic of all wars.

"I have the honor to be, your sincere and devoted friend, &c.

"P. S. If I can be of service, you can command me without hesitation."

SUGGESTIONS FOR MR. CHASE.

"The advantages to result from the establishment of an ample and unalterable provision for the payment of the interest, and the extinguishment of the principal of the public debt, are in part the following, viz.:

"*First.*—The public faith of the United States will be preserved in the future as it has been in the past, beyond all question. As to the past, there are some facts worthy of note. *First.*—The debts of the nation have been twice extinguished. *Second.*—Under the most unfavorable circumstances, the United States have always paid the interest on their stocks in specie or its equivalent. *Third.*—When the three per cent. debt of the Revolution was extinguished, it was paid at par, although the stock at the time could have been purchased in open market at three fourths of the par value.

"The Bank of England suspended specie payments on the 28th day of April 1797, and continued in suspension until 1825. The notes of the bank depreciated immediately five, and went down thirty-five to forty per cent. During all that period, the Government paid the interest on its public debt to foreigners, as well as British subjects, in those depreciated notes.

"The nation will be secured against the burden of an overwhelming debt. The pernicious example of Britain on this subject should never be forgotten. Not only will our present enormous debt, beyond all peradventure, be in a continuous course of payment under all circumstances; but if the maxim that 'the creation of debt should always be accompanied with the means of extinguishment' should become a fundamental maxim, the occasion for the creation of debt would be found to be less frequent, because it would generally be accompanied by increased burdens upon the people.

"The public debt being secured by a solid provision for its payment, would form a part of the capital and of the currency of the country.

"Hamilton says: 'It is a well-known fact that in countries in which the national debt is properly funded, and an object of established confidence, it answers most of the purposes of money. Transfers of stock or public debt are then equivalent to payments in specie, or in other words, stock in the principal transactions of business passes current as specie.'

"The benefits of this increase of sound capital in this country can with difficulty be appreciated. Hitherto our capital to build railroads, to establish manufactures, to develop mines, to build ships, to extend the settlements of our country—in short, to aid the unexampled enterprise of the people of the North over a field of greater extent than any other ever presented to an intelligent and energetic race, has been borrowed from foreign countries, at extravagant rates of interest and premiums.

“Give to the debt incurred in defence of the national life that established confidence which must make it answer most of the purposes of money, extended, if it must be, to the enormous sum of two thousand millions of dollars, and it will thus render our country truly independent and self-reliant.

“By our existing laws, the legal tender notes are convertible into the six per cent. public stocks. If to those stocks is given that solid value which they certainly will acquire by the re-adoption of the old and approved funding system, those notes will be equivalent in value to specie, because they must be equal in value to the stock into which they may on any day, at the option of the holders, be converted.

“Gold, by the suspension of the banks has thus become a mercantile commodity, and has ceased to be the foundation of the circulation. Its high price in the market is believed to be due, in a great measure, to the following facts: It is hoarded by individuals through fear, and by some in the hope of gain. It is hoarded by the banks of the city of New York to the amount of about forty millions, and by the other banks of the country to the extent of nearly all they held when they suspended. As long as this gold could be had on demand, it was capable of adding by its whole amount to the quantity in market as merchandise.

“The stocks of those States which had any marketable value, and the stocks of the United States held abroad, were on the breaking out of the rebellion, sent here to be sold, and the proceeds to be remitted in gold. There were also large sums belonging to foreign capitalists held by their agents here for temporary investments or speculation; these were also promptly recalled. Thus, it will be perceived, was the country called upon in a moment to pay its debts abroad in gold. These circumstances must be taken into account as rendering this article of merchandise scarce, and under the laws of supply and demand, may to a certain and not a very limited extent, account for the high price of this commodity.

“It is very generally averred that the issue of Treasury notes has created such a redundancy of currency as to have induced their depreciation one third. This is certainly a great mistake. That this redundancy is not so great as to create such a debasement, is proved by the admitted fact that the necessaries of life have not increased in price, except so far as they are affected by the duties or taxes.

“If there be a great redundancy of currency, which is not believed, and a consequent depreciation, it certainly is not due to the Treasury issues alone. The amount of these issues is known, while that of the banks cannot be known. Although the weekly publication of the condition of the city banks gives us the amount of the circulation for which they are responsible, it does not furnish any data by which to ascertain the amount of the bank-note circulation, because the city banks (I speak of New York) very generally issue in payment of the checks of depositors the notes of country banks, furnished, no doubt, by such banks to the Metropolitan banks for that purpose. It must be believed that the issues of the banks out of the large cities, not being controlled by the liability to a demand for specie, will in most cases be only limited by considerations of present profit, and thus the currency is much more liable to inflation than by the issues of sound and well managed banks or those of the Treasury.

“Again, it is proposed to authorize the establishment of banking associations, their circulating notes to be provided by the Treasury, secured by a pledge of public stocks. If these stocks shall be made, as they will by the proposed system, the equivalent of specie, the circulation issued by these banking associations will be more valuable than the notes of any other banks of issue, because nearly the whole capital of those

associations will be vested in stocks equivalent in value to gold, and placed in the Treasury of the United States in trust for the payment of their circulation. In short, when (as is proposed) you make the notes so issued by these associations, payable whenever the association shall suspend specie payment at the public Treasury, you afford the whole country the best currency ever devised by the wit of man, better far than a metallic currency, because it is equal to it in value and far more convenient.

“The amount of capital required. In relation to capital, the importance of the legislation proposed is not realized. We give merely a few hints for reflection.

“The settlement of our vast region, the public lands,—one thousand millions of acres are given to all who will take and settle upon them, and to that end measures have been taken by Government to induce the laboring population of Europe to come and take these lands. Every house built, all farming implements, and stock on the land thus taken and cultivated, demand capital. To such settlement a sequence is, that the railroad, if in the interior, or, if on navigable waters, the steamboat, must follow—here is a demand for the employment of millions of capital.

“The iron, copper, and gold mines of the country to be developed demand a vast amount of capital. We confine our remarks to iron.

“*Iron.* Its uses.—Iron ships, iron carriages on iron roads, iron engines in every manufactory, iron doors, floors, windows of our houses, iron floating and probably land batteries for harbor defences, the increased demand for iron implements of war, are all uses of iron additional to those demanded by our previous civilization.

“The product of iron in Britain in 1854 was 3,585,906 tons. To produce this were employed by direct labor, 238,000 hands, 2,120 steam engines of an aggregate power of 238,000 horses, and the gross value of the product was \$125,000,000. The product in the same year in the United States was one million of tons, and its cost less than fifty millions of dollars, whereas the facility of getting it out, in consequence of its being in great part above the water level, is greater, and the expense much less than in England. The whole area of mines of iron in the world is 184,073 square miles. Of this area the United States have 133,632 square miles, or nearly three fourths of the whole. The quantity of iron ores is unlimited, and the quality is equal to any other in the world. It is said we have iron and coal sufficient to meet the demand of the whole world for an unlimited period. They are not developed from want of capital.

“The railroads in the United States, 23,000 miles in extent in 1856, and increasing at the rate of 3,000 miles a year, are more extensive than in all the world together.

“To develop these immense resources of wealth, we require cheap capital and labor. The first will be secured by our funded debt, and the latter by immigration, induced by our system of free homesteads and high wages. In the mean time, the capital invested in mining and manufacturing under our existing protective tariff, will secure us against the competition of the cheap capital and labor of England. Give permanence to that tariff by declaring that those duties on imports shall continue until the debts and purposes for which they are appropriated shall be satisfied, reserving, however, to Congress the right to substitute other duties and taxes of equal value, and the success of our manufactures is so secured that we will not only supply our own markets cheaper than ever before, but we will meet and undersell our

hated rival, England, in all the markets of the world. No blow could be struck at her more effectual than this.

“Give to our manufacturers of iron, cotton, and wool a protective system incapable of being repealed for a definite period, say even ten years, and their condition would be such as to put them beyond the fear of all competition, except that which they would meet with at home, which would most certainly bring down prices to the lowest living profits. Other considerations might be urged in favor of the proposed system which time will not allow. The great security of the proposed system against the mutability and inconstancy of legislators is not to be disregarded.

“At present, while the danger of political dissolution is great, we are all ready and willing to bear the burdens which the struggle necessarily imposes; but when that danger is past, it is to be feared that a change may come over the people, and that parties may be formed upon grounds which will be disloyal to the public engagements. Should this be so, and should a majority of both Houses attempt to repeal the laws which establish the system, it is confidently believed that any President who might be elected would veto such a bill, and that it would be impossible to pass such a law by a vote of two thirds of both Houses.

“The future of our country, when the rebellion shall be crushed, will present questions to task the statesmanship of the Executive, and of all others connected with the Government. I have not the ability to suggest, much less to discuss such questions as have, or will arise, but I am convinced that the financial system ought to be so guarded at the approaching session of Congress, as to place it beyond the power of the representatives of the people now in rebellion, when the Union is restored, by combinations with any faction in the loyal States seriously to disturb it, and that upon you, as guardian, this duty is devolved.

“Should the Confederate Government, by the defeat of its armies, the successful invasion of the Gulf States at different points during the approaching winter, be dissolved, and should the people of the rebellious States send Senators and Representatives to the next Congress, what would be the consequence in regard to the tariff, the internal taxation, and the public debt? Having repudiated their own debt, would they not endeavor to relieve themselves from the burden of taxation and debt by any means in their power? And would not Fernando Wood and his partizans unite with and uphold them in any purpose however disgraceful, in order to secure the control of the Government? These are pregnant questions. If they can arise in any eventuality, it behoves the Administration with the majority it now has in both Houses, to use all possible precautions to secure the nation from dishonor, and public credit from ruin. I fear that, after the Union shall be restored, we shall have an enemy in our midst more dangerous to the country than are the traitors in arms, and that to guard against the disastrous future which awaits us in so many forms, resulting from a union in our public councils with a demoralized and most exasperated enemy, true wisdom will require the Government to adopt and act upon the opinion that treason by a State Government is political suicide.

“JAMES A. HAMILTON.

“November, 1862.”

“INTEREST ON LOANS. DIRECT TAXES.

“*Interest on Loans.*—Robert B. Minturn, head of the house of Grinnell, Minturn

& Co., New York, who is the particular correspondent of the Barings, of London, and whose daughter married one of the sons of that family, called upon me, and anxiously urged that the interest on stock loans should not be less than 7 per cent. He verily believes, if it is less that the loans will not be taken at par, and that the credit of the Government will be depreciated.

“It is urged by him and others, adepts in finance, that the difference in expense to the Government is not to be considered under existing circumstances; that our future must be so successful that the revenue from imports will vastly exceed all demands. The country is now bare of imported goods—that the imports must therefore bound up to a vast extent—that we never have had such an amount of specie—that this will increase—that capitalists in this country will be tempted by the high rate and absolute security to take the loans, in which case the interest will be paid to our own citizens, and the stock being at par will swell the volume of circulation.

Treasury Notes.—The general impression is, that authority should be given to issue notes of \$10 without interest, redeemable by the sub-treasurers, not to be received in payment of duties. In this opinion I fully concur. Such notes would afford a currency for the Western States; they could be most conveniently used in paying soldiers’ wages, and would be gladly received by them in order to remit to their families and friends. They would not be so liable to be lost as gold, or squandered. These are vastly important advantages. They are so manifest that it would be wise to ask that power should be given to the Secretary to issue some portion of the notes issued without interest. If he thought it expedient, such a proviso could do no harm. Should the law to be passed require all to be issued bearing interest, the experiment could not be made.

“*Treasury Notes at Interest, to make a National Loan.*—John Earl Williams, President of the Metropolitan Bank, the soundest man on currency in New York, not only approves of notes without interest, but urges, in the paper I inclose, that the loan for the people should bear 10 per cent. interest. Should these notes on their face give $2\frac{1}{2}$ cents per day, this would be $9\frac{1}{8}$ per cent., which would approach as nearly to 10 per cent. per annum as might be required. Mr. Williams’ opinion as to currency in the West is deserving of marked consideration. It was his bank, by his inspiration, which provided currency a few years ago to bring forward the products of the West and which became the agent of the Western banks.

“See what he says as to Exchequer bills by England at 5 or 4 per cent.

“*Direct Taxes.*—I advise a recommendation to raise \$30,000,000 by direct taxes, according to the Constitutional rule for representation and direct taxation:

Slaves, 4,000,000 at \$500 each, $\frac{3}{5}$ (three-fifths)	\$1,600,000,000
Real estate in Slave States	3,000,000,000
Real estate in Free States	25,400,000,000
Total	\$30,000,000,000

“One mill on \$100 on \$30,000,000,000 would give \$30,000,000, say a revenue of \$30,000,000 at one mill. Divide this among the States according to the rule of Federal representation, and authorize any that should assume the tax to receive therefor a commission equal to 15 per cent. the cost to the United States of collection.

“This arrangement would be a convenient means of assuming the debts of the States incurred by advances in the present war, and would thus afford immediate relief to the Treasury.

“As the slave States would not pay their portion of this tax, it would be a debt against them upon final settlement. We must therefore compute the revenue from such a tax only upon the real estate in the free States, which I have estimated at \$25,400,000,000. ~~is~~ This is an estimate without any data, as I have no means here of obtaining ratios.

“\$25,400,000,000 at one mill would give a revenue of \$25,000,000 at least in round numbers, which sum, apportioned among the free States according to the Federal rule, would be advanced by most of them without delay.

“Such a course by the States, affording the surest manifestation of their confidence in the Union, would induce the utmost confidence at home and abroad.

“Another idea, and I have done. Loans would be effected at home and abroad with much greater facility should our armies make an important and successful advance upon the enemy, and particularly if we should drive the rebels out of Richmond.

“JAMES A. HAMILTON.”

“PLAN OF A BANK OF THE UNITED STATES,

“To be incorporated by an Act of Congress. For several minor details, see the Act of 1791 and the Act of 1816.

“The Constitutional power of Congress cannot be questioned. The action of the Government in 1791 by Congress, and by the Executive branch, upon the most mature deliberation, the acquiescent action of all the departments of the Government during twenty years, the action of the Legislative and Executive branches of the Government in 1816, the decisions of the Supreme Court of the United States affirming the Constitutional power, the acquiescence of the people during another period of twenty years, these two periods being more than one half of the existence of the Government under the existing Constitution, have settled that question.

“A capital of fifty millions of dollars to be subscribed, three fourths in the 6 per cent. stock of the United States at par, and one fourth in the coin of the United States.

“*Location.*—City of New York, with power to establish branches in certain named cities. The stock of the branches, one quarter to be furnished by the principal bank, three quarters to be furnished by individual subscription, to wit. three quarters by stock of the United States, and one quarter in the coin of the United States.

“The Treasurer of the United States to furnish notes to the principal and the branches on demand, in amounts equal to the stock of the United States held by them respectively, which stock shall be transferred by the bank and its branches to the Secretary of the Treasury of the United States, to be held in trust for the ultimate payment of the demand notes.

“The principal bank to receive all the notes from the Treasury, hold for issue as large an amount thereof as it holds stock and coin, and to distribute among the several branches the said notes according to the amount of capital subscribed by individuals, in stock of the United States and in cash.

“The capital to be one hundred millions of dollars, fifty millions to be held by the principal bank, fifty millions to be distributed among the several branches in such amounts as the principal bank may consider proper, to be held by each, having reference to the business of the respective localities.

“The capital of each branch to be paid for by its stock-holders.

“Capital stock to be forty millions of dollars, to be subscribed for 75 per cent. in six per cent. of the stock, and 25 per cent. in the coin of the United States. To have power to establish branches in various cities of the United States, to appropriate the capital in such an amount as the principal bank may deem necessary and expedient to each of said branches. The said capital stock of said branches to be subscribed for 75 per cent. in 6 per cent. stock of the United States, and 25 per cent. in coin.

“JAMES A. HAMILTON.”

“Plan of a Bank to be incorporated by the United States as its fiscal agent for and during the term of thirty years, the principal Bank to be located in the city of New York, to have power to establish branches in such places as may be useful, and sanctioned by the Congress of the United States.

“The Capital Stock of the said Bank to be one hundred millions of dollars, forty per cent. thereof to be subscribed for and held by the principal Bank, the balance, sixty per cent. thereof, to be distributed from time to time among the branches which may be established by the principal Bank in such amounts as the principal Bank may deem proper and expedient. The forty millions to be held by the principal Bank as its capital, to be subscribed for as follows: 75 per cent. in six per cent. stock, and 25 per cent. in the coin of the United States. The amount of stock apportioned to each branch to be subscribed for in like manner. All the stock so subscribed to be transferred to the Secretary of the Treasury of the United States, in trust for the security and eventual payment of the notes to be issued by said principal and its several branch banks. The said notes to be provided by the United States, and issued to the principal Bank from time to time as required, in amounts equal to the amount of the stock so transferred as aforesaid. The faith of the Government of the United States being pledged for the eventual payment by the United States, the security for the payment of the notes so issued being an equal amount of its own stock and the additional amount of 25 per cent. subscribed in coin.

“The principal Bank to pay the actual expense of printing and preparing the said notes.

“The Directors, thirteen in number, of the principal Bank, to be elected annually by the stock-holders, each share to be entitled to one vote.

“The names of those of said Directors having the highest number of votes to be, immediately after such election, sent to the President of the United States, who having selected one of three persons so presented to him for President of said Bank, shall nominate such person to the Senate as President, and by and with the consent of the Senate, he shall appoint such person President of said Bank, and another for Vice-President of said Bank, to be nominated and appointed as is above provided in regard to President.

“The stock-holders of each of the branch banks to elect for such branch a board of directors twelve in number, and the principal Bank shall appoint a stockholder of said branch to be President of said branch Bank, who shall by such ap-

pointment be one of the board of directors of said Bank, and shall hold his office during the pleasure of the said principal Bank.

“The President of the principal Bank may be removed from office by the President of the United States, for cause, by and with the advice and consent of the Senate of the United States, and upon an emergency when the Senate shall not be in session, suspended. During such suspension, and until another appointment by the President, the Vice-president shall be President of said Bank.

“The said principal Bank to be located in the city of New York, and to be fiscal agent of the Government, and as such, under the direction of the Secretary of the Treasury, it shall receive on deposit and hold to the use of the United States the revenues of the Government of the United States (the capital Bank to direct when, where, and under what circumstances the several branches should receive such revenue), which revenues so received shall be immediately passed to the credit of the Treasurer of the United States, and shall be held intact subject to the order at all times of the Government of the United States through the Treasury Department.

“That the said principal Bank shall transfer the funds of the United States or any part thereof to such persons and places as the Treasurer of the United States may from time to time direct, without any charge whatever to the United States.

“That the said capital Bank and the said branches may make loans and discounts to the whole amount of its capital and deposits exclusive of the amount of the public deposits.

“That the United States notes issued by the said Bank and its branches shall be received by the collecting officers of the United States for public dues of all kinds and descriptions whether for duties, taxes, or the proceeds of the sales of public lands or otherwise.

“That the said notes which shall be issued by said branches shall be paid on demand by the branch which indorsed the same, and not necessarily by any other branch; but that all said notes issued by the said branch banks as well as such as may be issued by the principal Bank shall, on demand, be paid by the principal Bank.

“That the disbursing officers of the Government of the United States shall leave on deposit the amount of money furnished to them by the Treasury, and shall on their checks or drafts, for such deposits as the same may be required to be used, declare on what accounts and for what purposes the said checks are drawn, and said check shall, in all cases when practicable, be made payable to the person who is to receive the money therefor, who shall indorse on said check a receipt for the same.

“That it shall be the duty of the said Bank and branches weekly to return to the Treasury Department abstracts of the accounts of such officers and of the checks which may be paid as aforesaid.

“This arrangement, intended to prevent the improper use of public moneys by disbursing officers, may be so altered in its details by the Secretary of the Treasury as may be required by commerce and the security of the Government.

“JAMES A. HAMILTON.”

HON. SALMON P. CHASE, Secretary of the Treasury, to JAMES A. HAMILTON.

“WASHINGTON, November 22d, 1862.

“MY DEAR SIR: Accept my thanks for your letter and the paper of suggestions which accompanies it. I have read them attentively and find them very instructive.

If the banking system is established, will it be advisable to extinguish the debt? Should not an amount equal to that required for security of issues be continued?

"I should be delighted to have you with me, and no doubt should benefit much by your knowledge and judgment; but could you be contented while I must be busy in writing, rather than study? if so, you will be most welcome.

"Yours, most faithfully."

JAMES A. HAMILTON TO DR. HARTT.

"October 21, 1862.

"DEAR SIR: The day is approaching when it will be useful that the Loyal League or its Executive Committee should act in reference to the election. A series of resolutions should be passed by one or the other, applauding the policy of the President in a vigorous prosecution of the war by enforcing the laws of Congress, by emancipation and by all other Constitutional means within the range of his unlimited military power, but, above all, one requiring or requesting all the members of the League to support by their personal exertions and their votes all such candidates and none other, who are pledged to support the President's policy of emancipation, and the most vigorous prosecution of the war, and calling upon the affiliated Emancipation Leagues throughout the State to require their members to pursue the same course.

"Such a proceeding on our part will have no inconsiderable influence upon the election.

"Your obedient servant, &c."

SALMON P. CHASE, Secretary of the Treasury, to JAMES A. HAMILTON.

"TREASURY DEPARTMENT, November 27, 1862.

"MY DEAR SIR: Thanks for your note and the leaf from the Bankers' Magazine. The 'Notes' on the leaf were written by Mr. Homans, a clerk in my department, and suggested by inquiries which I directed, of course not altogether unfamiliar to me. I am working away at my report, and see some light and much darkness. It would do me good to have you here to talk and advise with me, but I cannot hope for that advantage now, and would not trespass on your kindness by asking for it.

"Your friend, most sincerely."

JAMES A. HAMILTON TO HON. SALMON P. CHASE, Secretary of the Treasury.

"NEVIS, DOBBS FERRY P. O., November 29, 1862.

"MY DEAR SIR: Your very kind letter of the 22d instant was not received until yesterday, owing to my absence from my home.

"Most certainly the amount of debt necessary for the security of bank issues should be incapable of being extinguished for at least thirty years, and not after that period if the system should work well.

"I have believed that the bill authorizing the Banking System ought to give power to the Secretary of the Treasury to issue six per cent. stock to an amount not over two hundred millions of dollars (or whatever other amount might be deemed necessary) redeemable at the pleasure of the government after thirty years—such stock to be sold to the Banking Associations in such amounts as they should require; the said stock to be deposited with the Treasurer of the United States pursuant to the

sixteenth section of the said act—the said stock to be paid for by them in Treasury notes, six per cent. stock, or the current coin of the United States. And further to the stock hereby authorized to be issued, only so much of the 5th section of the Act of 25th February, 1862, establishing a funding system as requires the payment of the interest of the United States in coin, shall apply to this stock.

“The payment for this stock in Treasury notes or stock, at the option of the association, might induce capitalists to form such associations without delay under the belief that they were purchasing the stock at thirty per cent. below par.

“I submit these views as they arise for your consideration.

“I have the honor to be, truly, your friend, &c.”

JAMES A. HAMILTON TO HON. SALMON P. CHASE, Secretary of the Treasury.

“NEVIS, December 9, 1862.

“MY DEAR SIR: I have read with very great satisfaction your report. Your administration of the finances in this most difficult and momentous struggle will do you immortal honor; and should this Congress adopt your banking measure, it will confer upon the nation inappreciable advantages.

“Your devoted friend, &c.”

“At a meeting of citizens of New York, convened on 23d December, 1862, to consider the condition of the Republic, with a view to aid the Government in decided measures to crush the rebellion, it was

“*Resolved*, That James A. Hamilton, Robert Dale Owen, William Curtis Noyes, Charles King, James W. White, J. F. Gray, William A. Hall, George D. Phelps, and Bradhurst Schieffelin, be a Committee (with power to add to their number) to visit Washington, in order to represent to the President the necessity of carrying out the policy of emancipation set forth in his proclamation of the 22d of September, and that they be further instructed to use all proper influence with the two Houses of Congress to induce them to carry out in their legislation the scheme of emancipation.

“BRADHURST SCHIEFFELIN, *Secretary*.

“CHARLES KING, *Chairman*.”

JAMES A. HAMILTON TO HON. SALMON P. CHASE, Secretary of the Treasury.

“WASHINGTON, December 31, 1862.

“MY DEAR SIR: I enclose two additional sections for your bill. The first one needs no comment; it was by inadvertence omitted from the bill I handed to you. The second one is submitted with hesitation from the fear that you have already decided not to adopt it. However, at the risk of seeming to be intrusive, I again commend it to your consideration with the deepest solicitude, not only in order to secure the payment of our debts beyond all peradventure, but because it is, as was said by him who devised this system, ‘the true secret for rendering public credit immortal.’ Let me add to what I have before stated on this subject, that by thus permanently appropriating specific revenues to the payment in coin of the existing debt and the new loans, you give them a much increased value in market. Thus capitalists, having ascertained that these revenues are permanently appropriated to these loans, are adequate thereto, and that they are absolutely devoted, being vested in

trust for that purpose, it is a matter of indifference to them whether further debts and to what amount will be required, because such debts cannot divide this fund with them. Their priority of payment is known and fixed.

“ I am also moved to urge your adoption of this system by considerations personal to yourself. I am informed that members of the House intend to propose the re-adoption of the old successful system, and I desire you to be in advance of all others on this subject; to make your bill in all respects such a one as will confirm the public confidence in your great financial abilities and thus induce the acceptance of your banking system. And here let me remark as to the latter, that the authority to deposit with the proposed banks ought not to exclude the deposits of the revenues from duties. The proposed bill ought to authorize you to make such deposits upon receiving adequate security by United States Bonds and upon such terms as you may think proper to prescribe.

“ I have no doubt that the authority to deposit will induce existing banks and capitalists to come into your system, and the greater amount you have to deposit, the more extended will be this influence.

“ Sincerely your friend, &c.”

CHAPTER XV.

1863—1866.

Suggestions to Mr. Chase—Letter to Secretary Fessenden—Notes at interest and convertible—Texas, its true condition and means of treatment—Letter to Senator Sumner—Napoleon and Mexico—Passage of Secretary Chase's banking bill—Selection of Mr. Olcott as Comptroller of the Currency—A suggestion about Savings Banks—Commission to inquire into the condition of the Freedmen—The invasion of Pennsylvania—The riots in New York—Threatened difficulty at Tarrytown—The enlistment of blacks—Revenue to be derived from mines—Proposed act to abolish slavery—Levying export duties—Payment of the interest on the State debt in coin—The Chicago platform and the nominations—Mr. Fessenden Secretary of the Treasury—Public lands and the public debt—False charges by the Confederate Congress.

FINANCIAL SUGGESTIONS FOR MR. CHASE.

THE "SINKING FUND," established by the 5th section of "an Act authorizing the issue of United States notes and for the redemption or funding thereof, and for purchasing the floating debt of the United States," passed February 25th, 1862 (Statutes at Large, p. 346), is as sound a system as can be devised; but it wants that characteristic of *permanence* which can alone secure public confidence and thus impart to the debt of the United States that absolute value which will, instead of its being a great and unceasing evil, render it a blessing to the country.

The section referred to declared that "all duties on imported goods" "shall be paid in coin, &c.;" and the coin so paid shall be set apart as a special fund, and applied as follows:

First, To the payment in coin of the interest, &c. *Second*, To the purchase or payment of one per centum of the entire debt of the United States to be made within each fiscal year.

It will be perceived that there is in this enactment no engagement that the existing duties shall be continued; and consequently, without the violation of the public faith, they may be reduced to the lowest rate, and thus the "special fund" may be wholly inadequate to the payment of the interest or one per centum of the principal.

It is well known that the appropriation of a fund which in amount will pay

the interest of the debt, and one per cent. of the principal to be applied annually to the purchase of the principal, will extinguish the debt in less than thirty-four years. By the operation of the sinking fund of Great Britain, four hundred million pounds sterling of the public debt were redeemed from 1786 to 1818 (*Bristed's Resources of the United States*, page 91, edition 1818); and by the operations of the sinking fund first established by Congress, the debts of the Revolution, the *quasi* war with France, and the war of 1812 were extinguished.

The system of the United States aimed to establish two principal points. "First, To constitute a fund sufficient in every possible event for extinguishing the whole debt of the Revolution in a period not exceeding thirty years." "Second, To fix the destination of the fund unchangeably, by not only appropriating it permanently under the direction of commissioners, by vesting it in them as property in trust; but by making its faithful application a part of the contract with the creditors."

The first point is established at present by the Act of 25th of February, 1862, 5th section, by constituting at the existing rate of duties a fund sufficient for the payment of the interest on a debt of one thousand millions of dollars at five per cent.; and one per centum on such an amount of debt to be applied to the purchase or reimbursement of that principal sum. The second point was established by the following enactments: by an Act making further provision for the payment of the debts of the United States, passed August 10th, 1790 (section 7th), which declares "that the several duties imposed by this Act *shall be continued to be collected and paid until the debts and purposes for which they are pledged and appropriated shall be fully discharged*; provided that nothing herein contained shall be construed to prevent the Legislature of the United States from substituting other duties or taxes of equal value to any or all of said duties or imports."

The duties imposed by this Act were altered by an Act passed May 2d, 1792; by the 13th section it was provided that the duties imposed by this Act should continue to be levied and paid, until the debts are paid.

These enactments gave that permanence to the funds appropriated, which was deemed indispensable to the security of the debt, without preventing such changes of the duties as experience might indicate as necessary or expedient.

By "an Act making further provision for support of the public credit, and for the redemption of the public debt," passed March 3d, 1795, section 9, it was provided, that, "as well the money which shall accrue to the said sinking fund by virtue of the provisions of this Act, as well as those which shall have accrued by the provisions of any former Act or Acts, shall be under the direction and management of the commissioners of the sinking fund," &c., &c., "and shall be and continue appropriated to said fund until the whole of the present debts of the United States," &c., &c., "*shall be and are hereby declared to be vested in the said commissioners in trust, to be applied according to the provisions of the aforesaid Act,*" &c., &c., "to the reimbursement and redemption of the said.

debts, including the loans aforesaid, until the same shall be fully reimbursed and redeemed ;” and the faith of the United States is hereby pledged, that the money and funds aforesaid shall inviolably remain, and be appropriated and vested as aforesaid, to be applied to the reimbursement and redemption in the manner aforesaid, until the same shall be completely and fully effected.

These are the essential enactments which established the sinking fund of the United States.

This system received the sanction of Mr. Jefferson by an Act passed in 1802, giving it greater efficiency ; and by the report of Mr. Gallatin, his most confidential minister, in these words : “ That the actual revenues of the Union are sufficient to defray all expenses, civil and military, of Government to the extent authorized by existing laws ; to meet all engagements of the United States, and to discharge in fifteen and a half years the whole of our public debt.”

The same system received the sanction of nearly every Administration by various enactments up to the year 1848. I believe there have been thirty Acts passed by Congress in which the great maxim, “ that the creation of debt should always be accompanied with the means of extinguishment,” is clearly required and enforced. We have thus, in support of the wisdom of such a system, the sanction of the opinion of the Fathers of his country ; and we have, what is much stronger, the result of experience in the great fact that this is the only nation which has paid off its public debt.

Experience, under the direction of the Treasury by Mr. McCulloch, proves conclusively that the proposed legislation—that is to say, to appropriate the fund to pay the interest and one per cent. of the debt to commissioners in *trust* to purchase or pay the debt, and a like appropriation of the interest on the amounts of debt so paid or purchased in the same manner by the said commissioners—was indispensable. The Act of 26th February, 1862, has been treated by Secretary McCulloch, as a dead letter ; which is not surprising, as he, in his first report to Congress, recommended the repeal of that Act. This was, in fact, a recommendation to violate the public faith.

JAMES A. HAMILTON TO HON. WM. P. FESSENDEN, Secretary of the Treasury,
Washington, D. C.

“ DOBBS FERRY, January 22, 1863.

“ DEAR Sir: I beg leave to call your attention to the resolution presented by Mr. Dixon of Connecticut, to amend the Constitution thus : ‘ *The Congress shall have the power to lay a tax or duty on articles exported from any State,*’ and to suggest that, as Secretary of the Treasury, it would be well to address a letter to the Committee of Ways and Means, urging the importance of such an amendment in a fiscal point of view, indicating the vast amount of revenue which could be derived from an export duty upon breadstuffs, petroleum, pork, tobacco, rice, and cotton, and suggesting such incidental advantages as your great familiarity with the subject would occur to you.

“ There is reason to believe that the effect of an export duty on breadstuffs by making the food of the operators of Great Britain dearer, and on cotton, by making

the raw material dearer, would induce English manufacturers to remove their capital and operatives, and establish themselves here. I learned when I was District Attorney of the United States in 1829, that such was the effect in more than one instance of our high protective system of that period, and afterward in 1837, when in England, I was informed if that system had been continued, very many of the manufactories were prepared to do the same.

"I believe our present condition gives us the opportunity to make the Constitution what the wisest statesmen in the convention wished it to be, but in which they were thwarted by the selfishness and arrogance of the South. As to this clause, you will recollect that the South, under a threat of rejecting, insisted either that the power to levy a duty on exports should be yielded, or that all laws regulating commerce should require a two-third vote.

"I suppose it would be best not to press this until the amendment abolishing slavery is disposed of. I am solicitous that you should prepare with care such a letter, and that it should be published at the right time, because it would be potential and that you should thus be connected prominently with this most important and essential amendment.

"I believe no other Government has denied itself this power.

"I have the honor to be, with great respect, your friend."

HON. SALMON P. CHASE, Secretary of the Treasury, to JAMES A. HAMILTON.

"TREASURY DEPARTMENT, January 26, 1863.

"MY DEAR SIR: Your note is just received. The bill will, I think, pass; public sentiment now seems thoroughly to demand it. The tax on banks will probably go into the financial bill, and so the necessity for putting it in the banking bill be avoided.

Very truly and faithfully yours, &c."

JAMES A. HAMILTON TO HON. S. P. CHASE, Secretary of the Treasury,
Washington.

"DOBBS FERRY P. O., February 5, 1863.

"DEAR SIR: Yesterday Mr. M. Taylor, a Bank President, one of the shrewdest men in Wall Street, said to my informant, 'If notes at interest and convertible are issued, I will take for myself and friends three millions.' He insists that the currency is not redundant.

"It has occurred to me to say to you that the authority to issue such notes ought to be at a rate not over six per cent.; this would be a permission to issue them at a less rate, which I am convinced is most expedient. It is of advantage to the Treasury that the market rate of interest should be low, less than six per cent., in order to render your six per cent. bond an advantageous investment. If your notes are at six per cent., they will fix the market value at that or a little higher rate; on the coupons I would go as low as four per cent. This will be high enough to entice deposits from the Banks where no interest is paid.

"The more I hear from disinterested parties and reflect upon the subject, the better satisfied I am that the currency is not redundant, and that the price of gold is not, under all circumstances, the true criterion of the value. I will not repeat to you the argument.

“Do not consider me presumptuous in making suggestions to you on this subject. I am well aware that your reflections embrace all that is important, and that I can probably suggest; yet I pray you to believe that I am urged to address you, as I now do, by an intense desire to serve our country and to promote the success of a friend.

“I have the honor to be, with sincere regard, yours.

“P. S. Since writing the above, the morning papers announce that the Senate Committee propose to deprive you of the power to deposit any part of the revenue with Banks. This is a great mistake, because it removes one of the strongest inducements to existing banks in the cities to come in under your system.

“Yours, &c.”

TEXAS, ITS TRUE CONDITION AND PROPER TREATMENT.

This was to me a subject of absorbing interest. After the military plan detailed in the following letters had been formed, a sketch was prepared and with the assistance of Mr. Kapp, an intelligent German, and most patriotic adopted citizen, was submitted to a number of influential Germans in New York who highly approved, and gave the assurance that if the Government would call for volunteers, the proposed 30,000 would be enlisted at “the tap of the drum.”

JAMES A. HAMILTON TO SENATOR CHARLES SUMNER.

“DOBBS FERRY, NEW YORK, January 15, 1863.

“DEAR SIR: I have the honor to send to you the draft of a bill which will clearly indicate the course which I think ought to be taken with Texas. I believe the proposed number of men could be raised without difficulty from among our German population upon the terms proposed, and that 30,000 men under a competent leader, together with the Union men of Texas, would conquer the country in a few months. Men who would be unwilling to enlist for three years or the war, would readily volunteer for a specified object, and particularly where the term of service would depend upon the efficiency of their efforts. Texas is perhaps, better known to and more highly appreciated by the Germans than any of the remote parts of the country. They would be conveyed to the places to be their future homes, and sustained at the public expense. The Bill looks to the appropriation to them of the plantations which have been occupied and prepared for immediate cultivation, and gives them \$100 with their wages to build such houses as may be necessary for immediate use, leaving with them their arms, and so placing them together, as will enable them conveniently to preserve their military organization, an important provision, as securing peaceful possession of their homesteads, and the country against insurrection.”

“I propose to form a bill to establish a territorial Government for Texas. That country may be rightfully considered as standing in a position altogether different from any of the States in rebellion, unconstitutionally admitted by joint resolution, not by treaty. (I hold that no agreement can be made by this Government with another independent nation except by treaty.) However this may be, Texas was an independent sovereign power when the Congress of the United States consented that Texas should be a State of this Union. Texas, when she declared that agreement so formed null and of no effect, as she did by her act of secession as we com-

monly call it, assumed her original position as a sovereign and independent power, and as such she made war upon the United States, then standing toward her as a foreign power, just as the other nations of the world were.

"Now, if this be a correct view of the subject, or one which the United States have the right to consider as that one which Texas has practically assumed, whether right or wrong, our Government may and ought to accept the condition of war which she has imposed upon us, and we are thus authorized to conquer this nation, and to hold it by right of conquest. By doing so, we get rid of the original agreement with all its embarrassments as to slavery in Texas, and as to four more slave States. On the other hand, if we consider and treat Texas as a State of the Union under the aforesaid agreement, we must take that in the whole, and thus expose ourselves to a charge of want of good faith if we refuse to admit other slave States carved out of her Territory.

"It is quite necessary for me to suggest to your comprehensive mind reasons and motives for adopting and sustaining this view of this subject. When conquered, in peace or war, the Congress have under Article 1st, Section 8, Chapter 11, complete power to establish a Territorial Government, and to apply all the provisions of the ordinance of 1789 thereto.

"I am called upon by friends in New York to prepare an Emancipation Act, pure and simple. Mr. Owen believes such an act can be readily passed, and if I am capable of exertion enough, I intend to sketch an Act to provide for the freedmen of African descent. This is a task I shrink from, because I am confident I am not up to it. I hope you can read what I have written.

"I remain with respect and regard, yours truly, &c."

JAMES A. HAMILTON TO PRESIDENT ABRAHAM LINCOLN.

"DOBBS FERRY P. O., February 16, 1863.

"DEAR SIR: My unceasing solicitude in relation to our country must be my excuse for addressing this letter to you.

"I am satisfied that Napoleon, in making war upon Mexico without committing himself, which he is not apt to do, designed intervention, the establishment of the Southern confederacy, and thus to acquire for France the richest colony in the world formed by the Northern States of Mexico united to the State of Texas. His proposition to Great Britain and Russia, followed up by his attempt to induce us to hold 'direct informal conferences with the authority which may represent the States of the South' were both intended to stimulate the traitors to continue the contest until his progress in Mexico gave him assurance of success there, and thus afforded him the means of striking a decisive blow, through Texas, at the United States.

"Such an acquisition would commend itself to the people of France by its commercial advantages, its rich mines and agricultural products, and particularly by its being an enticing outlet to the redundant industrious and frugal agricultural population of that country, and thus by increasing the rewards of labor at home, to give him a better chance of internal quiet.

"The Pope would influence the Catholic clergy in Mexico (the great power there) to aid his designs, in order, as the Emperor intimates, to extend the Latin Church. The United States divided, would shield his province from attack, at least for such a period as might enable him to consolidate his power in his new acquisition.

"The clear and definite rejection of the last proposal does Mr. Seward great honor. I rejoice that he has so well taken the only course consistent with our country's honor. I do not believe that the Emperor expected or wished it should be accepted. By the rejection, it may be, as a respectable English journal says, 'that he has left himself apparently but one alternative, to recognize the South, and raise the Southern blockade.' Whether this is to be the alternative he will take or not, the occasion calls upon the Government for the exercise of wise precautions and adequate preparation for the worst.

"The first step to that end is, to throw a large force without delay into Texas to subdue and settle that Territory; and to do this most effectually, I earnestly advise that you send a message to Congress, asking authority to call for 50,000 men to form an army for the sole purpose of subduing and settling Texas. A call in this form would be, as I learn from those acquainted with the German populations in New York and elsewhere, immediately answered.

"*First.*—The army should receive the same pay, clothing, and rations as the regular army.

"*Second.*—When the work is done, the men should receive each a bounty of \$100, and eighty acres of land under the Homestead Act; they should retain their arms and military organization; the land to be laid out in contiguous sections by regiments and brigades, and the rations should be continued for one year after they are mustered out of service in that country; and whatever else is required, should be done to fix there a military body having an interest in the soil sufficient, and at all times ready with the Union inhabitants to defend Texas against enemies from within or without.

"This measure would not only secure Texas to the United States, but it might admonish the Emperor that his magnificent designs were not unattended with the danger of defeat which would, perhaps, shake his throne.

"In addition allow me to say, this suggestion affords to the President a good opportunity for sending a message to Congress which would arouse the dormant energies of the patriotic people, without referring to the late attempt of the Emperor, except as having been 'guided beyond all the friendship which actuates him in regard to the United States.' It would be understood by our people as a measure of preparation against the attempts of a foreign power to dismember their country, and would thus have a tendency to repress the mischievous spirit of party, and of disloyal and malignant fault-finding so prevalent at this time.

"The people, confident in your devotion to their interests, are always rejoiced to hear from you; and at this time it would be particularly useful at home and abroad.

"If you would reiterate your fixed purpose, in obedience to your special duty to the people and to the Supreme Disposer of events—who cannot be indifferent to those who are valiantly sustaining the cause of justice and the highest christian civilization—to carry on this war regardless of all consequences direct or contingent; in order, in the language of Washington's proclamation in 1793, 'to reduce the refractory to a due subordination to the laws,' and that it will be prosecuted by all such means within the power of the President as will conduce to that end.

"The Constitution, the Union, and the National life being in imminent danger, it is confidently believed that the *first* confers upon the Government, ordained and established by the people of the United States, all the power which can, in such an emergency, be required to preserve the two last—the Union and the National life.

There are views in regard to Texas, its annexation, &c., which, when properly examined under proper circumstances—that is to say, after she is subdued—will present her position relatively to the United States altogether different from that of other States now in rebellion. But of this hereafter.

“I have the honor to be, with great respect, your friend, &c.”

AN ACT TO SUBDUE AND SETTLE TEXAS, AND FOR OTHER PURPOSES.

“Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that the President be, and he is hereby authorized, in addition to the volunteer force which he is now authorized by law to raise, to accept the services of any number of volunteers not exceeding 30,000, in such proportions of infantry, cavalry, and artillery as he may deem most expedient, for the express and sole purpose of subduing Texas, and thereafter of becoming settlers therein. And that such volunteers, whenever the people of Texas shall be subdued and brought into submission to the laws of the United States, shall be mustered out of service; and every soldier who shall enlist under the provisions of this Act shall receive two months' pay upon the mustering of his company or regiment into the service of the United States; and all persons who shall be enrolled into the service of the United States under this Act shall receive the same pay and rations now allowed by law to soldiers according to their respective grades; and all provisions of law relating to volunteers enlisted in the service of the United States for three years, or the war (except in the relation to bounty), shall be, and the same are hereby declared to embrace the volunteers to be raised under the provisions of this section, not inconsistent therewith.

“And be it further enacted, that whenever the volunteers raised by this Act shall be mustered out of service, each non-commissioned officer and private shall receive a bounty of \$100, and one hundred and sixty acres of land, and they shall retain their arms and accoutrements, and their military organization, to be ready to perform the duties of the militia of the country whenever required so to do; the said bounty lands to be laid off in quarter sections contiguous to each other for each regiment, and in such districts of country and places as will best preserve the peace and good order of the loyal people thereof, and will promote the interest of the soldiers who are settlers therein, and as shall be designated for that purpose by the military governor of Texas hereinafter authorized to be appointed; the said bounty land to be occupied and cultivated by the owners thereof for and during the period of five years, and to be held pursuant to the second section of the Act, entitled, ‘An Act to secure homesteads to actual settlers on the public domain,’ passed May 20, 1862.

“And be it further enacted, that the President be, and he is hereby authorized, to take and appropriate any part or all of the real estate of any person or persons in Texas whose property it was made the duty of the President, by the fifth section of an Act, entitled, ‘An Act to suppress insurrection, to punish treason and rebellion, to seize and confiscate the property of rebels, and for other purposes,’ passed July 17, 1862, to cause to be seized and to be applied to the use of the army of the United States, and to cause the same to be appropriated among the soldiers who may be enlisted and perform their duties faithfully under this Act.

“And be it further enacted, that to all such of the volunteers who may be killed in battle, or may die in the service aforesaid, the bounties provided by this Act, of money and land, shall go to the family or legal representatives of such deceased soldier in the same manner as is provided by the second section of the Homestead Act, hereinbefore referred to.

“And be it further enacted, that the expenses incurred in carrying this Act into effect, shall be paid out of the general appropriation for the army and the volunteers.

“And be it further enacted, that the President of the United States be, and he is hereby authorized, as a military necessity, to appoint a suitable person as Governor of Texas, in whom the executive power thereof shall be vested, who shall reside

therein and held his office during the term of three years, unless sooner removed by the President of the United States. He shall be Commander-in-Chief of the militia of Texas, and *ex officio* superintendent of Indian affairs. He shall have power to grant pardons for offences not against the United States, and reprieves for offences against the United States, until the decision of the President thereon shall be made known, and to appoint and commission all officers, civil and of the military, whose appointments are not otherwise provided for, and which shall, in the judgment of the President, be necessary and proper. He shall take care that the laws be faithfully executed."

The above Act was inclosed to the President to be used in order to carry out the system proposed by the letter to him of the 16th of February, 1863.

JAMES A. HAMILTON TO THE HON. SALMON P. CHASE, Secretary of the Treasury.

"DOBBS FERRY P. O., February 27, 1863.

"MY DEAR SIR: I congratulate you with all my heart, that your Banking Bill is passed. Among the great events which will distinguish this, the most interesting chapter in our history, or perhaps in that of any other nation, this one will be measured by the benefits it will confer upon the people of all parts of our country; and to him whose sagacity in devising, courage in proposing, and perseverance in carrying it out, it will give immortal honor.

"When in the future of our country's unrivalled commerce the whole body of those who are engaged therein, and indeed of those who buy and sell and toil, shall rejoice in the best currency in the world, looking back to this period of gloom and disaster, of incompetent captains and statesmen, your name will be uttered with gratitude and praise. The next thing is to induce men of business and wealth to form associations under this law. I have written to some such in New York, urging them to do so; and in order to stimulate their enterprise, I have intimated that the first bank which shall be formed upon an extended basis, and by proper men, will probably be that one which will be employed as a fiscal agent. This will be a great advantage.

"I have the honor to be your devoted friend and servant, &c."

JAMES A. HAMILTON TO THE HON. SALMON P. CHASE, Secretary of Treasury.

"NEVIS, DOBBS FERRY P. O., March 10, 1863.

"MY DEAR SIR: I write this note under the conviction that the friendly relations between us not only authorize but require me to do so.

"Thurlow Weed has, as a good joke, related a conversation you have held with him as to your chances for the Presidency. This comes through such a source as to give me the assurance of its truth (not that you have so conversed with him, but that he had so stated). I believe him to be a very unfair man, and I now give you an incident to show how unreliable he is.

"Some years ago, on my way as a delegate to a Whig Convention at Utica, to nominate a candidate for governor, he took a seat next to me in the car from Albany, and asked my opinion as to the person proper to be nominated, which I gave without reserve. He fully concurred with me and pointed out the means to be used to insure the nomination of such person and his election, with the objections to the other gentleman who was understood to be a candidate for nomination. Our con-

versation was unreserved, and left in my mind such a clear conviction of Weed's wishes and purposes as that when I arrived at Utica, and met with those who were the advocates of the nomination of him whom I preferred, I gave as a reason for my confidence in the result the fact that Mr. Weed was with us. In answer, I was told, "You are mistaken—Weed is now in that room (pointing to a door) with the friends of —— to secure his nomination." I expressed my surprise, and waited for some time to see who were in the room, when one of them came out. I said, 'Well! what have you decided, who is to be the candidate?' He replied, 'Mr. ——,' I said, 'Does Weed concur in that?' He said, 'He does, it is all arranged.' Mr. Weed shortly afterward came out and came up to speak to me. I said, 'No! sir. I am informed of what you have been about. I never permit a man to cheat me twice. I cannot know you.'

"We did not speak for years afterward. This is stated not in confidence, but to put you on your guard.

"With respect and regard, yours truly, &c."

JAMES A. HAMILTON TO HON. SALMON P. CHASE, Secretary of Treasury.

"DOBBS FERRY P. O., March 10, 1863.

"MY DEAR SIR: You have made an excellent choice of a Comptroller of the currency. Mr. Olcott is an experienced banker, very conservative, of good business habits and unquestionable integrity. I have not his personal acquaintance. My only fear is, he is too much associated with Weed. I should have preferred Mr. Cisco. He will probably have leisure to form a system which will give a distinct and analytical digest of the returns he must receive; which at a glance will inform you of the course of the commercial business of the country.

"As the law authorizes you to deposit a part of the revenues with one or more of these banks, thus making such the fiscal agent of the government, this power will enable a skilful financier to repress that reckless spirit of overtrading which periodically (say every ten years) has produced suspensions by the banks and extensive bankruptcy. This, and the power to give a currency of absolute and uniform value throughout the Republic, are the prominent value of your system.

"I had a very interesting conversation with Albert Gallatin on this subject. He considered a United States Bank as indispensable to the Treasury, and as most useful as a great regulator and promoter of commerce, and also with Mr. Crawford, in 1820, who expressed like views.

"The Sub-treasury scheme was the fruit of a sterile soil, having very little cultivation.

"It was a great misfortune to the country that Mr. Van Buren was not appointed a judge of the Supreme Court, as he hoped to be when Smith Thompson was appointed. In a fiscal point of view, the true use of the precious metals is to make them the foundation of credit. To make them barren by burying them in a Sub-treasury, is taking a long step backward.

"That system has been found to be incapable of doing what was boastfully promised for it, to wit: to restrain the over-issues of the banks, and thus to prevent panics, suspensions, and bankruptcies. During its existence, there have been three or more such disastrous events, while during the two United States banks (40 years), I believe there was not one.

"Your choice of the means to raise money is looked for with very great interest. I have entire confidence that it will be a judicious one.

"With sincere respect,

"Your friend and servant, &c."

JAMES MCKAY TO JAMES A. HAMILTON.

"March 21, 1863.

"MY DEAR SIR: I was truly sorry not to see you when you were in town in the early part of the week. On the very day you were here, I received a telegraph from the Secretary of War saying he would like to see me. I went on immediately, and only returned this morning. The commission in which you feel so much interest, and were principally instrumental in getting organized, has been ordered, and consists of Owen, Dr. Samuel G. Howe, of Boston, and myself. In making the order for the commission, Mr. Stanton has used the broadest terms, and has requested us verbally to draw up our own instructions, with the single suggestion that they should have scope enough to comprehend the whole subject. We have written Dr. Howe, requesting him to meet us here on Monday or Tuesday for the purpose of preparing these instructions, &c. We have also requested Governor Andrew, if his engagements will permit, to give us the benefit of his advice, and now, my dear sir, I want to ask the same favor of you. Mr. Owen I expect to-night, but I promised him to write you on this subject, and ask a conference with you. As for myself, I cannot think of beginning so great a work as this seems to me, without the benefit of your counsel and advice. Please let me hear from you, and much oblige

"Yours, most sincerely, &c."

JAMES A. HAMILTON TO HON. D. H. ROBERTSON.

"DOBBS FERRY P. O., March 27, 1863.

"DEAR SIR: I am sure it would be useful to the country, as well as to the frugal and industrious portion of our laboring fellow-citizens, if the savings banks were required by law to receive on special deposit the public securities of the State and National Government; and to collect the interest as it becomes due thereon, and carry that to the credit of the depositor.

"Persons now in my employment leave their wages on deposit at interest with me. I would much prefer and urge them that they should invest in the national stocks, which they decline to do, because they have no safe place to keep such bonds or evidences of debt. The remedy I propose would remove that difficulty: it would give them a higher rate of interest than the banks give, it would tend to absorb so much of the national debt, and to bring that class of persons into such a connection with the government of the United States as would teach them its value, and to give it their support, whereas it is now only known to them through the tax-gatherers.

"I have made a rough draft of a bill for that purpose.

"With respect, yours, &c."

"Whereas, National and personal considerations require that the industrious and frugal portion of our laboring fellow-citizens should have the opportunity of manifesting their confidence in the Government of their country, and the advantages which would result from their becoming the owners of the National and State Securities, which they are now restrained from purchasing by the want of secure places to keep such securities, wherefore

Be it enacted, That the Savings Banks in this State be, and they are hereby authorized and required to receive and hold on special deposit the bonds or evidences of the debt of this State or of the United States to the credit of the depositors thereof, to any amount not exceeding thousand dollars, and that it shall be the duty of the said banks from time to time, as the same becomes due, to collect the interest on said special deposits and to carry the same to the credit of the depositor thereof when collected."

H. D. ROBERTSON TO JAMES A. HAMILTON.

"SENATE CHAMBER, ALBANY, March 29, 1862.

"MY DEAR SIR: Yours in relation to Savings Banks is received. I like the idea suggested by you exceedingly, and shall introduce a bill embodying the provisions of the one you sent up, but I greatly fear that it is too late to pass it this Session. However, it will call attention to the necessity of such a law.

"Yours respectfully, &c."

COL. JAMES MCKAY TO JAMES A. HAMILTON.'

"NEW YORK, March 27, 1863.

"MY DEAR SIR: Inclosed I send you a copy of the order for the Commission, and also a draft of the instructions as we have prepared them; will you have the goodness to suggest any additions or amendments to these latter that may seem to you appropriate; will you also think of an appropriate name for the Commission, which Mr. Stanton asked me to do, and we have not yet quite settled upon any. I have not yet heard from Dr. Howe since he left us, and do not now know the exact day when he may return with Gov. Andrew; nor do I know, indeed, if the latter will be able to come at all, as he writes me that the Massachusetts Legislature is about closing its session, and he is very much occupied.

"Let me hear from you soon, and much oblige

"Yours, with sincere esteem."

"*Ordered*, That Robert Dale Owen, of Indiana, Col. James McKay, of New York, and Samuel G. Howe, of Boston, Mass., be, and are hereby appointed commissioners to inquire into and ascertain the actual (physical, mental, and moral) condition of such persons of African descent, as by the Acts of Congress, or the President's proclamation have been emancipated, and of such as may be found within the lines of the armies of the United States, or inhabiting or being within such districts of country as were once in rebellion against, and now under the control of the United States.

"And to report such a system of measures as will best and most effectually contribute to the protection and support of such persons, and enable them to support and defend themselves as freedmen, and to elevate them in the scale of human beings. Also in what way they may be most usefully employed in the service of the Government of the United States for the suppression of the rebellion."

JAMES A. HAMILTON TO COL. JAMES MCKAY, New York.

"March 28, 1863.

"MY DEAR SIR: Your letter of yesterday, inclosing a copy of the order, &c., was received to-day. The last has been examined with my great care. I now return

the order accompanied with some suggestion of change in the first paragraph. I think it best to adopt the language of the 11th Section of the Act of July 17th, 1862, 'persons of African descent,' as well because it is there used, and because it is more definite than 'colored population.' I refer to proclamations other than the one proclamation of July 1st, 1863, because that of September 22d, 1862, was the foundation of the latter, and they must be taken together.

"I also extend your inquiries to freedmen, who may be found in such parts of Louisiana, &c., as were excepted from the proclamation of July 1st, who may have come from other places, or may be freed by other acts, being the slaves of rebels.

"Should you adopt any of these suggestions, let them be produced in your handwriting to avoid exciting any sensibility.

"Yours truly."

JAMES A. HAMILTON TO HON. SALMON P. CHASE, Secretary of the Treasury.

"April 14, 1863.

"MY DEAR SIR: I am endeavoring to induce the frugal and industrious of the laboring classes in my neighborhood to invest their savings in the bonds of the United States, and with some success. Their objection is, that they have no place of safe deposit. To obviate this difficulty, I drafted a bill for the Senator for this district which he approves, but feared it could not be carried at this session. I call your attention to this subject in order that you may extend your influence to Albany and elsewhere. It is only necessary to enact that the savings banks shall receive and hold on special deposit the stocks and National Securities, to collect the interest and carry the same to the credit of the depositor of such securities. Such a measure would induce the absorption of your bonds to the amount of millions, would benefit the people and would be a means of strengthening the Government of the United States.

"I have the honor to be, with respect, &c."

HON. SALMON P. CHASE, Secretary of the Treasury, TO JAMES A. HAMILTON.

"Treasury Department, April 8, 1863.

"MY DEAR MR. HAMILTON: Yours of the 14th has just been received. The suggestion made as to deposits of State and National Securities with Savings Banks meets my entire approval, and I have sent your letter to an active friend, now in Albany, who, if it does not reach him too late, will do all in his power to secure the passage by the Legislature of such a bill as you suggest.

"We must make such collections and deposits a part of the general banking system at the next Session of Congress.

"Yours very truly, &c."

JAMES A. HAMILTON TO HON. CHARLES SUMNER, Washington, D. C.

; "June 26, 1863.

"MY DEAR SIR: I pray you to urge the President and Secretary of War individually, to call all the troops from South Carolina, North Carolina, and Virginia, that are not absolutely necessary to protect garrisons, &c., and transport them to Baltimore and Philadelphia.

"It is believed 50,000 disciplined troops will thus be at command to resist the advance of Lee's marauding corps, and ultimately to destroy his army.

"These troops are useless where they are. In the city of New York yesterday, I found extreme dissatisfaction among our friends. If I can be of any service in Washington, I will go there at a moment's notice.

"Truly your friend and obedient servant."

JAMES A. HAMILTON to the Chairman of the Military Committee of the 8th District.

"June 30, 1863.

"The invasion of Pennsylvania by a formidable enemy threatening Philadelphia, induces me to address this letter to you as a member of the Military Committee of this District.

"The danger that our sister State will be overwhelmed by Lee's army, unless an immense force shall be accumulated in his front, is so imminent as to call for prompt and most energetic measures, individual and collective, to summon to arms all the able-bodied men of this State.

"I suggest that our Committee should meet at the Astor House, New York, on Friday next, July 3rd, at 11 A. M., for consultation on the subject.

"I have addressed all of our members whose addresses I have to this end, and I beg leave to suggest that you should do the same."

FROM JAMES A. HAMILTON TO HORATIO SEYMOUR.

"July 3, 1863.

"The Military Committee of the 8th Senatorial District of the State of New York, appointed by Gov. Morgan to raise Regiments of Infantry in that District, believing that it is the duty of the People of this State to aid their brethren of Pennsylvania and Maryland in driving the invading enemy from these States, and that it is far better to meet the powerful army of the Rebels in Pennsylvania than in New York, have the honor to present their respects, and to tender their services to your Excellency to assist in any manner you may indicate, in raising the soldiers you have so promptly and energetically called to the field, to put down this atrocious Rebellion.

"By order of the Committee,

"JAMES A. HAMILTON."

No notice was taken of this letter by His Excellency.

JAMES A. HAMILTON TO HON. EDWIN M. STANTON.

"July 16, 1863. •

"In my letter yesterday I informed you of the measures taken to resist the mob in the neighborhood (Tarrytown). At present, all is quiet, with threatenings, however, at all the landing places along the River.

"There is a large foreign population at Yonkers, in the pistol factory and other manufactories, who will be compelled to yield to the rioters, and may be brought into the field against us.

"Captain Leonard, Provost Marshal, has acted with great promptitude and efficiency. We, at the same time, want your assistance.

"*First.*—We want four or five hundred soldiers. When the riots are put down in the city, the soldiers can be sent to us. (The rioters will certainly come here.)

"*Second.*—Whenever the draft is made, it should be done at the Court House, White Plains (the county town). The building of massive stone can be made a fortress. It is in an open space, incapable of being burned. The town has not as large a foreign element as there is in Tarrytown, and above all, if the building should be fired, private property would not be destroyed. We could in that building and the jail, close by the C. H. where there are very few tenants, provide for a large force.

"*Third.*—We want money to pay incidental expenses, for transportation, rations, spies, &c. If you have not a fund for this purpose, I will provide the means at your request.

"*Fourth.*—I think it would be useful that the District Attorney of the United States for the Southern district of New York (which includes this and other river counties), should be instructed to take measures to cause to be arrested some of the leaders. I believe the law is, that if two or more shall combine to resist the execution of the laws of the United States, they are guilty of felony (of treason).

"The Provost Marshal can make the necessary oath in relation to some of the people; and by the employment of detectives, we can get the names of others. Nothing would so much tend to repress rioters as shutting up the leaders for a few days or weeks. This course would be in conformity with the pretended wishes of the men who have stimulated these excesses.

"P. S. The enrollment papers of the districts are beyond the reach of rioters for the present."

MOSES G. LEONARD TO JAMES A. HAMILTON.

"August 13, 1863.

"Your note of the 10th inst. did not come to hand until this A. M. I will most gladly inform you of the time for the draft, and be assured, my dear sir, that there is no one in the entire district in whose judgment I would more readily confide than yours. I heartily thank you, not only for the past of your services, but the renewed pledge of your proposed aid.

"Mr. Felter has not as yet received any money from the Government. Why delayed, I do not know, but I hope not much longer. I am sure he will remit to you as soon as he shall receive from Washington. He has already spoken of it to me.

"Hoping that you may be recuperated in health and strength by your stay at the Springs, and that your useful life may be long protracted,

"I remain, &c., &c."

MOSES G. LEONARD TO JAMES A. HAMILTON.

"October 21, 1863.

"Your note of October 19th has been received.

"Your suggestion as to the prompt measures to be taken with any person attempting to bribe shall be complied with.

"I would also say, that your ready compliance to address 'any meetings at any time or place,' is nothing more than your friends and the friends of the 'good cause'

anticipated. I will confer with the county committee in reference thereto, and in the mean time, dear sir,

“I am, very sincerely, your obed't serv't.”

This correspondence related to an attempt by some of our foreign population to prevent the draft, by destroying the records with the building in which the Marshal's office was. Meetings were held in the neighborhood of Tarrytown by men from the east side of the river as well as the west, and harangued by designing Copperheads. At one of these meetings, the people were urged to go on with this felonious course by a speaker who said, “We have been advised to this course by a lawyer, a justice of the peace, and even by a clergyman. We have the power, if we are united, to stop this offensive course of raising men.”

A body of rioters went on their way from the south part of the town, advancing to Tarrytown with music and a flag, endeavoring by threats to compel men in the fields to stop their work and go along with them; when in their course they learned from our scouts that we were prepared for them, they stopped by the roadside and scattered.

On the ground near the marshal's office we collected about fifty men, who were armed with such guns as could be obtained. The arrangement was, that one half of this force should be stationed in the building where that office was, and the residue in the second story of an opposite building. The orders were, to keep strict silence, and when the rioters made an attack on the door of the office building, to fire a volley from the opposite side of the street into their midst, and most effectively; and this would have been done. The force in the office building was under the command of a young lieutenant of the army, who stopped at the station, and that in the opposite building by the writer.

THE REV. ——— TO JAMES A. HAMILTON.

“July 15, 1863.

“MY DEAR MR. HAMILTON: I am one who believes that the laws should be obeyed, and that every citizen should give to his country and government what a child should give to his parents and parental home. At the same time, in either case, wisdom would suggest that the laws and rules should be such as the citizen and child, if well-disposed, would take pleasure in obeying. Now, I believe that it is an acknowledged fact, that a draft never has been, and never will be, obeyed with pleasure by any people under any government. Such being the case, it must be unwise, if any thing else will take its place.

“Taking it for granted, then, which I believe I may, that one willing volunteer is worth in the army two unwilling conscripts, I would ask your judgment as to whether you do not think that a very effective army, equal to any exigencies, might not be kept in the field by the volunteer system under the following circumstances: First. The draft is not postponed, but given up now and forever, and declared unconstitutional. Second. In its place a careful and thorough militia system established; such as we have at present, I presume, would do, although I am not familiar enough with it to speak decidedly, capable of being carried up to any amount of efficiency in the way of drill, according as the times required. At the present time,

for example, let every man between the ages of eighteen and forty-five be required to drill for two hours three times a week, either in the district of his residence or of his business, as most convenient; let the exempts be very few, and the fine of absence heavy. Thus the rich and the poor, the merchant and the laboring man, would meet together often with arms in their hands on the common platform of a common country, with no \$300 difference between them, and women and children and old men would find pleasure and health in witnessing the drill, as something that had to do with country, and not money. Then let the drill officers be also recruiting officers, and trust to the military ardor which would be excited by the handling of arms and the good opportunity of a word here and a word there on the part of the officers, to find as many willing and enthusiastic volunteers as the country might require. It would make a foreign or a domestic enemy tremble to know that every man from eighteen to forty-five, throughout the whole of our land was drilling three days in the week; whereas, after the experience of this week, the necessity of a draft will ever be a source of rejoicing to the enemy and of fear to the Government.

“With much respect, I am your obedient servant, &c.”

JAMES A. HAMILTON TO THE REV. ——— ———.

“July 16, 1863.

“REVEREND AND DEAR SIR: I regret that my engagements do not permit me to give as full an answer to your letter of yesterday as my respect for your opinions and the subject of it demands. The fundamental condition of every political community, state or nation, is individual and personal sacrifice. We necessarily give up a portion of our personal rights and our individual opinions. I do not mean to say that you and I have not the right to form opinions and to express them, as to the policy or constitutionality of laws, but whether we approve or not, we are bound to obey, and do all in our power, and at any sacrifice, to sustain the laws.

“There are various civil duties that are unpleasant and oftentimes injurious to us; to attend as jurors and witnesses, to pay taxes, to give our lives to the service of the country, and when our country is at war, right or wrong in our opinion, to sustain the Government. I hold these to be truths which no good citizen will deny, and I also hold, that although the citizens may find these duties far from pleasurable, they are bound to perform them earnestly.

“The analogy between the duty of a citizen to his Government, and of a child to a parent, does not strike me as very clear; however, suppose your boy should find more pleasure in going to his play than his school or his church, would you think he is to be permitted to have his choice?

“I admit that a law authorizing a draft will never be obeyed with pleasure, and yet I believe that there may be occasions when that mode of raising troops must be resorted to, and that such is the case at this moment, because in this State there is no organized militia. A law for that purpose was passed last winter, but until within a few days, nothing has been done to carry it out.

“In the war of 1812, and for years after, we had an organized militia, but it was burdensome and disagreeable to the people, and the law was changed.

“You probably know that for years past there has not been any militia training in this State. In the city of New York there have been uniformed companies whose

organization has been kept up. The enrollment of the militia depends upon the State Governments, and if they do not choose to have such a force, the United States cannot call it into being, and consequently not in the national service 'to execute the laws of the Union, suppress insurrection, and repel invasions.' The authority of training the militia and appointing the officers, is expressly reserved to the States.

"I believe the existing conscription law is constitutional. Congress has power 'to raise and support armies.' This is an extensive and unlimited power. The Congress has the power expressly given, to 'make all laws which shall be necessary and proper for carrying into execution the foregoing powers.' Under this clause, the Supreme Court has decided that the Congress is the sole judge of the means which are expedient to carry into execution the express power, and that whatever measures Congress shall judge necessary (expedient) not forbidden by other parts of the constitution, are constitutional. Apply these authorities—Congress has decided to raise an army by conscription, that is by draft, and to give the President the power to appoint all the officers required to carry such law into effect. But I have to remark above all, all the officers and departments of the Government are as much bound to obey the laws in their official as in their individual capacity. This is a well settled axiom. The President must consequently raise armies in the mode required by law, and under his oath of office he 'must take care that the laws are faithfully executed.' He has, consequently, no choice of means, but if he had, in this State he could not use the means you refer to, because they do not exist.

"It would be giving up the Government to yield to the demands of a mob, and pusillanimously to refrain from carrying into effect a law because of the threats or violence of a mob.

"With great respect, yours, &c."

JAMES A. HAMILTON TO THE HON. HUGH L. BOND.

"NEVIS, DOBBS FERRY, September 7, 1863.

"SIR: Your letter of the 15th ultimo addressed to the Secretary of War treats with great ability a subject of vast importance to Maryland, and it is believed to be one of vital consequence to the whole country. The employment of the Black^s, slave and free, in the military service of the United States, may be decisive of the contest in which we are now engaged to preserve the national life. If the slaves are not employed by the United States, they will be by the enemy.

"The proclamation of August 1st, issued by the arch-traitor Davis, was intended as an intimation to his vassals, the slave-holders, that if he could not obtain white men to fill up the broken ranks of his armies, he would with the energy of desperation command the services of their slaves.

"Mr. Madison (Federalist No. 43), referring to insurrection says, 'I take no notice of an unhappy species of population abounding in some of the States, who during the calm of regular government are sunk below the level of men, but who in the tempestuous scenes of civil violence may emerge into the human character, and give a superiority of strength to any party with which they may associate themselves.'

"This premonition of a judicious statesman thoroughly acquainted with this subject, ought not to be passed unheeded.

"If the President of the United States does not use all the means in his power to

secure the military services of this 'unhappy species of population,' and thus 'give a superiority of strength to his side, the enemy will certainly do so.'

"The right of the President to command the services of the slaves of Maryland, and of all other parts of the country now subject to the control of the Government of the United States, or which can be reached by his armies, is as clear as that he has the right to receive or command the services of the free blacks or white men.

"It is a principle of public law universally recognized and acted upon, that all persons born within the realm or 'extent of government,' owe natural and unqualified allegiance to the Government under which they are born, except those who are the children of persons owing allegiance to a foreign State or potentate.

"In the language of Blackstone, 'Every man owes natural allegiance where he is born.' Again 'natural allegiance is such as is due from all men within the King's dominions immediately upon their birth.' The dominion and control of the Constitution of the United States embraces all the country and people within its exterior limits. 'Allegiance is the tie or ligament which binds the subject to the King in return for that protection which the King affords the subject.' From these great and fundamental principles, it follows that all men born within the jurisdiction of the United States, owing allegiance thereto, are bound to serve the Government as soldiers or in any other capacity which the law may require. As there is not, and cannot be any exemption but the one above stated, it is clear beyond all question that such allegiance and service is due as well by 'persons held to service and labor in a State by the laws thereof,' as by free men white or black. State laws cannot absolve the persons so held from their allegiance and duty to the Government under the Constitution and laws of the United States, because it is declared by the Constitution, article 6th, clause 2d, 'This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made and which shall be made under the authority of the United States shall be the supreme law of the land, and the judges in every State shall be bound thereby, any thing in the Constitution or laws of any State to the contrary notwithstanding.' The laws which bind persons of African descent to service, being State laws, are subordinate to the Constitution and laws of the United States, and can have no power to withdraw persons so held from their allegiance, or shield them from military or other service to the United States. This is so clear that to state it is to prove it.

"Your statement that 'the fundamental idea of all the laws on the statute book respecting this matter is, that military service is the great duty of all persons who enjoy the protection of, or owe obedience to, the law, the servant as well as the master,' is perfectly correct. I go a step further and say, without the fear of contradiction, that under the law authorizing a draft it is the duty of the War Department to order the enrollment of slaves and freemen of African descent, as well as white men, in order that they may be subject to the draft, and that the laws of the States authorizing persons of African descent to be held to service and labor, cannot withdraw such persons, if drafted, from the military service of the Government.

"The conscription law requires all men within certain ages to be enrolled. There is no exception whatever in regard to those who have the requisite bodily strength. The President is, consequently, as much bound in his official character and acts, by the Constitution and laws of the United States as he is in his individual character. Hamilton on this subject says: 'The power to make laws is the power of pronouncing authoritatively the will of the nation as to all persons and things over which

it has jurisdiction, or it may be defined to be the power of prescribing rules binding upon all persons and things over which the nation has jurisdiction. It acts compulsorily upon all persons.' * * * * 'A law of the land, till revoked or annulled by the competent authority, is binding not less on each branch or department of the Government than on each individual of Society. Each House of Congress collectively, as well as the members of it separately, are under a constitutional obligation to observe the injunctions of a preëxisting law, and to give it effect.'

"Let the President observe the injunctions of the laws on this subject, and give them effect by ordering the enrollment of the slaves for the purpose of the draft, and directing all enlisting officers to receive as volunteers all persons, including those held to service; blacks as slaves, and whites as apprentices.

"There is no authority in any officer or department of the Government to deprive any man, black or white, free or slave, of the honor of serving his country in this, 'her hour of utmost need,' if by age and physical capacity he is within the limits prescribed by law.

"Your obedient servant, &c."

HUGH L. BOND TO JAMES A. HAMILTON.

"BALTIMORE, September 12, 1863.

"DEAR SIR: I desire to return you my sincere thanks for your very able argument respecting the enlistment of blacks, free and slave.

"Aside from the pleasure it gives me, as I suppose it gives every other person, to know he is not alone in his opinions, I am doubly pleased that gentlemen of my own profession who are wont to look at questions of law uninfluenced by public opinion, agree with me in my conclusions. Inclosed, I send you a letter from our Governor which is intended as an answer to the letter which you are pleased to approve.

"I intend to make a short reply to some of the Governor's statements which are local in their application, and to publish your argument in support of my position.

"I should be pleased with your consent to omit the last sentence of your letter. The argument is complete without it.

"The government has a right to call upon all persons to bear arms irrespective of their personal obligations, and if they choose to remunerate loyal slave owners, it is *ex gratia*, and not of right.

"You state in your note that this sentence was put to avoid the objection of the article in the *Intelligencer*. That article is insolent, and in the tone which prevailed here in days gone by.

"Mr. Lincoln's proclamation, too, at least emancipated us from tyranny of that description, but I did not think it worth while to mar the argument of your letter by that allusion to their article.

"I shall deal with them in a different manner.

"With great respect,

"I am, yours truly."

JAMES A. HAMILTON TO HON. SALMON P. CHASE, Secretary of the Treasury.

"NEVIS, DOBBS FERRY P. O., October 1, 1863.

"DEAR SIR: I had intended for some time to call your attention to the subject

of this letter, but have delayed doing so by 'the sluggishness of age,' and by the belief that it had already engaged your comprehensive mind, and has most probably been moulded into a system of full proportions.

"I refer to the revenue to be drawn from the mines of precious metals and quicksilver.

"I venture to call your attention to this important and very difficult task, not only because through it a vast revenue may be secured to the government, and that every year's delay in bringing the mines and their products under the control of the government will render it more difficult to do so; but because I am solicitous that, in addition to your marvellously successful administration of the finances of our Country amid such overwhelming difficulties, you should add to your fame the crowning glory of having devised such a wise and comprehensive system. This will be a monument of your skill as a financier as enduring as the mines will be.

"Two points have occurred as essential. First, that the mineral region shall be surveyed, and properly divided into proper allotments, and second, that all persons who are now working or may hereafter seek to work the mines, shall be required to purchase a plot or parcel of land—the price to be very low, the object of the sale not being revenue, but to keep a record of the names and places of all persons who may by legal authority be on the lands, and thus to be enabled with facility to draw from the product of their labor an annual percentage.

"Third, That a seigniorage shall be paid yearly on all gold, silver, or quicksilver which shall be produced by each purchaser so long as he shall work the mines on the plot he has purchased.

"I am not prepared either by a knowledge of the subject or by skill to suggest any particular system of measures to produce adequate and certain results. I recollect having read an article in one of the monthlies, written by the Hon. Robert J. Walker, in which he treats of the proper division of these lands. I think his conclusion was that the subdivisions should be very small.

"If I can be of any service to you on this subject, I hope you will not hesitate to command me.

"With very great respect and regard,

"Your friend and servant, &c."

AN ACT TO ABOLISH SLAVERY.

"Whereas the President of the United States, on the first day of January, 1863, as a necessity of war, and in his character of commander-in-chief of the armies of the United States, did issue a Proclamation of Freedom to all persons held as slaves in certain States or parts of States therein named—they being in rebellion against the Government and people of the United States,

"And whereas, the existence of slavery in any part of the United States is in direct and manifest violation of the sublime principle of liberty on which the Government of the United States is founded, and whereas the existence of slavery in certain States of this Union by the laws thereof has caused and continues the criminal rebellion which now threatens the national existence, it has become a matter of indispensable necessity on the part of the Congress in the exercise of its war powers, and in defence of the Constitution of the United States, to abolish slavery. Therefore

"Be it enacted by the Senate and House of Representatives in Congress assembled, that the condition of slavery is forever abolished within the limits of the United States, and that hereafter no person who breathes within the limits of the United

States and the jurisdiction of the Constitution can be a slave, and that all laws of States which establish or authorize any person to be held to service or labor to any other person are illegal, void, and of no effect, as well because they violate the great principle of liberty in which the system of Government of the United States and of the respective States is founded, as because no law can rightfully exist which gives to one man property in another,

“And be it further enacted, That all persons of African descent, who are hereby and by the proclamation of the President made free, shall stand before the courts and be considered and treated therein as entitled to full and complete protection in their persons and property as any white person does or can be considered and treated, and that hereafter the crime of slavery and all its consequences to those who were heretofore held as slaves, is obliterated and forever destroyed.”

JAMES A. HAMILTON, TO HIS EXCELLENCY JOHN A. ANDREW, GOVERNOR OF
the State of Massachusetts, Boston, Mass.

“DOBBS FERRY P. O., December 19, 1868.

“MY DEAR SIR: I had the honor to receive your letter of the 16th inst. in due course of mail, in which you are pleased to refer in very flattering terms to my suggestions on public affairs.

“There is another amendment of the Constitution to which I invite your attention: we ought to take advantage of the present state of public opinion and feeling, to make the Constitution what the most skilled of its builders wished it to be, but in which they were thwarted by the arrogance and selfishness of the South. The concessions to which I refer are familiar to you.

“*First.*—The slave trade for (20) twenty years.

“*Second.*—The fugitive slave clause (allow me to say, that in the draft of the constitution in my father’s handwriting, which I have, there is the clause for the rendition of fugitives from justice, in the very language of the existing Constitution, but there is no fugitive slave clause).

“*Third.*—The inhibition of duties upon exports.

“I wish, by amendment, to rescind the last; duties upon exports are, under certain circumstances, as fit and profitable sources of revenue as upon imports.

“As a general rule, the consumer pays the duty; under this rule it is notorious that the people of the free States pay almost all the import duties, because they are essentially the consumers. The slaves do not, nor do the poor white trash consume imported articles, except the latter, tea and coffee.

“The rich slave-holders consume a portion, but by no means as largely as the same class of the North. It would not be inequitable to impose an export duty on cotton, tobacco, and rice, and by-and-by on sugars.

“The effect of such a duty upon cotton, independent of its advantages to the Treasury, would be to shield our cotton manufacturers from the low wages and low price of capital of Great Britain.

“The differences of price by the amount of duty would be a protection, and in a manner less obnoxious to free trade than any other. I am anxious to secure to the American manufacturers every advantage which will enable them to compete with those of England, not only because we shall become, as Jackson said, ‘truly independent,’ but I know that in no way can we strike so deadly a blow to that arrogant people as by becoming competitors with them in the markets of the world.

“The governing classes of England have wished, and in so far as they dared

they have promoted the divisions of our country, in order to secure their manufacturers from this competition. The South would have imposed an export duty upon cotton, &c., and would have received the manufactured articles at a low scale of duties, and then distributed them through the great rivers of the West, of which they would control the mouths, into the great western countries, where the best market of the Eastern manufacturers were to be found, and thus a protective policy would be impossible."

JAMES A. HAMILTON TO SAMUEL B. RUGGLES, Esq., New York.

"NEVIS, DOBBS FERRY P. O., January 7, 1864.

"DEAR SIR: I have learned with pleasure from the following extract that action has been taken by the Chamber of Commerce of Philadelphia and New York in favor of amending the Constitution so as to allow Congress to levy export duties.

"Duties on Exports." The Secretary then read the report of the Executive Committee, to whom had been referred the resolutions of the Philadelphia Chamber of Commerce, in regard to memorializing Congress in favor of an amendment of the Constitution so as to permit the levying of duties on exports.

"Incorporated in the Report was a resolution concurring in substance with the views of the Philadelphia Board.

"Mr. Ruggles moved an amendment to the resolution to the effect that the subject should be brought with promptness before the present Congress.

"The question being first upon the adoption of the Committee's Report, was duly put to vote and carried. In regard to Mr. Ruggles's amendment, Mr. Cooper moved that it lie over until the next meeting.

"On the 19th ultimo, I addressed a letter to Governor Andrew, in which after referring to the amendment to abolish slavery, I said: 'There is another amendment of the Constitution to which I invite your attention: we ought to take advantage of the present condition of public opinion and feeling to make the Constitution what the most skilled of its builders wished it to be; but in which they were thwarted by the arrogance and selfishness of the South.

"The concessions to which I refer are familiar to you: 1st, The slave trade for twenty years; 2d, The fugitive slave clause (allow me to say that in the draft in my father's handwriting, which I have, there was a clause for the rendition of fugitives from justice in the very language of the existing Constitution, but there is no fugitive slave clause); and 3d, The inhibition of duties on exports; such duties are under certain circumstances as proper sources of revenue as upon imports.'

"The South insisted either that all laws regulating commerce should be passed by a two third ($\frac{2}{3}$) vote, or that the power to lay duties upon exports should be forbidden to Congress, threatening unless this and the slavery clause were yielded, they would not adopt the Constitution.

"The amendment first in importance is to abolish slavery. The next is to expunge from Article 1, Section 9, and Clause 5, the words 'no tax or duty shall be levied on articles exported from any State.' The language of Section 8, Clauses 1 and 2, Article 1, 'The Congress shall have power to levy and collect taxes, duties, imposts, and excises, are sufficiently comprehensive to authorize import as well as export duties.'

"The most effectual proceeding to this end would be, to prepare a petition, which

you can do better than any other man, and to cause it to be printed, and circulated for signatures all over the country, with printed directions at foot, that when signed it should be enclosed to a member of Congress. In this way, I believe, a million of signatures could be obtained in a short time.

"The rule as to duties is, that the consumer pays the tax (there are exceptions). The import duties are mainly paid by the people of the free States; the slaves are not consumers, and poor white trash consume very little; and the slaveholders do not consume to the same extent as do Northern men who have the same amount of income.

"The export duty on cotton would be a great encouragement to our manufactories. The aggregate value of domestic exports for the fiscal year ending June, 1861, was over \$228,000,000, one per cent. on this would yield a sum of twenty-two millions of dollars.

"I intend to suggest to the Secretary of the Treasury to intimate that such an amendment would add greatly to the revenue, and advise it to be made.

"I write to you without intending to do more than touch upon the subject.

"With great respect and regard, your obedient servant."

JAMES A. HAMILTON TO HON. LUCIUS ROBINSON, Comptroller.

"NEVIS, DOBBS FERRY P. O., May 2, 1864.

"MY DEAR SIR: Your letter of the 30th ultimo was received to-day. On Thursday last, I went to the city and conferred with gentlemen on the subject of your correspondence, and was convinced that there was, then, a deep sense of the integrity in the State, and di-satisfaction with the Legislature in refusing to provide for the payment of the interest on the Public Debt in coin, and that a strong desire then existed to do something to secure the credit of the State.

"Your very full and satisfactory letter induces me to fear that the demoralization of our public men is deeper and more extended than I had supposed. What are we coming to? However, let us not despair of the republic, but remember that Plato 'enjoins every virtuous citizen to rescue the State from the usurpation of vice and ignorance.'

"I will take an opportunity again to see some of the intelligent capitalists in New York on the subject.

"I have great pleasure in learning that you had the patriotism and courage in 1863 to take the responsibility of paying in coin the interest of the public debt.

"I have the honor to be, with great respect, yours, &c."

JAMES A. HAMILTON TO HON. ISAAC N. ARNOLD, House of Representatives,
Washington, D. C.

"July 1, 1864.

"DEAR SIR: I beg leave to call your attention to an act of Congress of an early date, of a most disgraceful character: I mean that which legalizes the internal State slave trade, in the hope that you will introduce a bill to repeal the 9th section of the Act of March 2d, 1807, see Gordon's digest of the laws of the United States, page 623 and 624, articles 3120 and 3121.

"This section declares that the captain of a vessel sailing coastwise from any

port of the United States, to any port or place within the jurisdiction of the same, having any negro, mulatto, &c., for the purpose of transporting them to be sold or disposed of as slaves, 'shall previous to departure make a manifest &c.' I need not copy the residue.

"You will, I believe, find that this law, giving security to this infamous traffic, was passed to take effect on the day (January 1st, 1808) when the foreign slave trade was forbidden, and thus to aid in the supply of slaves by domestic trading to the States cut off from the foreign production.

"The accursed slave-holders took advantage of the desire of the North to prohibit the foreign, to induce them to sanction the domestic trade. The 7th section of the Act of March 2d, 1807, prohibits the foreign trade, and the 9th section of the same act sanctions by regulating the domestic, from and after January 1st, 1808.

"The duties of the Congress of which you are a member will, I am sure, be arduous, and perhaps more useful and important than those of any former Congress.

"My best wishes personally and especially always attend you.

"I have the honor to be, with respect and regard,

"Your obedient servant."

HON. SALMON P. CHASE TO JAMES A. HAMILTON.

"WASHINGTON, July 9, 1864.

MY DEAR SIR: Receive my gratitude for your very kind note, as well as for the early assistance and constant friendship with which you have honored me.

"I have been called ambitious, but I desire no office except as an opportunity for useful work, and will not retain one a moment at the expense of honor or duty."

JAMES A. HAMILTON TO HON. W. P. FESSENDEN, Secretary of the Treasury,
New York.

"DOBBS FERRY P. O., July 10, 1864.

"DEAR SIR: I congratulate you that you have been appointed, and the country that you have accepted the office of Secretary of the Treasury, because I am sure you are master of the situation, difficult as it is. Delicacy to you restrains the expression of my well settled opinion on this subject.

"I am anxious to serve you in any way in my power, and therefore write this note to say that of all men in New York, the most competent man for Mr. Cisco's place (Assistant Treasurer) is Mr. Moses Taylor.

"With sincere regard and respect, your friend, J. A. H.

"P. S. I am compelled by the condition of the times to say that I do not seek, and would not receive any office or favor from the Government. Yours."

THE CHICAGO PLATFORM AND THE NOMINATION.

General McClellan has been urged to accept the nomination and repudiate the platform; to do so would be an act of personal as well as political dishonor. That platform was adopted with great unanimity, and he was nominated in the fullest confidence that he entirely approved the public measures it declared were demanded by the public interest; and by his nomination the convention gave the highest pledge that Gen. McClellan, if elected, would make immediate efforts "for a cessation

of hostilities" with a view to an ultimate convention of all the States, or other peaceable means to the end, that at the earliest practicable moment peace may be restored.

The convention which framed, and those who adopt and support this platform and General McClellan if he accepts the nomination, encourage the traitors in arms to continue the war, thus giving "aid and comfort to the enemy" which, if not actual, is certainly moral treason.

It is not to be believed that a Major-General in the army of the United States can be capable of such unworthy conduct.

September 6, 1864.

JAMES A. HAMILTON TO COL. MCKAY, New York.

November 25, 1864.

"DEAR SIR: I sought you yesterday to confer with you on the subject of this letter, and to make arrangements to meet with you and one or two other efficient, practical, and ardent emancipationists.

"At the last session of the present Congress, a resolution to amend the Constitution to abolish slavery was passed in the Senate by the constitutional number of two thirds ($\frac{2}{3}$). In the House of Representatives it wanted eleven votes of that number; that resolution is still pending in the House, and may be taken up at any time.

"In the next Congress to meet at its regular session, on the first Monday of December, 1865 (one year hence), there will be a constitutional number in each House to pass such a resolution. Of the Legislatures to assemble this year, there are more than three fourths the constitutional number who will adopt such a resolution.

"These bodies, however, will not be called to act upon such a resolution of the Congress which will meet in December, 1865. As to those bodies, there is always danger of changes. In addition, it may be said to be most probable that before the winter of 1865 and '66 several, if not all the States in rebellion, will lay down their arms and send members to Congress, and having returned to their duty of allegiance, their Legislatures will vote against the proposed amendment, and thus it may be defeated.

"Under these circumstances, not a moment of time should be lost which can be usefully employed in the great work of abolishing slavery, and to that end, it is vastly important that every thing should be done without delay to effect this vital change.

"The question now arises: What can be done? I answer, *first*, the resolution now pending in the House should be called up without delay, in order, if rejected, to prove that all our dependence is upon the next Congress, and immediately to take measures to induce the President to call an extra session of Congress, to meet on the 4th of March next.

"By what measures can that be accomplished? I answer, *first*, by inducing the Legislatures of those States known to be in favor of such amendment to pass resolutions advising the President to call an extra session of Congress, and at the same time declaring their readiness to adopt such a resolution of amendment, if submitted to them.

"*Second*, By meetings of the people in the States, and various parts of the States, to pass resolutions invoking the President to make such a call.

"This is a great, and in my judgment, an imperious duty. It will require the concert in action of earnest and patriotic men throughout the country.

"I submit these questions to the earnest consideration of yourself and such others as you may choose.

"With sincere regard, your friend."

BENJAMIN D. SILLIMAN TO JAMES A. HAMILTON.

"December 19, 1864.

"MY DEAR SIR: I hope that the republication and extended circulation of your excellent address to naval cadets will not be long postponed.

"The exposition of the history and nature and effect of the Constitution is as valuable as it is admirable; it will be prized by those who are well informed, and will instruct the many who erroneously suppose themselves to be so.

"Respectfully and sincerely yours."

HON. CHARLES SUMNER TO JAMES A. HAMILTON.

"SENATE CHAMBER, December 22, 1864.

"MY DEAR SIR: I feel the force of your suggestions as to the Bankrupt Bill. I am receiving letters about almost every day; the desire for its passage seems to be general, and it is a good Bill, though not too good to be made better.

"The Constitutional Amendment will come up on the 10th of January, and leading men of the House have strong hopes of success.

"If not done this session, an extra session, as you suggest, will have to be called.

"Faithfully yours."

JAMES A. HAMILTON TO THE PRESIDENT OF THE U. S., Washington, D. C.

"DOBBS FERRY P. O., January 14, 1865.

"DEAR SIR: Assuming that Mr. Fessenden is to leave the Treasury on the 4th of March next, I take the liberty to suggest to you that his excellency John W. Andrew, Governor of Massachusetts, is the most competent man in the country, next to the present incumbent, for that place. Governor Andrews' intellectual vigor, his extensive acquirements, his energy and singular aptitude for adaptation, will enable him most readily to overcome all the difficulties of that most laborious and responsible office.

"I have the honor to be, with great respect,

"Your friend and obd't serv't."

SAMUEL B. RUGGLES TO JAMES A. HAMILTON.

"January 14, 1865.

"MY DEAR SIR: I beg to thank you for your very acceptable and instructive letter of the 9th inst. on the subject of amending the Constitution, by permitting a tax or duty on exports, and am glad to hear that you have occupied your mind with the subject. You may have seen by the newspapers that our Chamber of Commerce have had the matter under consideration, on the application of the Board of Trade of Philadelphia, to unite with them in memorializing Congress on the subject. At the last meeting of the Chamber, it was thought most discreet to postpone any movement in the matter until after Congress should have finally disposed of the pending proposition to abolish slavery. For that purpose, the subject was postponed,

by general consent, until the regular monthly meeting on the first Thursday of February next; meanwhile I truly hope that you will do what you can to enlighten the Secretary of the Treasury, and the members of Congress, to educate them a little in advance.

"A duty on exports, including cotton, breadstuffs, provisions, and petroleum, might be made to yield from fifty to a hundred millions yearly, and the agriculture, commerce, and manufactures of the country to a corresponding extent. It is the more necessary to obtain such a measure of relief, when we perceive how rapidly we are drifting into bankruptcy, State debt for soldiers' bounties (which they never receive), and its consequent grievous load of taxation.

"I shall take your letter with me to Washington, and shall venture to show it to some of the Members of Congress.

"Whenever I have had an opportunity to bring this amendment to the attention of leading men in Washington, it has been done; but, I regret to say, without the least success."

JAMES A. HAMILTON to His Excellency R. E. FENTON, Governor of the State of New York.

"DOBBS FERRY P. O., February 1, 1865.

"SIR: I take the liberty to suggest that the importance of the resolution passed by Congress yesterday, to amend the Constitution of the United States by abolishing slavery, calls upon you to announce the fact by a special message to the Legislature of the State now in session, and to urge its adoption.

"I hope you will pardon this my intrusion by imputing it to my wish that our State should have the honor of being the first to give its sanction to this measure, which will be praised throughout the world as the best evidence of our wise statesmanship and our high Christian civilization.

"I have the honor to be, with great respect, yours, &c."

JAMES A. HAMILTON to GEORGE W. BLUNT.

"DOBBS FERRY P. O., February 7, 1865.

"DEAR SIR: The inclosed printed copy of my correspondence in relation to the reinforcement of the forts in Charleston harbor, cognate to the paper you are preparing for publication, presents additional proof of the imbecility of President Buchanan. Your paper is of great importance; it will be very useful at this period. The failure of the negotiation indicates a new point of departure, and that we of the North must nerve ourselves to a much more desperate struggle than before. The issue is fairly made up—the independence of the South, or their submission by conquest. Your statement of facts will awaken the intelligent and resolute men of the North, of all parties, to the imbecility of our high officers, civil and military. Some of them are in higher places. Thus exposed, they will be distrusted and perhaps driven to yield their places to men who have clearer perceptions of this mighty issue, and are therefore prepared to sustain that energetic policy by which alone the national life can be preserved.

"As your paper will be universally received and read with great interest, it is of vast importance that it should be prepared with the greatest care. A simple perspicuous statement of your facts and circumstances, with such a brief statement

of the course of the conspiracy, the public stations and characters of the principal men engaged in it, will show what an egregious folly it was to expect that the wayward Sisters would shortly return to their allegiance. This belief [dictated General Scott's letter to the President, written after a conference with Mr. Seward, who induced the latter to believe in the termination of the war in sixty or ninety days, to speak of treason in arms as a disturbance, and the traitors as our 'honored brothers;'] and induced another member of Mr. Lincoln's cabinet, as I have been informed, to urge Mr. Sumner to go to New York, call a meeting of the citizens, and urge them to pass resolutions in favor of disunion.

"I hope the work will be prepared with the utmost deliberation. There is no reason for haste. If I can aid you I will do so with the greatest pleasure.

"Your friend, &c."

JAMES A. HAMILTON TO THE HON. WILLIAM H. SEWARD, Secretary of State,
Washington, D. C.

"November 3d, 1865.

"SIR: I have the honor to direct your attention, as perhaps useful in connection with the discussion now in progress between the United States and Great Britain, in relation to neutral rights and duties, to a letter written by Alexander Hamilton by a 'command from' President Washington, dated August 4th, 1793 (3d vol. *Works of Hamilton*, page 374).

"I hope it will not be deemed intrusive to suggest, that the greatest amount of loss we have sustained, as a direct consequence and a meditated purpose of those piracies, was the destruction of our carrying trade. We lost thereby one thousand vessels, and five hundred thousand tons; and, of course, an immense amount of freight. To illustrate this: before these vessels were on the ocean, the imports at New York in American vessels, in 1860, amounted to \$62,598,326; in foreign vessels, \$23,404,051. In 1863, the amount in American vessels was \$23,403,830, and in foreign vessels \$65,889,053.

"This discussion on our part has certainly been conducted with dexterity and wisdom; and yet it is feared by many that its continuance may place us in a position from which we cannot retreat without dishonor; whereas, on the other hand, should we bide our time, as we may wisely do, under the sure conviction that, should war become imminent between Great Britain and a continental power, she would pay all our claims, in order to avoid that retaliation which her contraversions would justify on our part.

"I have the honor to be, with great respect, your obedient servant."

JAMES A. HAMILTON TO THE HON. HUGH McCULLOCH, Secretary of the Treasury,
Washington, D. C.

"NEVIS, DOBBS FERRY P. O., November 13, 1865.

"SIR: Without having the honor of your personal acquaintance, in obedience to my sense of duty, I address this letter to you in relation to our financial affairs.

"First.—It is believed that it would be useful to suggest to Congress to pass a law under which the public lands may be made available for the payment of the

public debt. This may be done in the shape of rents or royalty, as Mr. Fessenden suggested in his report (page 16), thus: Require every person who takes one hundred and sixty acres of land (at the same rate for a greater or less quantity) under the Homestead Law, to pay one dollar at the end of the first year, two dollars the second year, and so on, increasing the payment one dollar every year until the public debt is paid; but not to extend beyond thirty (30) years, exempting his land from all other taxation during that term of years. The Treasury would thus receive, at the end of thirty years, for one hundred and sixty acres of land, the sum of \$465 (one hundred and sixty acres at \$1.00 per acre); and interest, at six per cent. per annum, would amount to \$448. This payment, for the first ten years, would be so inconsiderable as not to embarrass the cultivator in the least.

"A not unimportant result of this plan would be, that as the payments are to cease as soon as the debt is paid, there would be a numerous body of men in the new States having a common interest in the payment of the public debt, whose representatives in Congress would be urgent to maintain or increase taxation to which their constituents would not be subject in order to hasten that result.

"The sinking fund, if applied to the purchase of the debt, as provided by the Act of 26th February, 1862, will pay off any amount of debt in thirty-three years and four months.

"Second.—I beg leave to suggest that the iron manufacturer should be relieved from taxation upon the raw material, and upon the several articles he may use, which have been before taxed. His burdens under the existing internal revenue system are so great as to deprive him of adequate protection under the tariff.

"Third.—Impose a duty on hoop-skirts of one dollar each (parts of these skirts are now taxed by name—repeal these taxes). There are in the United States at least ten millions of females who use these skirts (the richer portion have two or three). There would thus be received an annual revenue of ten millions dollars. As the laws of fashion are more imperative than any other laws, the additional cost of one dollar each would not diminish the use of this article of dress.

THE REDEMPTION OF THE LEGAL TENDER NOTES.

"Mr. John D. Van Buren's published letter, addressed to you on this subject, has deservedly attracted much attention, as well from its general interest as because he has carried into the discussion much practical knowledge and wisdom.

"To raise these notes up to the par of gold, rather than to withdraw them, is not very difficult. It will secure to the country the best circulation in the world, and it will avoid that dire commercial convulsion which would necessarily follow a severe contraction. In the existing condition of our country, particularly from the desolation of the South, and the consequent necessity of supplying eight millions of people there with food, and all the necessaries incident to civilization (to say nothing of luxuries), including a circulating medium, it appears to me that, should the four hundred and fifty millions of legal tender notes and three hundred millions of national bank notes be raised to the par of gold, there would not be a redundant currency.

"Mr. Van Buren proposes in order to obtain the gold fund of one hundred and fifty millions of dollars, as follows: First, That the Internal Revenue be made sufficient to meet all the expenses of the Government, and to pay all its interest, includ-

ing that which is payable in gold—the interest now payable in gold to be paid in paper, adding the premium on gold at the time of payment.

“This mode of paying the interest now payable in gold, it is believed, would be found to be a bungling proceeding and quite unnecessary. The Government having command of the necessary funds to pay the amount of interest and premium, could better purchase and pay the interest in gold. There is, however, another and an insuperable objection to this part of his plan.

“He says, second, That the whole of the customs revenue for the next two years, payable as now in gold, be pledged to the redemption of the legal tender notes.

“To give this pledge would be of no value, because it necessarily involves a palpable violation of a previous pledge given by Congress in relation to that fund.

“The Act passed 26th February, 1862, § 5, declares that all the duties on imported goods shall be paid in coin, * * * and the coin so paid shall be set apart as a special fund, and shall be applied as follows: ‘First, to the payment in coin of the interest on the bonds, &c.; second, to the purchase and payment of one per centum of the entire debt of the United States to be made within each fiscal year’ * * * ‘which is to be set apart as a sinking fund, and the interest of which shall in like manner be applied to the payment or purchase of the public debt. Third, The residue thereof to be paid into the Treasury of the United States.’

“This is as clear and distinct a pledge to the holders of the bonds of the United States as language can express. First, that the coin so received is to be set apart, and applied to the payment of their interest, and, second, that of the coin so received an amount equal to one per centum of the entire debt of the United States shall be set apart, and applied from year to year to the purchase or payment of the principal of the debt, and as an additional security for the faithful application to these two purposes, the amount of coin necessary to that end does not go into the Treasury, because the third clause declares that ‘the residue of the coin so received shall be paid into the Treasury.’

“The clear interpretation of this Act is, that in respect to the amount of the interest and the sinking fund, the coin so received is set apart as a special fund for these express purposes, and is not to be considered or treated as in the Treasury; and consequently not to be reached by any appropriation, or used by the Treasury Department as means to be applied to ordinary expenses, or to meet any exigency whatever—the residue only being carried into the Treasury by a warrant, can be so used.

“In connection with this subject, it is worthy of remark that your predecessor in his annual report (page 16) being unwilling, as is supposed, in the exercise of the duties of his office, to seem to violate the express injunction of law, suggested to Congress to consider whether some legislation postponing for a time the operation of the provision referred to, and designating a board of officers as commissioners of the Sinking Fund under proper regulations, might not be advisable. * * * * Such legislation would, at least show that the provision for a Sinking Fund is not intended to remain a dead letter on the statute book.

“As Congress did not think proper to do anything on that subject, it may be supposed they intended and expected that the act of 26th February, 1862, should govern the Treasury in its disposition of the coin received from imposts, ‘as soon as the unnatural condition of affairs should terminate.’

“The fund required (150 millions) to float the four hundred and fifty millions of

legal tenders can be obtained without a violation of the pledges to the holders of the bonds. The interest payable in gold is about sixty-five millions. One per cent. of the capital of the gold bearing debt amounts to about eleven millions, making a total of seventy-six millions.

"The amount of coin to be received from duties this fiscal year cannot be less than two hundred and twenty-six millions, which will leave a 'residue' to be set apart of about one hundred and fifty millions, and thus the interest and sinking fund in gold will be preserved, and the redemption fund be secured beyond all peradventure; but, above all, the public faith of our country will be preserved immaculate as it has been heretofore.

"In this connection, pardon me for further intruding upon you by suggesting that now is the time to make full and solid provision for the payment of the interest, and for a sinking fund which will secure the payment of the whole debt within a limited period.

"The American Funding System established in 1791, paid off the entire debt of the Revolution, and of the war of 1812. Thus it accomplished what no other nation has ever done, paid its debts. The great characteristics of that system were First, To constitute a fund sufficient in every supposable event for extinguishing the whole debt of the United States in a period not exceeding thirty (30) years. Second, To fix its destination unchangeably by not only appropriating it permanently under the direction of commissioners, and vesting it in them as property in trust, but by making its faithful application a part of the contract with creditors.

"Experience has shown in countries the most attentive to the principles of credit, that a simple appropriation of the sinking fund is not a complete barrier against its being diverted when immediate exigencies press. Such has been our course during the last three years, excused, doubtless, by the pressing exigencies of our condition; but in addition to the experience referred to by the Secretary of the Treasury in 1795, we refer to the course of Great Britain and its consequences, as a fearful warning. Mr. Vansittart, Chief Secretary of the Exchequer, in 1813, destroyed the progressive force of the Sinking Fund by diverting all the dividends of the Stock theretofore received, to the current expenses of the year instead of leaving it, according to Mr. Pitt's plan, for the redemption of the public debt. (See Bristed's Resources of the United States, page 90.)

"The effect of this abandonment of the system, has been that the debt of Great Britain has not, during the last fifty years, been diminished.

"Lord Palmerston, in 1865, in a speech in the House of Commons, referring to Mr. Gladstone's successful administration of the Finances, said: 'We have succeeded in making, for the first time, some noteworthy impression on the public debt.' What good reason can there be for not adopting in all its parts the Funding System of 1791, and applying it to our whole debt?—a Sinking Fund of one per cent. of the amount of the debt, and as much more from time to time as the surplus of our revenue will permit to be carried to the credit of Commissioners (high officers of the Government) in trust, for the purchase or payment of the whole public debt.

"General Washington gave his sanction to that system. Mr. Gallatin, as Secretary, in his report of 1802, said that the actual revenues of the Union are sufficient to defray all the expenses, civil and military, of the Government to the extent authorized by existing laws to meet all the engagements of the Government, and to discharge in fifteen and a half years (15½) the whole of our public debt; and Mr.

Jefferson, then President, addressed a letter to Mr. Gallatin, dated April 1, 1802, saying, 'I have read and considered your report on the operation of the sinking fund, and entirely approve it as the best plan on which we can set out.' Again Mr. Jefferson, in a letter dated June 24, 1813, to Mr. John W. Eppes, a member of Congress, says: 'It is a wise rule, and should be fundamental in a Government disposed to cherish its credit, and, at the same time, to restrain the use of it within the limits of its faculties, never to borrow a dollar without laying a tax at the same instant for paying the interest annually, and the principal within a given term, and to consider that tax as pledged to the creditors on the public faith.'

"With this approval of experience, and of all the distinguished men of all parties of the country, is there any good reason why this successful system should not be readopted and reënforced?"

"Experience is the oracle of truth, and when its responses are unequivocal, they ought to be conclusive and sacred.

"I have the honor to be, with great respect, your obedient servant."

JAMES A. HAMILTON TO HON. E. D. MORGAN, Senator, &c., Washington, D. C.

"DOBBS FERRY, December 9, 1865.

"MY DEAR SIR: A very wise and patriotic letter addressed to you by Mr. Thurlow Weed in January, 1864, earnestly urging the appropriation of the public lands to the payment of our public debt by repealing the Homestead law, prompts us to suggest to you a process by which that immense fund may be appropriated to the debt without touching the law, or all impairing its efficiency in settling our public domain.

"Pass a law requiring every person who takes 160 acres under that law, to execute a bond to the United States to pay one dollar the first year, (\$2) two dollars the second year, (\$3) three dollars the third year, (\$4) four dollars the fourth year, and so on, increasing the payment by one dollar every year for 32 years, (or until the existing public debt shall be paid, not to exceed 32 years); the amount so received to be applied to the purchase or payment of the principal of the public debt; the purchaser to be exempt from all taxes on his land (general, State, or county), so long as the public debt continues unpaid, and at the same rate for a less or greater number of acres. By this process, if the payment continue for 32 years, the general Government will be paid, at the end of 32 years (as per foot note),* \$537 dollars,

*ANNUAL PAYMENTS.

1st year. . . . \$1	11th year. . . \$11	21st year. . . \$21	31st year. . . \$31
etc. 2	etc. 12	etc. 22	etc. 32
3	13	23	
4	14	24	
5	15	25	
6	16	26	
7	17	27	
8	18	28	
9	19	29	
10	20	30	
<u> </u>	<u> </u>	<u> </u>	<u> </u>
\$55	\$155	\$255	\$63=\$528

which is equivalent to a sale of 160 acres of land, at \$1.25 the acre, with interest at five per cent. per acre, viz.:

160 acres of land at \$1.25 per acre, equal to.....	\$200 00
Interest at five per cent. for 32 years.....	320 00
	\$520 00
Amount of annual payments.....	\$528 00

“In a pecuniary view, this would be important, but there is another consequence of this arrangement, which no statesman can be indifferent to secure. The public credit unimpaired is our first duty. This project would secure a large class whose pecuniary interests would be greatly promoted by the earliest payment of the debt; they would be most anxious that all the taxation necessary to that end should be regularly enforced, and that the resources of the Government should be augmented, and consequently their Representatives would be required to use all their influence to promote this end.

“The payment of these small annual sums, and particularly during the first ten years, would be so unimportant as not to be at all burdensome.

“In regard to the heavy taxation necessary for several years, we must look earnestly at the probable future condition of parties. There will be a large Southern representation whose constituents will consider their burdens, if not as a penalty, certainly as a grievous wrong. These men will be apt to unite with the demagogues of the North, who will, to obtain political power, hold out to the people the expectation of being relieved from taxation. Mr. John Van Buren’s speech at Auburn during the late canvass is a type of what will be done on this subject.

“It was truly said by an illustrious statesman, ‘A nation is never to regulate its conduct by remote possibilities or mere contingencies, but by such probabilities as may reasonably be inferred from the existing course of things, and the usual course of human affairs.’ Surely, it is not only possible but highly probable that systematic and vigorous attempts will be made to raise a popular clamor against taxing the fruits of labor to pay interest to the capitalists who hold the bonds.

“I have the honor to be, with great respect, your friend, &c.”

SENATOR MORGAN TO JAMES A. HAMILTON, by his Secretary.

“WASHINGTON, D. C., December 14, 1865.

“MY DEAR SIR: Senator Morgan directs me to acknowledge the receipt of your favor of the 9th inst., and in reply thereto to say that he has read the same and carefully noted its contents, and that he deems the plan advanced by you for realizing from the public lands a fund to be appropriated to the discharge of the public debt, in many of its features, to be a very feasible and practical one, and it will be taken into consideration by him, not alone for its merits, which are apparent, but also for the reason that it has emanated from one known to be conversant with matters of public interest and welfare, and anxious to aid in settling some at least of the many questions of national importance now uppermost in the minds of all good and loyal men.”

The following paper was prepared by James A. Hamilton, and a copy sent to President Andrew Johnson, in 1866:

MALICIOUS FALSEHOODS OF THE SO-CALLED CONFEDERATE GOVERNMENT AND THE DEGREES OF ITS CRIMINALITY.

"On the 13th of October, 1862, the following Act was passed and approved by Jefferson Davis:

"Whereas, manifestly with the knowledge and concurrence of the Federal Government, and for the purpose of destroying the credit and circulation of the Treasury notes of this Government, immense amounts of spurious or counterfeit notes, purporting to be such Treasury notes, have been fabricated and advertised for sale in the enemy's country, and have been brought into these States, and put in circulation by persons in the employ of the enemy,

"The Congress, &c., do enact that every person in the service of, or adhering to, the enemy, who shall pass, or offer to pass, any such spurious or counterfeit note or notes as aforesaid, or shall sell or attempt to sell the same, or shall bring such notes into the Confederate States, or shall have any such note or notes in his possession with intent to pass or sell the same, shall, if captured, be put to death by hanging, and every commissioned officer of the enemy who shall permit any offence mentioned in this section to be committed by any person under his authority, shall be put to death by hanging. Approved, October 13, 1862. (See Statutes at Large, p. 80.)

"This false and malicious recital was made without any evidence, or pretence of evidence whatever, for two villainous purposes: 1st. To disgrace the Government and people of the United States. 2d. To prepare a ground for hanging our captured soldiers and officers, and thus to get rid of them more promptly and effectually than by starvation.

"It is shown that the Confederate notes were extensively forged within the rebel States, by the fact that the sum of \$5,000 was appropriated to pay the traveling and other expenses incident to the detection of forgers. How easy it would have been to distribute such forged notes among our soldiers by deserters, and through the picket lines, and then when they were captured to impute to them the purpose of circulating them, and thus subjecting them to the death penalty by hanging.

"We would respectfully suggest to the President as a means of protecting the good name of our Government from the meanness imputed to it by this recital, to require every member of the Confederate Congress of 1862, before he receives a pardon, to state upon what evidence this allegation was made, and also whether he voted for the following resolution:

"Resolved, By the House of Representatives of the Confederate States, the Senate concurring, that we do adhere to our opinion that the so-called Emancipation Proclamation of the President of the United States, and the enlistment of negro slaves in the several federal armies now opposed to us, are not among the acts of legitimate warfare, but are properly classed among such acts as the right to put to death prisoners of war without special cause, the right to use poisoned weapons, and the right to assassinate, and if persisted in, will justify this Government in the adoption of measures of retaliation.

"The indorsements on the paper go to show that this resolution was read the first and second time, and made the special order for the secret session on the 16th of February, 1864.

"On the 14th of June, 1864, a manifesto passed by the Confederate Congress was approved by Jefferson Davis (Statutes at Large, pp. 286-287-288), copies whereof

were expressly directed to be transmitted to their Commissioners abroad, to the end that the same may be laid before foreign governments, in which, after the most glaring misrepresentations as to the results of battles, the commencement of the war, &c., it declares that 'the wildest picture ever drawn by a disordered imagination comes short of the extravagance which could dream of the conquest of eight millions of people, resolved, with one mind, to die freemen rather than live slaves. And, forewarned by the savage and exterminating spirit in which this war has been waged upon them, and by the mad avowals of its patrons and supporters of the worse than Egyptian bondage that awaits them in the event of their subjugation,' etc.

"It is necessarily to be inferred that these avowals of the worse than Egyptian bondage were made by persons who had power. We therefore further suggest, before the members of the Executive Administration or of Congress be pardoned, that they inform the President when and by whom these avowals were made, and whether they have been attempted to be enforced.

"It will be remembered that this manifesto was approved within ten months of their subjugation, and after Lee and other high officers had declared that they had not men or means to carry on the war. This tissue of falsehoods was prepared and sent abroad to induce recognition and material aid."

APPENDIX.

APPENDIX A.

REPORT UPON THE CONDITION OF OUR FOREIGN RELATIONS MADE TO
PRESIDENT JACKSON BY JAMES A. HAMILTON, ACTING SECRETARY OF STATE.

DEPARTMENT OF STATE. }
WASHINGTON, March 26, 1829. }

THE Acting Secretary of State has the honor, in obedience to the directions received from the President of the United States on the 17th instant, to cause to be made out for him a synopsis of our Foreign Relations as respects Commerce, Navigation, and Friendship, respectfully to report as to the relations between the United States and France.

JAMES A. HAMILTON.

FRANCE.

The commercial relations between the two Governments were settled by a Convention, concluded in the year 1822, to take effect from the 1st of October of that year, to be in force for two years, and after that time until the conclusion of a definite treaty, or until one of the parties shall have declared its intention to renounce it, which declaration shall be made at least six months beforehand.

By lapse of time, in pursuance of the provisions of the Third Article of this Convention, the trade between the two countries is put upon a footing of fair competition, and the operation of this Convention upon the navigation of the two countries has been to throw almost the whole of the trade into the hands of Americans. The points now in discussion between the two Governments are divided into two parts.

First.—Claims on the part of the United States for spoliations.

The following is a succinct view of these claims, the negotiation in regard to them, and its present situation.

All claims on the part of the United States prior to the Convention of 1800, were renounced by the Second Article thereof, in consideration of the abandonment by France of all her pretensions on the score of the guaranty under the Eleventh Article of the treaty of Alliance of 1778, with a reservation that would embrace the three following cases, to wit :

First.—Cases of capture, where no judicial proceedings were had.

Second.—Cases not definitely decided on in French Tribunals on the 30th of September, 1800.

Third.—Captures made subsequent to that date.

By the Convention of 1803, the United States assumed all claims on France prior to the 30th September, 1800, for twenty millions of livres.

Subsequent to this Convention, the Government of the United States endeavored to induce the French Government to conclude a Convention, having for its object the settlement of claims prior to that Convention in those specified cases, but which

has been peremptorily refused on the part of France, on the ground that the whole affair was completely terminated, and the Government of the United States had adopted the debts of its citizens.

In the year 1806, the Continental system commenced, and out of the Berlin, Milan, Bayonne, Rambouillet, and other Imperial Decrees from 1806 to 1810, arose a class of cases numerous and to a very large amount. They are first divisible into the following classes:

First.—The vessels and cargoes burnt at sea.

Second.—The vessels and cargoes seized, sequestered, and not condemned.

Six other classes of claims resulting from irregular and illegal condemnations may be considered under the following heads:

First.—Condemnations made in contravention of an existing treaty so far as relates to property captured and seized prior to 31st July, 1809.

Second.—Condemnations made by Imperial Decrees which do not include cases of Appeal from the Council of Prizes to the Council of State, but those instances where the order of condemnation was issued immediately by Napoleon or by the Council of State without any previous trial by the Council of Prizes.

Third.—Cases where the Council of Prizes did not observe the forms of law, but made decisions in obedience to an Imperial Decree without examining the ships' papers, or giving the parties an opportunity of bringing their proofs.

Fourth.—Cases where the Milan Decree was made to have a retroactive effect, and thus to reach vessels which sailed before it was issued or so soon after as not to permit a knowledge of it to reach them, and in one case a condemnation was made for an alleged infraction of this Decree which happened before its date.

Fifth.—Condemnations of vessels seized under the Berlin and Milan Decrees, and remaining undecided on 1st November, 1810, when these Decrees were revoked and to be considered by the Act of Revocation as not having existed.

Sixth.—Condemnations for frivolous pretences of vessels captured after 1st November, 1810, to wit: irregularities in certificates of origin or other ship papers,—presumed navigation under British convoy, mutiny on board, or intention to remit proceeds through England.

The settlement of these claims has been pressed upon the French Government from the earliest moment, and continued uninterruptedly down to the present day.

Their justice is too clear to be controverted, and has, from time to time, been admitted by the ministers for Foreign affairs of France—they amount to about ten millions of dollars.

In 1816, a Joint Commission was on our part proposed,—first, to liquidate the amount due for property either destroyed at sea or sequestered and not definitely condemned by the Council of Prizes. Second, to decide on whatever cases of irregular or unlawful seizures, captures, or condemnations the Government of France is also bound to make compensation for, and to what amount. And this proposition was accepted verbally by the French Government and the acceptance was promised to be reduced to writing, but upon further consideration was refused.

At first a decision was postponed by the French Government, owing to the embarrassed state of France, until a more auspicious period should arrive. When that period arrived, we were told that our claims might have been more favorably received at an earlier period, to which it was replied that they had been urged at an earlier period, and postponed by France for the reason just mentioned.

In October, 1817, Mr. DeNeuville first brought to the notice of the American Government the pretensions of France, under the Eighth Article of the Convention of Cession of Louisiana, although they had existed, if at all, from 1803. They were first made obstacles to a commercial arrangement, and next to the settlement of our claims.

Next the commercial difficulties were made a pretext for further postponement, and when, by the Convention of 1822, this difficulty was removed, it was insisted that the discussion of the pretensions arising out of the Eighth Article of the Convention of Cession of Louisiana, should be connected with that of our claims which, being properly resisted by the Government of the United States, the two Governments were at issue.

Afterward, the Duke de Damas urged the extraordinary doctrine, that the King of France, on reascending the Throne, could not take, nor had taken, the engagement to satisfy all the claims imposed on him as indemnity for acts of violence, and for the depredations committed by the usurping Government.

The Secretary of State of the United States, in a letter to their Minister, dated 28th May, 1827, goes over the whole ground and instructs him to propose as a basis for the settlement of the question, under the Convention of Cession of Louisiana, that it be referred to the arbitration either of citizens of other countries to be chosen by the parties, or of a friendly power. The complaint of France under the Eighth Article of that Convention has been, that French vessels and their cargoes have been liable in the ports of Louisiana to pay the alien duties imposed by the laws of the United States, and from which duties British vessels were exempt, and her claim is the reimbursement of these duties.

The question authorized by these instructions to be referred to arbitration, was specifically, whether France be entitled or not to have refunded any of these alien duties collected from French vessels, or their cargoes, between the date of the Louisiana Treaty and the 1st October, 1827, and if the demand be sustained by the arbitration, that they shall then proceed to determine the amount which is to be refunded, which amount shall be credited to France, against the American claims, and if it should exceed them, the excess shall be paid by the United States.

No decisive answer having been given by France to this proposition, but exception being taken to its terms, Mr. Brown was authorized on the 17th May, 1828, to agree to the reference of the general question involved in that dispute, that is, one so stated as to embrace all the rights claimed by France, according to her interpretation of that Article.

Mr. Brown, by his dispatch, dated 12th November, 1828, states that the answer to this proposition, as well as to our claims, was postponed from time to time under the various pretences that had been before urged, and so the negotiation stands at the date of his last dispatch, on the 12th day of January, 1829.

On this subject, negotiation appears to have been exhausted, and the just claims of our citizens have been resisted by every pretext that ingenuity could adopt; at first to evade a decision, and at length emboldened by our forbearance, it is distinctly avowed that the present dynasty is not to be charged with their payment.

The claims on the part of France, are:

First.—That under the Eighth Article of the Convention of Cession of Louisiana.

Second.—The Beaumarchais claim, and

Third.—Claims of French citizens on account of vessels captured on the coast of Africa.

The discussion of the first pretension has been full and free, and extended to an almost immeasurable length. It was concluded in 1824.

The claim of the heirs of Beaumarchais has been repeatedly presented to Congress, and rejected from a conviction, as is believed, that it was founded in a fraud upon the United States.

The claims for captures of vessels on the coast of Africa arose out of attempts on our part to suppress the Slave Trade, and have been deemed to be of so little importance as not to have been drawn into discussion.

GREAT BRITAIN.

The relations between the United States and this Government are properly divided into the following principal topics, now in discussion:

First.—The North-Eastern boundary line.

Second.—An Act of Parliament of 25th July, 1828, to amend the laws relating to the Customs, &c.

Third.—The recovery of fugitive slaves.

Fourth.—Sundry cases of impressment of seamen.

I.—A Convention between the United States and Great Britain was concluded and signed at London, on the 29th September, 1827, providing for the reference to the arbitration of a friendly sovereign or state of the disputed North-Eastern boundary.

The ratifications of the Convention were exchanged at London, on the 2d April, 1828, and from that date are to be counted the intervals of time within which, according to the terms of the Convention, the various steps toward the proposed reference are to be taken.

The Third Article of the Convention stipulates, First,—That each party shall be bound on the application of the other party, made within six months after the exchange of the ratification, to give authentic copies of such individually specified acts of a public nature, intended by such other party, to be laid as evidence before the arbiter, as are within the exclusive possession of each party.

The term of six months herein stipulated, expired on the 2d October, 1828.

Pursuant to this stipulation, Mr. Vaughan, His Britannic Majesty's Minister, near the United States, on the 15th May, 1828, addressed a note to the Secretary of State containing an application for certain documents therein enumerated in the exclusive possession of the Government of the United States, and on the 31st July following, authentic copies of these documents were transmitted to Mr. Vaughan.

On the 26th September, 1828, a note was addressed by the Department of State to Mr. Vaughan, containing a list of the documents of a public nature in the possession of the British Government, intended to be laid before the arbiter on the part of the United States, and demanding authentic copies of said documents.

In order to guard against all misunderstanding or equivocation, the Minister of the United States, at London, was by a dispatch, dated the 3d June, 1828, instructed to make a similar demand directly upon the British Government.

At the date of the last dispatch from the United States Minister at London, the documents had not yet been delivered to him, but in a note from the Earl of Aberdeen to Mr. Barbour, dated 1st January, 1829, the British Minister apologized for the delay on the ground of the voluminous character of the papers demanded, their existence in the British Colonial Archives, and the labor of transcribing old and almost obsolete State papers at home, a search for which would be both laborious and dubious.

The third article of the Convention further stipulates, that each party shall, within nine months after the exchange of the ratifications, communicate to the other all the evidence intended to be brought in support of its claims.

The term of nine months therein specified expired on the 2d January, 1829.—Pursuant thereto, transcripts of all the written and topographical evidence intended by the Government of the United States to be adduced in support of their claim, were delivered to Mr. Vaughan, on the 30th December, 1828, by a clerk in the department of State, together with a list of all the documents and maps, and an official note from the Secretary of State, dated that day.

The same stipulation was fulfilled at London, by the British Government, on the 1st January, 1829, when the Earl of Aberdeen, with a note of that date, delivered to Mr. Barbour a series of documents purporting to be copies of the evidence intended to be laid by the British Government before the arbiter. These documents were forthwith transmitted to the Department of State, where they were received on the 26th of February, 1829.

On the 9th of May, 1828, Albert Gallatin and William Pitt Preble were appointed by the President, with the advice and consent of the Senate, agents in the negotiation and on the umpirage relating to the northeastern boundary of the United States.

During the summer of 1828, these two gentlemen were engaged in collecting from various sources, pursuant to instructions from the Secretary of State, information and documentary and topographical evidence to enable them to frame and support the statements and arguments intended to be laid before the arbiter.

In November following, they both attended at Washington to select and arrange such evidence as they thought necessary to adduce in support of the American claim, and to superintend the transcribing of the documents and maps, copies of which were communicated to the British Minister, on the 30th of December, as stated above. It is understood that they are now both engaged in preparing material for the first statement.

By the second article of the Convention, it is stipulated that the statements to be submitted by each party respectively to the arbiter, shall be mutually communi-

cated to each other by the contracting parties; that is to say, by the United States to His Britannic Majesty's Minister, or Chargé d'Affaires, at Washington, and by Great Britain to the Minister, or Chargé d'Affaires of the United States, at London, within fifteen months after the exchange of the ratifications of the present convention.

The period therein prescribed will expire on the 2d of July, 1829.

It is understood, that it is the intention of Messrs. Gallatin and Preble to meet at Washington, in May, 1829, for the purpose of proceeding jointly to make out the first statement required by the above stipulation, to be communicated to the British Minister on the 2d of July next, accompanied by transcripts of all the written and topographical evidence intended to be laid along with the said statement before the arbiter. Two copyists, and several draughtsmen are now engaged in preparing those transcripts, under the superintendence of one of the clerks of the Department of State.

The second article of the convention further stipulates, that after such communication (the interchange of the first statement above referred to) shall have taken place, each party shall have the power of drawing up a second and definite statement if it thinks fit to do so, in reply to the statement of the other party so communicated, which definite statement shall also be mutually communicated, in the same manner as aforesaid, to each other by the contracting parties within twenty-one months after the exchange of the ratification of the present Convention.

The period of time above stipulated will expire on the 2d of January, 1830, before which day the second or definite statement on the part of the United States must be prepared and communicated to the British Minister, or Chargé d'Affaires, at Washington.

Finally, the fifth article of the Convention provides that "all the statements, papers, maps, and documents above-mentioned, and which shall have been mutually communicated as aforesaid, shall, without any addition, subtraction, or alteration whatsoever, be jointly and simultaneously delivered to the Arbitrating Sovereign or State, within two years after the exchange of the ratifications of this Convention, unless the arbiter should not within that time have consented to act as such; in which case all the said statements, papers, maps, and documents shall be laid before him within six months after the time when he shall have consented so to act. No other statements, papers, maps, or documents shall be laid before the arbiter except as hereinafter provided.

The period stipulated in the above article will expire on the 2d of April, 1830, and the statements, papers, maps, and documents must be laid before the arbiter before that day, if he shall have consented so to act.

On the 22d of June, 1828, the United States Chargé d'Affaires at London, in his despatch, No. 45, informed the Secretary of State, that the King of the Netherlands had been agreed upon as the arbiter, and on the 14th of October, 1828, the Secretary of State instructed the Chargé d'Affaires of the United States at the Hague to request the King of the Netherlands to assume the office of arbitrator. No reply has, as yet, been received to these instructions, and it is not known whether His Netherlandish Majesty has consented to take the said office upon himself.

II.—Act of Parliament of July 25th, 1828, to amend the laws relating to the customs. A copy of this act, in a supplement to the *National Intelligencer* of September, 30th, 1828, is found in this department.

By an instruction to Mr. Barbour, of October 15th, 1828, he is informed that the aforesaid act is considered here as an infraction of the second article of the Convention of 1815, which provides for an equality of duties in the ports of each country on the importation of articles, the growth, produce, or manufacture of the other, in the vessels of both, inasmuch as by the act in question, cotton without regard to the place of its origin, is admitted into British ports in British vessels, from British Colonies at a duty of 4*l.* per cwt., while its transportation directly from any foreign country in British or other vessels, is subjected to a duty of six per cent.

Mr. Barbour is therefore instructed to inquire whether it be the intention of the British Government to make a discrimination, in point of duty, between the importation of cotton, the growth of the United States, in British vessels, from a British Colony, and its importation direct from the United States, in vessels of the United

States, and whether merely touching at a Colonial port will entitle a British vessel laden with cotton from the United States to an exemption from the higher duty, or whether to entitle to such exemption the cotton must be discharged, or the importation of it into the Colony have been made in a vessel other than that in which it is finally conveyed to the British port; and should this unfavorable interpretation be given to the act, Mr. Barbour is instructed to remonstrate against it.

On September 22d, 1828, Mr. Barbour held a conference with Lord Aberdeen upon the subject of the above instructions, which resulted in a suggestion of Lord Aberdeen, that from the difficulty of his comprehending the subject, Mr. Barbour should address him a written communication upon it.

On November 27th, Mr. Barbour made such communication in which he sets forth the subject of complaint, and asks the desired explanation.

On January 3d, 1829, Mr. Barbour addressed a note to Lord Aberdeen, calling his attention to his, Mr. Barbour's, note of November 27th and soliciting an answer.

On the Monday following, January 10th, not having received any reply to his note of November 27th, or to that of January 3d, Mr. Barbour, as appears by his despatch to this Department, on January 22d held a conference with Lord Aberdeen, in which upon an assurance of Lord Aberdeen's, that a reply was in a course of preparation, and on inquiry of Mr. Barbour's as to its character, Lord Aberdeen said, he believed it was esteemed of very little practical consequence, and that the interpretation objected to by the Government of the United States was that which fairly belonged to the Act of Parliament in question, and was designed by its authors; the principal of whom was Mr. Huskisson. Mr. Barbour replied, "that if the principle were maintained which had been objected to by his Government, he was instructed to protest against it, as an evasion, if not an infraction, of the treaty, and upon his suggestion, that his Government would be compelled to resort to retaliatory measures; and on inquiry of Lord Aberdeen's whether he referred in the suggestion to the cancelling of the convention, he said that he was unadvised as to the character and extent of the retaliatory measures contemplated.

By his despatch No. 13, dated January 30th, 1829, Mr. Barbour informs this Department, that he had just received a note from Lord Aberdeen, in reply to his of the 27th of November last, and which is enclosed to this Department. Mr. Barbour also informs this Department that he had suspended any other reply to Lord Aberdeen's note than the acknowledgement of its being received, and had abstained from notifying the British Government that retaliatory measures would be taken on the part of this Government, as he had been instructed to do, but should wait the instructions from this Department in relation thereto.

Lord Aberdeen, in his note above referred to, insists that the Act of Parliament in question involves no violation, in letter or in spirit, of the Commercial Convention existing between the two Governments. He says he admits that this Act allows the importation of cotton from any British possession upon the payment of a duty of 4*d.* per cwt., and he refers to another Act of Parliament (6 Geo. IV. Cap. 107, 46 Sec.), to show the meaning of the term "importation from a British possession;" by which it appears that no goods shall be deemed to be so imported, unless they are imported direct from such place, and shall have been there laden on board the importing ship, either as the first shipment of such goods or after the same shall have been actually landed at such place, and he states that upon any shipment not coming within one or other of the two cases, the higher duty is unquestionably charged, and he informs this Government that the most rigid orders have been given to avoid fraud or collusion, and that the consequence will be that the cotton so imported, would by being subjected to the expense of unloading and relading, and the colonial duties, to charges equal to the higher duty which Mr. Barbour from the information of intelligent merchants is of the opinion that such would be the effect. (The British Consul at New York informed Mr. Hamilton that the most rigid orders had been given, and that the expense of the relading was equal to the higher duty).

Lord Aberdeen, referring to this state of things, further says, that the circuitous voyage which it was anticipated would be made in consequence of this difference in the duties, could not be made without the assent of the United States. They

have the right to prohibit the exportation of cotton to the British Colonies in British ships. Lord Aberdeen disavows the impression entertained by this Government, that the Act was principally, if not exclusively, limited in its effects on importations into the British ports to cotton, the growth of the United States, and then goes on to give a history of this enactment, viz.: that it is a part of a general system, and was adopted for the purpose of extending the commercial transactions of the British Colonists, giving them the advantage of a trade of deposit and facilities for collecting a revenue, and that it is not in terms, intention, or effect confined to the possessions of Great Britain in North American, or the West Indies.

III.—FUGITIVE SLAVES.

In the general instructions to Mr. Gallatin, of the 19th June, 1826, he was authorized to propose to the British Government an arrangement for the mutual surrender of "all persons held to service or labor under the laws of one party who escape into the territories of the other," and to embrace in the arrangement a provision for a like surrender of deserters from the military, naval, and merchant service of the two countries respectively.

By Mr. Gallatin's dispatch, No. 41, of the 21st December, 1826, he informs this Department that, in pursuance of his instructions, he had brought the subject of fugitive slaves to the notice of the British Government in an informal conference, and that the correctness of the principle of restoration was admitted, but obstacles in the way of an arrangement were suggested, arising from the decisions of the British courts, and the efforts of the British Abolition Association.

The attention of Mr. Gallatin was again directed to the subject, in instructions to him of the 24th February, 1827, in which allusion was made to resolutions of the Legislature of Kentucky, invoking the interposition of the general Government for the purpose of effecting an arrangement on the subject; and on the 4th July following, Mr. Gallatin was informed by Mr. Addington, that "on one point the Government had come to a conclusion. It was utterly impossible for them to agree to a stipulation for the surrender of fugitive slaves." And in a conference held with the British Plenipotentiaries, on the 25th September, 1827, Mr. Gallatin was explicitly informed that the British Government could not accede to the proposal of a mutual surrender of fugitive slaves, alleging for reason that they cannot with respect to the British possessions where slavery is not admitted, depart from the principle recognized by the British Courts, that every man is free who reaches British ground. Mr. Gallatin adds that he does not believe that there has been any decision extending that principle to Canada and other provinces on the continent of North America, and I do not know, says he, "whether the fact is strictly correct, that slavery is forbidden in Canada, but it has been intimated to me informally, that such was the state of public opinion here on that subject, that no administration could or would admit in a treaty a stipulation such as was asked for."

The subject does not appear to have been any further pressed by Mr. Gallatin.

On the 13th June, 1828, Mr. Clay transmitted to Mr. Barbour a copy of a resolution of the House of Representatives of the United States, of the 10th May, 1828, requesting the President to open a negotiation for the recovery of fugitive slaves, and referring Mr. Barbour to the instructions on the subject to Mr. Gallatin of the 19th June, 1826, and 24th February and 24th May, 1827, instructed him to renew, if he could ascertain that the British Government was favorably disposed on the subject, the proposal which Mr. Gallatin was instructed to make in relation to it.

On the 1st October, Mr. Barbour opened the subject in a conversation with Lord Aberdeen, which resulted in a suggestion of his, that "the head of the Colonial Department intended to bring the subject before Parliament, when he hoped the evil complained of would be obviated." Here the subject now rests.

IV.—IMPRESSMENT.

On the 26th January, 1829, Mr. Clay transmitted to Mr. Barbour copies of a

correspondence between himself and Mr. Vaughan, from the 8th May, 1826, to the 17th December, 1828, relating to three cases of impressment, viz.:

First.—Of two seamen from the Brig *Pharos* of Boston, while at anchor in the harbor of Freetown, Sierra Leone, by Captain Clavering, commander of His Britannic Majesty's Ship *Redwing*, on the 6th December, 1825.

Second.—Of four seamen; two from the Brig *Monroe*, of Boston, and two from the Brig *Juno*, of Bedford, in Clarence Bay, Island of Fernando Po, near the coast of Africa, by Captain Owner, of His Britannic Majesty's Ship *Eden*, in the Spring of 1828.

Third.—Of two seamen from the Brig *Telegraph*, in the Bay of Campeachy, by order of Captain Rich, commander of the British Sloop of War *Harpy*, on the 19th September, 1828.

In the first case, the complaint was originally made to Mr. Vaughan by Mr. Clay, on the 8th May, 1826, on the ground of a statement of the case made by Mr. Hodges, Consul of the United States at the Cape de Verd Islands. In reply to the complaint, Mr. Vaughan, on the 22d of the same month, transmitted a communication made to him by His Britannic Majesty's Consul at Boston, Mr. Manners, stating that in a conversation which he held with Captain Merchant, master of the *Pharos*, then lately arrived from Africa, he, Captain Merchant, admitted that neither of the seamen taken were natives of the United States; but that one of them was an Englishman picked up at the Cape de Verd Islands, and the other a native of Norway, and that they had both volunteered to serve on board the *Redwing*; that when they were demanded on board the *Pharos*, they were told by the person in command to go into the *Redwing's* boat, which they did voluntarily, and that when it was afterwards found that the Norwegian had an American protection, he was sent back to the *Pharos*.

Mr. Clay thereupon took measures, through the Attorney of the United States at Boston, to procure a statement of the facts directly from the master of the *Pharos*, but when his letter reached Boston, the master of the *Pharos* had just sailed for the Cape de Verd Islands, and had not since returned.

On the 15th June, Mr. Clay addressed a note to Mr. Vaughan in which, after alluding to the imperfection of the statement of the British Consul as to the circumstances under which the seamen volunteered, and by whose order they went into the *Redwing's* boat, he contended that the taking was illegal unless the doctrine be sustained that all seamen may be taken from a vessel at sea who are not natives of the country to which the vessel belongs; and in reply to the statement that the men in question were told by the person in command of the *Pharos* to go on board the boat, he urges that it is not therefore the less a case of impressment, inasmuch as the demand was made upon an unarmed vessel in presence of an armed force capable of enforcing it, and that the alleged volunteering of the men would not divest the case of this character.

On the 23d March, 1827, Mr. Vaughan communicated an extract of a letter from the commander of the *Redwing* to Commodore Bullen, of the 19th September, 1826, stating that the two seamen, previous to the taking of them from the *Pharos*, had been on board his ship and desired to enter, one of them stating himself to be an Englishman and the other a Dane, that the latter entered as a shipwright, but proving unfit to perform his duty, was in a few days dismissed, and returned to his original vessel.

On the — day of July, 1827, Mr. Vaughan addressed Mr. Clay a note, in which he says he is charged by his Government to say that no officer of His Majesty's Government is authorized, during peace, to impress any British subject or any alien in any part of the world. He thinks Mr. Clay has "strained" the evidence in the case which he seems not to consider one of impressment, and anticipates a confirmation of the statement of Captain Clavering by the master of the *Pharos*, whenever his testimony shall be obtained. He makes, what he considers a misrepresentation of the case originally by Mr. Hodges, the subject of formal complaint. To this, Mr. Clay replied, on the 15th August, and transmitted to Mr. Vaughan a copy of a letter from Mr. Hodges of the 20th June, 1827, acknowledging receipt of a letter from this Department directing him to take the deposition of Captain Merchant,

master of the *Pharos*, saying that his deposition should be taken on his return from a voyage, and stating the additional fact that one of the two seamen in question appeared on the *Rôle d'Equipage* of the *Pharos* to be a citizen of the United States, and was represented by his protection to be a native of Portland, Maine.

Mr. Vaughan answers on the 16th of August that, having become satisfied by the statement of Captain Clavering that no blame attached to him, he felt no anxiety about the depositions to be expected through the agency of Mr. Hodges, and that the additional testimony forwarded by him was not necessary to prove the character which one of the seamen bore on the *Rôle d'Equipage*, inasmuch as he was restored by Captain Clavering as soon as it was discovered that he had an American protection. He again complains of the conduct of Mr. Hodges in his representations of the affair to his Government.

On the 6th of December, 1828, Mr. Clay transmitted to Mr. Vaughan a copy of a deposition received from Mr. Hodges, of Benjamin Homer, Mate of the *Pharos* (the testimony of the Captain not yet having been obtained), from which it appears that the two seamen were forcibly taken from the *Pharos*, in the absence of the Captain, and against his, the said Homer's, remonstrances; that one of them, Studson Roberts, was a citizen of the United States, and the other a British subject shipped at Bonavista; that on the return of Captain Merchant, he, Captain M., went on board the *Redwing*, and demanded the men, when he was abusively treated, Roberts' protection, though shown, disregarded, and the delivery of the men refused on the allegation that they had, while on shore the day previous, promised some of the crew of the *Redwing* to enter on board that vessel. It further appears that Roberts was detained ten or eleven days, and was then delivered up only on application to and by the order of Commodore Bullen, who commanded on the station, and that Roberts on his return denied any knowledge of his alleged engagement to enter on board the *Redwing*; which must, he said, have been made, if at all, while he was in a state of intoxication. Mr. Clay then adverts to the mischievous consequences of allowing the practice of enticing men (leaving the idea of impressment out of the question) from their employment on a distant service, under circumstances in which their loss might be severely felt, and when it might be impossible to replace them.

Mr. Vaughan replied on the 8th December—says he will send a copy of Mr. Clay's note to his Government; complains that the name impressment continues to be given to the transaction; alludes to the fact that Mr. Homer's deposition was taken nearly two years after the occurrence of the facts, with respect to which he testifies that it differs from the statement of Captain Clavering, transmitted by him to the Department on the 23d March, 1829. No further correspondence has been held with Mr. Vaughan on the subject.

II. In the second case of impressment, viz., from the Brigs *Monroe* and *Juno*, by Captain Owner of His Majesty's Ship *Eden*, it appears from the deposition of Captain Gallop, of the Brig *Monroe*, that the two men were first demanded, and afterward taken from the *Monroe* with their effects, on the ground that they had desired to volunteer on board the *Eden*, notwithstanding it was represented to Captain Owner that the taking them would expose the vessel and cargo to great risk, making her short-handed at a season of bad weather, and notwithstanding also the protection which one of the men had. Captain Gallop also says that one of the men entered the *Monroe* as a foreigner, and the other as an American, and that it was well known that the latter had sailed from Boston and neighboring ports during the last five years, protected as an American seaman, and when shipped was believed to be such.

Josiah Gould, supercargo of the *Monroe*, deposes to the truth of Captain Gallop's statement, and further testifies to the taking of two men from the *Juno*, Captain Hensey, at the same time and place by Captain Owner, on the plea that they had desired to volunteer on board the *Eden*, and had made oath that they were British subjects.

Mr. Clay transmitted the foregoing depositions to Mr. Vaughan on the 6th December, 1828, with a summary statement of the cases, and a declaration that the practice of withdrawing seamen from their service on board of American unarmed vessels by British Ships of War, under whatever aspect it may be viewed, is one to which the American Government cannot submit.

Mr. Vaughan acknowledged the receipt of the above note and accompanying documents on the 8th December, and said that he would endeavor to obtain from his Government satisfactory explanations.

III. In the third case of impressment, viz., that from the Brig *Telegraph* in Campeachy Bay, by Captain Rich of the *Harpy*, it appears from a letter to this Department from Mr. Perrine, United States Consul at Campeachy, of the 4th October, 1828, and the accompanying documents, that on the 16th September last, two seamen were forcibly taken from the *Telegraph* while at anchor in the Bay of Campeachy, within the jurisdiction of the Mexican Government by order of Captain Rich, commander of the *Harpy*. That on an appeal to the Military Commandant at Campeachy, to interpose his authority for the restoration of the men, the application of force in obtaining them was admitted by the officers who executed the orders of Captain Rich, but that he refused to proceed to an investigation of the transaction, denying the right of the authorities at Campeachy to interfere, and threatening serious consequences should such interference be attempted. The men were, however, notwithstanding the threats and remonstrances, restored to the *Telegraph*.

In the course of the transaction, Captain Rich is represented by Mr. Perrine to have made a repeated declaration, not merely of his general right, but also of his especial orders to take seamen, Englishmen by birth, wherever he might find them, adding, for illustration, even if on board of the Mexican gun-boat in the port, especially should the sailors desire to enter into His Majesty's service.

Mr. Clay transmitted the foregoing letter and documents to Mr. Vaughan, on the 11th December, 1828, alluding to this case, in connection with the other cases of impressment, as furnishing ground of presumption that the acts complained of were the result of a system of orders; asking for an explanation of the case, and expressing the expectation that the British Government will forthwith put an effective stop to a practice which the Government of the United States cannot tolerate.

Mr. Vaughan replies on the 17th December that he will ask the desired explanation of his government, but that, in the mean time, he cannot refrain from the expression of his regret that the term impressment should be applied to this case, inasmuch as the Government of the United States are well aware that impressment by British officers is not authorized by their Government in time of peace. He also suggests that all the cases complained of have been those of seamen representing themselves British subjects, requesting that they might be received into His Majesty's service, and thinks that the acceptance of such proffered services ought not to be characterized as an act of impressment.

In transmitting to Mr. Barbour, as it has been stated was done by Mr. Clay, on the 26th January, 1829, the correspondence, &c., of which the foregoing is a summary, after an examination of the grounds taken by Mr. Vaughan, Mr. Barbour was instructed to address an official note to the British Government, inquiring whether in all, or any of these cases the British Officers acted in conformity with orders from their Government, and especially, whether Captain Rich had any authority for the enormous pretensions asserted by him; and if he should ascertain upon such inquiry that the proceedings complained of have had the sanction of the British Government, he is instructed to inform it, that the Government of the United States cannot tolerate but will feel compelled to oppose them. But if, on the contrary, they have taken place without the sanction of the British Government, he is instructed to demand the punishment of the offending officers, and the adoption of measures affording a security against the recurrence of similar irregularities.

This Department is not possessed of any further information on these subjects. All negotiation as to the Colonial trade, it is recollected, was put an end to long since by the determination of the British Government not to proceed further in the discussion for reasons which is not necessary to recite.

This subject will supply matter for a distinct report to the President.

RUSSIA.

The relations between the United States and the Government of this country are of the most friendly character, and there does not appear to be any thing which has a tendency to disturb them.

In 1821, the Emperor Alexander issued an Ukase, the provisions of which infringed on our rights of trading on the northwest coast, but this difficulty was temporary, and settled by a convention concluded in 1824, between the two Governments, which is the only treaty negotiated between the two countries.

Henry Middleton, of South Carolina, Envoy Extraordinary, and Minister Plenipotentiary, represents the United States near the Emperor of Russia, and Baron de Krudener, with the same rank, represents the Emperor of Russia near the United States.

By an act of Congress of January, 1824, discriminating duties of tonnage and impost are suspended in the ports of the United States, as respects the vessels of Russia, to continue as long as a similar exemption shall be allowed to vessels of the United States in the ports of that nation.

SPAIN.

The negotiations between the United States and the Government of this country have been more extended, delicate, and difficult than any other of the Powers of Europe, England excepted; and from the course of them it has been, from time to time, justly apprehended that friendly negotiations being ineffectual to secure our rights, it would become the duty of this Government no longer to rely on them as a means of redress, but to appeal to arms.

This state of things was, however, happily for both countries, arrested by the conclusion, in 1819, of the Florida Treaty, by which the just claims of our citizens were paid, and the continued source of difficulties resulting from our coterminous territories was removed.

The present important topics of negotiation may be classed as follows:

First.—Piracies.

Second.—Indemnity for spoliations on our commerce.

Third.—The state of our commerce in the ports of Spain.

Fourth.—Our right to have a Consul resident at the Havana.

The claims of the First class arose out of the atrocious piracies committed on our commerce, for a series of years past, by robbers issuing from the harbors of Cuba and Porto Rico, and which were not prevented by Spain, owing to her weakness and the countenance and connivance they experienced from some of the inhabitants and some of the local authorities in those Islands. Thence result our claims upon Spain for those losses.

Second.—The spoliations for which indemnity is claimed, are all necessarily subsequent to the Florida Treaty and the year 1819. They were the consequences of captures made by Spanish privateers, fitted out principally from Puerto Cabello and Porto Rico, under pretext of the blockade declared by General Morales. This illegal blockade, extended all along the line of the coast of South America, and was plainly a violation of the law of nations, being so declared by the Spanish Government when it revoked it, and when it made reparation, as it did by Convention to the British Government, for the injuries her citizens had sustained. The negotiation has however, upon various pretexts the most frivolous and vexatious, been delayed and continued to the present time.

Third.—This topic refers to the burdensome restrictions which our commerce is subjected to in the ports of Spain, and which are exclusively applied to the commerce of the United States. Foreign ships pay a tonnage duty in the ports of the peninsula of one real per ton, while those of the United States are compelled to pay twenty reals per ton.

Fourth.—By the Nineteenth Article of our Treaty of 1795 with Spain, we are entitled to have a Consul established in the Havana, whenever the same privilege is extended to any other Foreign power. France, for four years past, has had a Consul there, and Great Britain has, for some time past, enjoyed the same privilege, by the permission to have her Commissioners for attending to the execution of the Slave Trade Convention. We have, therefore, a clear Treaty-right to this advantage, and it has become vastly important to us that we should have such an agent there and in Porto Rico, not only in reference to the protection of our commerce and our

countrymen, but in order to watch the conduct of the European powers in relation to those islands; for it clearly appears from Mr. Everett's correspondence with this Department, that in the year 1827 a project was set on foot in England by the refugees of Spain, and with the coöperation of the British Ministers, to place those islands under the protection of that power, and that the form of a Declaration of Independence was to be adopted in order to avoid awakening the jealousy of this Government. This information ought to be relied upon, as it was received from the Duke of Wellington himself before he was in the ministry.

The negotiation on all these points, having proceeded in the most dilatory and vexatious manner, is now almost suspended.

Besides these points in which the United States have a direct interest and which may be said to be personal to them, the war between Spain and her former Colonies has always engaged the attention of our ministers; the object of the United States being to induce on the part of Spain the acknowledgment of the independence of those States, and the termination of the contest.

PORTUGAL.

The relations between the United States and the Government of this country have never been cemented by a Treaty or Convention of any kind. Negotiations between them were held in the years 1783, 1791, 1822, and until recently by our Chargé d'Affaires, Mr. Brent.

Before the special mission of General Dearborn in 1822, the Portuguese Chargé d'Affaires addressed to this Department several notes containing lists of Portuguese vessels captured by privateers alleged to have been fitted out in the United States, to which claims of indemnity were added to a very large amount, and with them was connected a demand for a joint commission to determine and assess the amount of damages the United States were to pay, which was rejected on the just and obvious ground that not a single case of capture had been alleged, for which the United States were justly responsible.

The principal object of General Dearborn's mission was to endeavor to conclude a Convention regulating the commerce between the two countries. That not being obtained, the mission terminated without effect, in June, 1825.

After the Methuen Treaty, and until the recent changes in the Government of Portugal, that country might well be considered as little better than a province of England.

During the revolutions which have for four or five years past convulsed that country, there has been a struggle between England, her ancient ally, and France, which should obtain her favors; each in turn caressing them with an assiduity as rare as the means would seem to be ridiculous, by conferring honor and the orders of the respective sovereigns upon the King of Portugal.

At the period of the recent usurpation of Don Miguel, the representative of this country and those of all the Powers of Europe, except of the Pope, of Spain, and Sardinia, either suspended their functions or withdrew altogether. Subsequently the Chargé d'Affaires of Spain has also withdrawn, declaring however, at the same time, that Spain being engaged in negotiation in common with the other powers respecting the concerns of Portugal, the object of which was not more beneficial to Spain than to Don Miguel, who it was proper should as soon as possible be recognized as King, his Catholic Majesty had found it suitable to conform himself in his exterior conduct to the other powers.

The course of France in relation to this country has been equivocal, and rather in conformity with that of Spain than otherwise.

Although the English Minister, Sir Anthony Lamb, immediately upon the first indication of a determination on the part of Don Miguel to usurp the throne, withdrew, and by his example, in conformity with their instructions, carried with him the representatives of most of the other powers of Europe near that Court, and although the British Monarch has recently received Dona Maria, and treated her as Queen of Portugal; yet from the conduct of Lord Beresford in writing to Don Miguel and the Queen Mother, as well as from the British Government having

broken up the depot of Portuguese refugees at Plymouth, and sending them to Rio Janeiro; and from the conduct of Lord Strangford at Rio Janeiro, who was sent there as an especial minister to accommodate matters between the two brothers Don Pedro and Don Miguel, it is very evident that the *secret* is at variance with the *avowed* policy of the English Government; and the impression on the mind of Don Miguel is distinctly formed that the present ministry of England mean to favor him, at the same time they declare that they mean to preserve a neutral course, as respects the two parties, and do not intend to interfere with the internal affairs of that Kingdom.

Don Miguel, according to our last advices, had put down all organized opposition in his own Kingdom or her dependencies, while Don Pedro, who has formally dissolved the connection between the two Governments of Brazil and Portugal, appears to have listened with impatience to the offers of accommodation proposed by Lord Strangford, and as guardian of his daughter, to be about to prepare a maritime expedition against his brother, which, however, will be rather the act of the Emperor than of his subjects, who have received with uncommon satisfaction the act of abdication of the throne of Portugal.

From all these circumstances, connected with the just apprehension that if England, France, or Spain should openly take part with either of the contending parties, (Don Pedro and Don Miguel), a war in Europa would be the consequence, and also, inasmuch as the two first named powers are disposed to continue on good terms with both, it is most probable that the policy of each will be to watch the course of events; and as soon as time shall have given stability to the Government of Don Miguel, or other events tend to his overthrow, to make such arrangements with him or with the young Queen, Dona Maria, as may conduce to their commercial advantage.

I have been led farther into these reflections than is perfectly consistent with the duty I have to perform, and still I have not gone as far as would be required to elucidate my views. I now turn to our situation.

Mr. Brent has suspended his connection with the present Government of Portugal, evidently as appears from the correspondence of this Department with him, too hastily, and, indeed, it may well be questioned whether he ought to have done so at all, inasmuch as the established rule of the United States upon which we have in various cases proceeded (I refer particularly to the case of the Brazils itself), is always to acknowledge the Government "*de facto*."

There are two gentlemen here, both disposed to be accredited—the first, Mr. Pereira, the Consul General and late Chargé d'Affaires, who suspended his functions in the latter character after the usurpation of Don Miguel, and has been since desirous to resume them, but having been and being still unable to obtain instructions to do so, is not recognized—the other, Mr. Forlade, who came from Portugal after the change, but with credentials from Don Miguel as Regent, and not as King, and who consequently has not been received, and does not ask to be, until he shall receive new instructions from the actual Government.

Heretofore and still, the commerce between the two countries has been very limited, owing to the influence of England, and the internal regulations of Portugal, giving her great and peculiar favors. Our flour is charged with a duty of two dollars a barrel, amounting to a prohibition; and our lumber is almost, and our fish is entirely, excluded, whereas, the wines of Portugal are, by a recent Act of Congress, received on more favorable terms than they were before.

There are a few cases of claims for violation of the rights and destruction of the property of our citizens, the justness of which, and inability to make reparation, are both acknowledged by the Portuguese Government. The last dispatch received at this Department from Mr. Brent is dated Lisbon, 23d January, 1830.

Forlade, the Chargé accredited by Don Miguel, was received officially in 1830, and our Diplomatic intercourse was then renewed.

NETHERLANDS.

The relations between the United States and the King of the Netherlands have

assumed an uncommon degree of importance from the circumstance that he has been the arbiter fixed upon by the United States and Great Britain to determine the difference between them in regard to the Northeastern Boundary Line.

In 1782, a Treaty was formed between Holland and the United States, which continued in force until the consolidation of the Dutch and Belgian provinces, and the formation of the Kingdom of the Netherlands, in 1815.

In 1809 and subsequently, the illegal acts of the French Government in the ports of Holland gave rise to a negotiation between the United States and this Government, in regard to the seizure and sequestration of American property, in which were involved the same points and the discussion of the same principles with those embraced by our negotiation on the subject with Spain and Naples, and which had the same result.

The commercial relations between the two countries, although of an important and valuable character, are not founded on a Treaty arrangement but upon the municipal regulations of the two countries (by Act of Congress of January 7, 1824), by which all imports and tonnage charges, with one unimportant exception in favor of Dutch vessels, are placed on a footing of equality and reciprocity.

Mr. Hughes represents the United States as Chargé d'Affaires at the Hague, and His Netherlands Majesty is represented near this Government by the Chevalier De Baugeman Huygens, as Envoy Extraordinary and Minister Plenipotentiary.

Preble has since (in 1830), been accredited as Envoy Extraordinary and Minister Plenipotentiary. The case of the two Governments, the United States and Great Britain, has been submitted to their arbitration.

SWEDEN.

This was the only country that made a voluntary proffer of its friendship to the United States during the Revolutionary War, and in consequence thereof a Treaty was concluded between the United States and the King of Sweden, in the year 1783.

In 1816, another Treaty was concluded, which was ratified in 1818 and expired in 1826.

In 1810, the French being in possession of Stralsund, in Pomerania, placed some American property which had been sequestrated, at the disposal of Sweden for whose benefit it was sold for 151,000 rix-dollars. This claim was admitted to be just by the Swedish Government, and at length settled by a private agreement.

In 1827, Mr. Appleton negotiated a Treaty with Sweden, which is on the principle of the most complete reciprocity as to the vessels of the United States on the one hand, and of Sweden, Norway, and St. Bartholomew on the other, and in this instance, the United States have succeeded in breaking through the European Colonial system, and obtaining admittance into these settlements on the same terms as into the mother country.

On the 5th December last, an event of an unpleasant nature occurred in the port of Gustavia, in the Island of St. Bartholomew, which has occasioned the Chargé d'Affaires of Sweden to call upon this Government for explanation and redress.

The facts are these: Captain Turner, commanding the United States Sloop of War *Erie*, being at St. Martin's, received information from the American Consul at St. Bartholomew that there was in that port a Buenos Ayrean privateer which took out of an American brig ninety-six bales of goods, which the Captain of the privateer said he was induced to do in consequence of his having received information from the Second Mate of the *Nymph* and a Brazilian merchant, that they were enemy's property.

Captain Turner immediately went to St. Bartholomew, and by letter required the authorities of that island to "cause the said vessel (the Federal), her captain, officers, and crew, together with the goods by her imported, to be delivered to him, to be disposed of as the Government of the United States may direct."

This application was made in writing, laid before the Council of Government, and a reply given to it in the same formal manner, in which it was expressly declared that the authorities of the island did not feel themselves bound, under the circumstances, to accede to Captain Turner's demand.

During the night, Captain Turner sent his boats in and cut the Federal out from under the guns of the fort, shipped his cables and left the port.

In a letter dated St. Martin's, December 1828, to Commodore Ridgely, he says: "The following are the grounds on which I made these claims. It was a well-known fact, that the captain of the schooner was well aware of the conclusion of the treaty of peace between the Governments of Brazil and Buenos Ayres when he captured the goods, having himself first brought the news of it. That, as all goods shipped from the Brazils have the Brazilian stamp upon them, the goods he took being thus branded, was not sufficient to warrant him in his inference that they were the enemy's property. That the affidavit of the mate of the brig *Nymph* was not sufficient, as it was drawn up in the handwriting of the captain of the schooner when the mate was on board of the schooner, which vessel he afterward joined, and was immediately after sent from hence."

From Captain Turner's statement it appears that he conceived himself warranted, if the Federal was a pirate, to take her forcibly from under the jurisdiction of the Swedish Government in St. Bartholomew, in order that she might be placed within the jurisdiction of the United States, where she now is, and where the question as to her character must be judicially decided.

This opinion is, however, manifestly erroneous. Even if she was (the contrary, however, is to be inferred from the evidence presented to this department) a piratical vessel, the jurisdiction and authorities of the Swedish Government ought to be respected as competent and well-disposed to deal with her according to law. It is therefore due to the friendly relations subsisting between the two Governments, to disavow the conduct of Captain Turner, and to make such other reparation as the circumstances call for, and as is usual in like cases.

DENMARK.

In April, 1826, a convention to regulate the trade and navigation between the United States and the Government of this country was concluded at Washington, on the principle of reciprocity of tonnage, importation duties, and charges. But it does not, however, apply to the northern possessions of the King of Denmark, to wit, Iceland, the Feroe Islands, and Greenland, nor to places beyond the Cape of Good Hope; the right to regulate the direct intercourse with which possessions and places is reserved by the parties respectively. And it does not extend to the direct trade between Denmark and the West India colonies of his Danish Majesty. But in the intercourse with those colonies, it is agreed that, whatever can be lawfully imported into or exported from the said colonies in vessels of one party, from or to the ports of the United States, or from or to the ports of any other foreign country, may, in like manner and with the same duties and charges applicable to vessels and cargoes, be imported into or exported from the said colonies, in vessels of the other party, to be in force for two years.

The citizens of the United States have claims upon the Danish Government for spoiliations committed upon their property, amounting in all, in the years 1800 and 1810, to 160 vessels captured, of which, in 1811, 42 were condemned. Of those captures, 18 were what are commonly called "convoy cases." Eight of these cases present the most extraordinary instances of the prostration of neutral rights exhibited during the whole of the contest of that extraordinary period, under the following circumstances:—They were bound immediately from Petersburg and Cronstadt to the United States; they had all paid the Sound dues and several of them had been examined before the Danish marine tribunals on entering the Baltic, and they were all arrested on going out by a British force and compelled to join convoy. When that convoy was attacked by his Danish Majesty's gun brigs, the Americans, not conscious of any illegality in the nature of their voyages, or of any irregularity in their own conduct, made no efforts to escape, were captured, brought into court, and condemned.

The ground taken by Denmark was, that a neutral, by causing himself to be protected by one of the belligerents, ranges himself on the side of the protector, and thus puts himself in opposition to the enemy of such protector.

By his dispatch, No. 2, dated the 22d December, 1827, Mr. Wheaton informed this department that a verbal agreement had been entered into between the Danish Government and Mr. Connell, the agent of the claimants, for indemnity for the seizure and detention at Kiel, in 1810, of the American ships *Fair Trader*, *Minerca Smith*, and brig *Ariel*, by which the latter was to be paid \$76,000, and by his dispatch, No. 3, dated 4th March, 1828, Mr. Wheaton informed this department that Mr. Connell, the agent, had received that sum in full payment of these claims. By his dispatch, No. 5, dated December 3, 1828, this department was informed that the Danish Government had decided, in regard to our old claims, to waive the principle of the supposed conclusiveness of the sentences of the Danish Admiralty tribunals upon which it had before so strongly insisted, and that his Danish Majesty had directed a report to be made to him of the particulars of those cases, that he might be enabled to form a correct judgment of the validity of the complaints growing out of them.

This determination on the part of the King of Denmark may, without anticipating too much, be considered as gaining an important step toward a decision of the justice of those claims in favor of our citizens, and an assessment of the amount due to them; but as to the payment of these claims, that, from the extreme poverty of the Government, is an event not to be soon expected, unless they should be compromised for a sum far below the amount due, and this under the circumstances, it is believed, would be the best course for this Government to pursue.

PRUSSIA.

The most friendly relations have at all times subsisted between the United States and the King of Prussia.

In September, 1785, a treaty of the most liberal character was concluded between the two countries, and is remarkable in forming an example of a treaty of perfect reciprocity. By it blockades of every description are abolished; the flag covers the property, and contrabands are exempted from confiscation. It expired by its own limitation in 1795, and was revived in 1799, with, however, very considerable alterations. On the 1st May, 1828, a treaty of commerce and navigation was concluded at Washington, and laid before the Senate, who by their resolution of the 14th of that month, advised and consented to its ratification.

By letter received the 15th February, 1829, the Chargé d'Affaires of Prussia, Mr. Niederstetter, informed the Secretary of State that he had received the Prussian ratification, and was ready to exchange it for that of the United States. In reply, the Secretary of State apprized Mr. Niederstetter of the President's intention not to proceed to the exchange proposed by him in consequence of the expiration of the time stipulated for that exchange by the terms of the treaty.

On the — day of March, 1829, the treaty was submitted by the President to the Senate for their advice and consent to its exchange, who, by their resolution of the 9th day of the same month, advised and consented that the President should proceed to the exchange, and it was done on the 14th day of March, 1829.

NAPLES.

There is not at present any diplomatic intercourse between the United States and the Government of this country, although we have very large claims for spoiliations, to the justice of which the only answer that ever has been given is, that the present Government is not responsible, because they were occasioned by the unlawful acts resulting from the power of Napoleon, through King Murat (who was for years the established and acknowledged sovereign of this people), and that the proceeds did not go into the public treasury, but to feed the caprices and the Oriental pomp of the family of Murat and his adherents.

These acts of violence were perpetrated under circumstances the most perfidious. The American merchants were drawn within the reach of confiscation by the express invitation of the Government to prosecute in the ports of Naples their commercial pursuits, and were there seized and sold or converted to the use of the

Government, and some of the vessels at one time constituted a part of the naval force of the present king.

Mr. Pinkney, of Baltimore, on his way to St. Petersburg as envoy, was appointed to make application to this Court for indemnity, which he did in a very strong but ineffectual manner, and thus this question remains at this time.

AUSTRIA.

On the 31st July, 1828, the Baron de Lederer informed the department that he was furnished with full powers, together with the necessary instructions, for concluding a convention of commerce and navigation on terms of perfect reciprocity with this country; and in consequence thereof a negotiation had been carried on at Washington for some time between the Secretary of State on the part of the United States, and Baron De Lederer to that end, and the terms of a convention were agreed upon. But at the moment when it was about to be signed, the Austrian Plenipotentiary considered himself under the necessity of applying to his Government for instructions and authority to execute such a treaty, and thus the matter rests at present. This is the only negotiation ever carried on between the two powers, although their relations have not been in the least degree unfriendly. There is, in point of fact, hardly a possibility of collision between them.

HANSEATIC CITIES.

In June, 1827, a treaty was concluded and ratified at Washington, between the Free Hanseatic Cities and Republics of Lubeck, Bremen, and Hamburg. This treaty places the commerce between the United States and the Free Cities on the basis of entire reciprocity, and is to continue for twelve years, and after that time until twelve months' notice by either party to the other, of an intention to terminate it.

MEXICO.

The relations between the Government of the United States and this Republic are unsettled, the recent administration of its affairs not having been actuated by feelings of a very friendly character toward the United States. A change has, however, taken place, accompanied by force and much irregularity, and General Guerrero is made President.

A treaty of amity, commerce, and navigation between the United States and Mexico was concluded at Mexico on the 14th February, 1828, laid before the Senate of the United States for its ratification, and by their resolution of the 1st May, 1828, the Senate advised and consented to its ratification.

Mr. Poinsett, the Envoy Extraordinary and Minister Plenipotentiary of the United States near the Mexican Government, by his despatch, No. 127, dated 21st May, 1828, informed this Department that the Mexican Congress had adjourned without having ratified the treaty, and no intelligence has been received of its having subsequently been ratified. On the contrary, it is understood (not however from our minister) that the Congress of the Mexican States had altered the treaty by striking out several of its articles, but had not finally decided in regard to it. By Mr. Poinsett's despatch, No. —, dated the — —, 1829, this Department was informed that the Congress of Mexico was in session, but of nothing in regard to the treaty.

A treaty of limits between the United States and Mexico was concluded and signed at Mexico on the 12th of January, 1828, received at this Department, and laid before the Senate of the United States, who by their resolution of the 28th of the same month, advised and consented to its ratification. By despatch No. 124, of 24th April, 1828, Mr. Poinsett informed the Secretary of State that this treaty had been ratified by the Mexican House of Representatives, and was then before the Senate, and by a despatch of the 26th of April, that it had passed that body on the preceding day.

By letter dated the 2d April, 1828, Mr. Obregon, minister from Mexico, apprized

the Secretary of State of his having received the Mexican ratification of the Treaty of Limits, and of his readiness to proceed to its exchange. By letter dated the 2d of August, Mr. Oregon was informed that his note had been submitted to the President, who did not think himself at liberty to proceed to the exchange of the ratifications after the expiration of the period within which, by the term of the treaty, such exchange ought to have been effected, and that it would again be submitted to the Senate at their ensuing session for their advice and consent as to said exchange, which was not done.

The Government of the United States have no interest in this Treaty of Limits as the same boundaries are by it established between the two countries as were settled between the United States and Spain by the Florida Treaty, which in this respect is equally obligatory upon Mexico as upon Spain—the former having acquired all the territory held by the latter and no more; and, indeed, it is well worthy of consideration, whether an alteration, very advantageous to the United States, might not be made by giving the country west of the mountains to Mexico, in exchange for that which lies between our present boundary and the Rio del Norte?

COLOMBIA.

In October, 1824, the United States concluded by their Minister at Bogota a commercial convention with this Republic, which was the first treaty of any kind formed with either of the South American States. Its provisions are generally of a liberal kind, placing the commerce of the respective parties upon the footing of the most favored nation, and under it our commerce has been carried on with occasional but not very serious interruption.

This country in its extent, soil, climate, and productions, equal if not superior to any other in the world, has, in common with all the South American States, been exposed to intestine divisions and civil wars, and a recent change has been effected in its Government not very auspicious to the continuance of the free character of its institutions.

Bolivar, in whom is centred all the power of its government, has recently declared war against the Republic of Peru, and these neighboring powers are now probably engaged in a fierce contest.

The latter power requested the mediation of the United States, to which this Government has yielded, and our Minister to Colombia has been instructed to use all the means in his power to induce that government to avail itself of our good offices to effect a reconciliation.

General Harrison, appointed Envoy Extraordinary and Minister Plenipotentiary to Colombia, left New York in November last, but this Department is not yet informed of his arrival at Bogota.

On the day of March instant, that minister was recalled, and Mr. Moore, of Kentucky, appointed in his stead, who will proceed to the capital of Colombia with all possible dispatch.

FEDERATION OF THE CENTRE OF AMERICA.

This country is at present, and has been for some time past, the scene of the most cruel civil war; a war commenced and continued by the power and influence of rival families; and from a statement made to this Department by our Consul, who has recently returned to the United States, Mr. Savage, we are led to think that the soldiery have become of the most licentious character, that all civil Government will be abolished, and the whole country given up to a predatory warfare.

In December, 1825, a convention of Peace, Amity, Commerce, and Navigation, was concluded at Washington, by which the commerce of the two countries was placed on "the basis of perfect equality and reciprocity," each giving to the other the right of every sort of trade, and in every article of commerce, only excepting the coasting trade and subjecting neither in the ports of the other to any higher rate of duties than their own citizens or subjects.

At Guatemala, on the 22d December last, the property of Captain W. Phillips, an American citizen, was forcibly taken from him by the officers of that Govern-

ment, and sold at auction, realizing thereby the sum of eleven hundred dollars, which was done under the pretence of making a loan from this individual to that amount. This is a course of proceeding that has been extended very far toward the aliens in Guatemala; but in this case alone, it is believed, against the citizens of this country.

The Executive officer at Omoa, it is believed without the authority of the Government of Central America, has recently made an exaction of two per cent additional "duty to what has been claimed on the trans-shipment of merchandise or goods in this port for a foreign market."

He has also forcibly taken possession of a quantity of American produce from the American Brig *Stephen*.

The same Commandant, on the 13th January last, ordered Mr. Hosmer, who was appointed by the Consul, Vice-Consul at Omoa, but not accredited by the Government of that Republic, in a very arbitrary and improper manner, and thereby compelled him to take down the American flag hoisted in consequence of the arrival of General Verveer, His Netherland, Majesty's Envoy Extraordinary and Minister Plenipotentiary.

Of all these acts, Mr. Savage, our Consul, made strong representations to the Minister of State and of Foreign Affairs of the Republic of Central America, to which no answer has, as yet, been received. It is to be supposed that this uncourteous conduct, in regard to the flag, is to be imputed to the fact that Mr. Hosmer was not accredited as a Vice-Consul, but merely as an agent of the Consul, and to the irritation which probably arose out of that distinction.

BRAZIL.

The relations between the United States and the Emperor of Brazil were, for a long time, of an irritating and unpleasant character. In the war between Brazil and Buenos Ayres, recently terminated, this Government, wholly disregarding the law of nations and the rights of neutrals, declared the whole of the coast of its enemy in a state of blockade, and even committed the grossest violation of our rights, which were resisted in a becoming spirit by our Chargé d'Affaires.

These events, and the conduct of our Representative having brought matters to a crisis, the Brazilian Government sent a representative to Washington, with power to make atonement and reparation, and an engagement was entered into, by which the claims of our citizens for spoiliations were to be adjusted and paid, which is now in successful progress by a commission mutually appointed by the two Governments, and now assembled at Rio de Janeiro.

A Commercial Convention was also negotiated and concluded by Mr. Tudor, Chargé d'Affaires of the United States at the capital of this Empire, and ratified and exchanged at the city of Washington in the present month of March, by which the commercial intercourse between the two countries is placed on the basis of a just and equal reciprocity.

Mr. Tudor has asked and obtained leave to come home.* It therefore becomes important, not only as it regards the settlement of our claims under the joint commission, but in regard to the course this government pursues as to Don Miguel, that his place should be immediately supplied.

PERU, CHILI, AND BUENOS AYRES.

The Governments of these countries respectively are, like the others of the Southern portion of this continent, in an unsettled state.

Our relations with them all are friendly, although we have not a treaty of any kind with either.

(Signed) JAMES A. HAMILTON.

TO THE PRESIDENT OF THE UNITED STATES.

* It was afterward intimated that he wished to remain; he did so, and after making a treaty (12th December, 1828), he died.

SUPPLEMENTAL REPORT—NORTHEASTERN BOUNDARY LINE.

ABSTRACT OF PROCEEDINGS UNDER THE FIFTH ARTICLE OF THE TREATY OF GUENT AND UNDER THE CONVENTION OF 1827.

The adverse claims of the United States and Great Britain respecting the boundary line which separates the State of Maine from the British Provinces of New Brunswick (formerly a part of Nova Scotia) and Lower Canada, arise from the conflicting interpretations given by the two Governments to the stipulations contained in the Second Article of the Treaty of Peace of 1783, between the United States and Great Britain; which stipulations are in the following words:

"ART. 2: And that all disputes which might arise in future, on the subject of the Boundaries of the said United States, may be prevented, it is hereby agreed and declared, that the following are, and shall be their boundaries, viz.: from the Northwest angle of Nova Scotia, viz., that angle which is formed by a line drawn due north from the source of the St. Croix River to the highlands; along the said highlands, which divide those rivers that empty themselves into the river St. Lawrence, from those which fall into the Atlantic Ocean, to the Northwesternmost head of Connecticut River, thence down along the middle of that river, to the forty-fifth degree of north latitude; from thence by a line due West, on said latitude, until it strikes the River Iroquois or Cataraguy."

* * * * *
"East by a line to be drawn along the middle of the river Saint Croix, from its mouth in the Bay of Fundy to its source, and from its source directly North, to the aforesaid highlands which divide the rivers that fall into the Atlantic Ocean, from those which fall into the River St. Lawrence."

That part of the foregoing stipulation which establishes the eastern boundary of the United States along the river Saint Croix, from its mouth in the Bay of Fundy to its source, and thence directly north to the Highlands which divide the rivers that fall into the Atlantic ocean from those which fall into the river St. Lawrence, settles all doubt which might have arisen from the former disputes between Great Britain and France respecting the boundaries of their respective possessions in North America.

And that part which establishes the northern boundary of the United States from the northwest angle of Nova Scotia along the Highlands which divide those rivers that empty themselves into the river St. Lawrence, from those which fall into the Atlantic ocean and along the forty-fifth parallel of north latitude, until it strikes the river Iroquois or Cataraguy, was founded upon various British official documents of prior date, among which are:

First.—The Royal Proclamation of the 7th of October, 1763, erecting the Provinces ceded by France to Great Britain, by the Treaty of Paris of 1763, into four separate Governments; and among these that of Quebec (now Lower Canada), with its boundaries described in the following words:

"Bounded on the Labrador coast by the river St. John, and from thence by a line drawn from the head of that river through the Lake St. John to the south end of the lake, nigh Pissin; from whence the said line, *crossing the river St. Lawrence and the Lake Champlain in forty-five degrees of north latitude, passes along the highlands which divide the rivers that empty themselves into the said river St. Lawrence, from those which fall into the sea, and also along the north coast of the Bay des Chaleurs, and the coast of the Gulf of St. Lawrence to Cape Rosieres*; and from thence crossing the mouth of the river St. Lawrence by the west coast of the Island of Anticosti, terminates at the aforesaid river St. John."

Second.—An Act of Parliament (14 Geo. III., cap. 83), 1774, for making more effectual provision for the Government of the Province of Quebec in North America.

This Act defines the boundaries of the Province of Quebec (now Lower Canada) in the following words:

"Bounded on the south by a line from the Bay of Chaleurs along the highlands which divide the rivers that empty themselves into the river Saint Lawrence from those which fall

into the sea, to a point in forty-five degrees of northern latitude, on the eastern bank of the river Connecticut, keeping the said latitude directly west, through the Lake Champlain, until in the same latitude it meets the river Saint Lawrence; from thence up the eastern bank of the said river to the Lake Ontario, &c."

The Royal Proclamation, and the Act of Parliament quoted above, both concur, though in different words, in establishing the southern boundary of the Province of Quebec by which it is separated from Nova Scotia (now New Brunswick), and from the Province of Maine, from the Bay of Chaleurs, along the highlands which divide the rivers that empty themselves into the river St. Lawrence, from those which fall into the sea, to a point on the forty-fifth parallel of north latitude, which point the Act of Parliament fixes on the eastern bank of the river Connecticut where said river intersects the said parallel, thence along said parallel across Lake Champlain to the St. Lawrence.

Such was the boundary between the Province of Quebec on the one side, and the Provinces of Nova Scotia and Maine on the other, at the date of the Treaty of Peace of 1783, when Great Britain, in order to establish the limits between the United States and her North American Provinces, agreed to the stipulations in the 2d Article of said Treaty, which adopted the line above described, as far as it went to separate the Province of Quebec from the territories of the Confederation; and in order to define the boundary between the said territories on the east, and the Province of Nova Scotia, established said boundary, 1st, Along the river St. Croix to its source, and thence along a line due north, until it meets the highlands which divide the rivers emptying into the St. Lawrence from those which fall into the Atlantic ocean, at a point which determines the northwest angle of Nova Scotia.

Under this clause of the 2d Article of the Treaty of 1783, two questions arose, to wit:

First.—Which was the true river St. Croix referred to in that Article, from whose source the due north line was to be drawn; and

Second, Which are the highlands forming, with the due north line, the northwest angle of Nova Scotia, and along which the boundary line between the United States and the Province of Quebec is to run?

The first of these questions was put at rest by the decision of the mixed commission appointed in pursuance of the 5th Article of the Treaty of Amity, Commerce, and Navigation between the United States and Great Britain, concluded on the 10th November, 1794; which decision is contained in their declaration dated Providence, Rhode Island, the 25th October, 1798, and determines, "what river was truly intended under the name of the River *Saint Croix*, mentioned in the Treaty of Peace of 1783, as forming part of the boundary therein described."

With regard to the second question, different constructions were put by the two contracting parties upon the words of the Treaty of 1783, describing the highlands which were to intersect the due north line, forming with it the northwest angle of Nova Scotia, and constituting the boundary line from that point to the northwesternmost head of the Connecticut river.

Great Britain contended that these highlands were found to commence at a point near the due north line, called Mars Hill, within forty miles from the monument which determines the source of the Saint Croix; and that therefore the boundary contemplated by the Treaty of 1783, must begin at this point, which they assert to be the northwest angle of Nova Scotia, and pass along the summit of a ridge which divides the streams tributary to the St. John from those which fall into the Atlantic Ocean; until it meets the northwesternmost head of the river Connecticut.

The United States contended that the highlands contemplated by the Treaty were to be found near one hundred miles further, following the due north line, at a point near the sources of the Restigouche, and on the crests of the Highlands which form the dividing ridge between the rivers which empty themselves into the St. Lawrence, and the tributary streams of the St. John, and of other rivers falling into the ocean.

These different constructions of the words in the 2d Article of the Treaty of 1783 became a subject of discussion between the American and British Plenipotentiaries who negotiated the Treaty of Ghent; *First*, by a proposition on the part of

the British Plenipotentiaries, "so to vary the line of frontier as to secure a direct communication between Quebec and Halifax;" and, *secondly*, by the suggestion, from the same source, of "a doubt," whether the territory in dispute, "did not already belong to Great Britain."

The first proposition, "So to vary the line of frontier as to secure a direct communication between Quebec and Halifax," contains an implied assumption, by the British Plenipotentiaries, of the American construction of the Treaty of 1783.

The suggestion, made some time afterward, of a doubt, whether the territory in dispute did not already belong to Great Britain, appears to be the first time that the correctness of that construction was questioned.

The result of this discussion was a proposition on the part of the British Plenipotentiaries to refer the whole subject to Commissioners.

And accordingly, the following stipulations were agreed upon by both parties, and constitute the 5th Article of the Treaty, signed at Ghent, on the 24th December, 1814.

"ART. 5. *Whereas* neither that point of the highlands lying due north from the source of the River St. Croix, and designated in the former Treaty of Peace between the two Powers as the northwest angle of Nova Scotia, nor the northwesternmost head of Connecticut River has yet been ascertained; and whereas, that part of the boundary line between the dominions of the two Powers which extends from the source of the river St. Croix directly north, to the above-mentioned northwest angle of Nova Scotia, thence along the said highlands which divide those rivers that empty themselves into the river St. Lawrence, from those which fall into the Atlantic Ocean to the northwesternmost head of Connecticut river; thence down the middle of that river to the forty-fifth degree of north latitude; thence by a line due west, on said latitude, until it strikes the river Iroquois or Cataraguy, has not been yet surveyed; it is agreed that, for those several purposes, two Commissioners shall be appointed, sworn and authorized to act exactly in the manner directed with respect to those mentioned in the next preceding Article, unless otherwise specified in the present Article. The said Commissioners shall meet at St. Andrew's, in the Province of New Brunswick, and shall have power to adjourn to such other place or places as they shall think fit. The said Commissioners shall have power to ascertain and determine the points above-mentioned, in conformity with the provisions of the said Treaty of Peace of 1783, and shall cause the boundary aforesaid, from the source of the river St. Croix to the river Iroquois or Cataraguy, to be surveyed and marked, according to the said provisions. The said Commissioners shall make a map of the said boundary, and annex it to their declaration under their hands and seals, certifying it to be the true map of the said boundary, and particularizing the latitude and longitude of the northwest angle of Nova Scotia, of the northwesternmost head of Connecticut river, and of such other points of the said boundary as they may deem proper. And both parties agree to consider such map and declaration as finally and conclusively fixing the said boundary. And, in the event of the said two Commissioners differing, or both, or either of them, refusing, or declining, or wilfully omitting to act, such reports, declarations, or statements shall be made by them, or either of them, and such reference to a friendly Sovereign or State shall be made, in all respects as in the latter part of the fourth Article is contained, and in as full a manner as if the same was herein repeated."

In compliance with the provisions of the article above recited, Cornelius P. Van Ness, a Commissioner on the part of the United States, and Thomas Barclay, appointed a commissioner on behalf of His Britannic Majesty, met at St. Andrew's in the Province of New Brunswick on the 23d September, 1816, and proceeded to execute the duties assigned to them.

These duties were

To ascertain and determine

First, The point in the highlands designated in the Treaty of 1783, as the northwest angle of Nova Scotia.

Second, The northwesternmost head of Connecticut river.

Third, To cause to be surveyed and marked, "in conformity with the Treaty of 1783, that part of the boundary line which extends from the source of the river St. Croix directly north to the northwest angle of Nova Scotia; thence along the highlands which divide the rivers that empty themselves into the St. Lawrence from those which fall into the Atlantic Ocean, to the northwesternmost head of Connec-

icut river; thence down the middle of that river to the forty-fifth parallel of north latitude; and along said parallel to the river Iroquois or Cataraguy.

Fourth. To make a map of the said boundary.

Fifth. To particularize, in their declaration, the latitude and longitude of the northwest angle of Nova Scotia—of the northwesternmost head of Connecticut river, and of such other points of the said boundary as they may deem proper.

In the discharge of their duties, the Commissioners continued to meet and sit, from time to time, at different places. Agents were appointed on both sides. Exploring and surveying parties were organized, and astronomers were designated, who entered upon the performance of their duties on behalf of their respective Governments, acting separately, but communicating to each other, from time to time, in compliance with their instructions, the results of their explorations, surveys, and astronomical observations, and submitting, through the respective agents, all questions in dispute to the decision of the Commissioners.

The final result of these operations was that conflicting reports, discrepant surveys, and discordant astronomical results were filed before the Commissioners who, after a full hearing of the arguments presented by the agents on both sides, communicated to each other, on the 4th October, 1821, their respective declarations or disagreements, in substance as follows:

First.—As to the northwest angle of Nova Scotia.

Mr. Barclay, the British Commissioner, was of opinion that “that point ought to be established at, or near a mountain or hill called *Mars Hill*, distant about forty miles, on a due north line from the source of the river St. Croix, and about thirty seven miles south of the river St. John.”

Mr. Van Ness, the American Commissioner, was of opinion that “that point ought to be fixed at a place about one hundred and forty-four miles due north from the source of the river St. Croix, and about sixty-six miles north of the river St. John.”

Second.—As to the northwesternmost head of Connecticut River.

Mr. Barclay thought “that it is situate at the northwesternmost stream which empties into the third lake of Connecticut River, north of the 45th degree of north latitude.

Mr. Van Ness thought that “that point ought to be established at the head of the Indian stream.”

Third.—As to the establishment of the 45th parallel of north latitude, Mr. Barclay was of opinion

“That the point established by Doctor Tiurks, his Majesty’s astronomer, on geographical principles, to be the 45th degree of north latitude, on Connecticut River, is the point which ought to be established by the Commissioners as the said 45th degree of north latitude on the said river,” and

“That the modes or principles on which the parallel of the said 45th degree of latitude ought to be run, surveyed, and marked, should be according to ordinary geographical principles.”

On these points, Mr. Van Ness “concluded that it would not be necessary for him to report any opinion on the questions which have been made relative to the boundary line from Connecticut River to the River Iroquois.”

On the 13th April, 1822, the Board adjourned *sine die*, subject to be again called together by the contending parties. This adjournment virtually proved a dissolution of the Board, since it never was again convened; and the journals of their proceedings, their records, and the maps and surveys filed before them, were deposited, in duplicate, among the archives of the respective governments.

This first of the two modes proposed by the 5th article of the Treaty of Ghent, for the adjustment of the matters in difference between the two Governments respecting their territorial limits, having failed, by the disagreement of the Commissioner appointed for that purpose, the two Powers remained at issue upon the following points:

First.—The location of the northwest angle of Nova Scotia, which was to determine the highlands contemplated by the Treaty of 1783.

Second.—The northwesternmost head of Connecticut River.

Third.—The principles to be adopted in determining the parallel of the 45th degree of north latitude, the British Commissioner contending for the ordinary Geographical principles; the American Commissioner contending for the principle of Geocentric latitude, but declining to make a declaration upon that point.

The second mode of settling the question yet remained; it is found in the 4th Article of the Treaty of Ghent, to which reference is made by the 5th article with respect to the means of adjusting the disputes, in the words following:

“It is further agreed that, in the event of the two Commissioners differing upon all or any of the matters so referred to them, or in the event of both or either of the said Commissioners refusing or declining, or wilfully omitting to act as such, they shall make jointly or separately a report or reports, as well to the Government of his Britannic Majesty as to that of the United States, stating, in detail, the points on which they differ, and the grounds upon which their respective opinions have been formed, or the grounds upon which they, or either of them, have so refused, declined, or omitted to act; and his Britannic Majesty and the Government of the United States hereby agree to refer the report or reports of the said Commissioners to some friendly Sovereign or State to be then named for that purpose, and who shall be requested to decide on the differences which may be stated in the said report or reports, or upon the report of one Commissioner, together with the grounds upon which the other Commissioner shall have refused, declined, or omitted to act, as the case may be; and if the Commissioner so refusing, declining, or omitting to act, shall also wilfully omit to state the grounds upon which he has so done, in such manner that the said statement may be referred to such friendly Sovereign or State, together with the report of such other Commissioner, then such Sovereign or State shall decide, *ex parte*, upon the said report alone. And his Britannic Majesty and the Government of the United States engage to consider the decision of such friendly Sovereign or State to be final and conclusive on all the matters so referred.”

In June, 1824, at a conference between the American and British Plenipotentiaries, held at London, the former made an ineffectual attempt to refer the subject to “direct negotiation between the two Governments.” This mode of settling the dispute not meeting the views of the British Government, Mr. Gallatin, then Minister at London, entered into negotiations, in 1827, with the Plenipotentiaries of his Majesty’s Government, and on the 29th of September of that year, concluded a Convention providing for the reference to a friendly Sovereign or State of the matter in controversy, and determining the manner in which the question was to be laid before him—the nature of the evidence to be adduced by the respective parties in support of their claims, and limiting the time within which the various steps toward the accomplishment of that object were to be taken.

The Convention was transmitted to Washington, laid before the Senate of the United States, who, by their Resolution, on the — February, 1828, advised and consented to its ratification; it was accordingly ratified by the President, and sent back to London, where the Ratifications were exchanged on the 2d of April, 1828, from which date, according to the terms of the Convention, are to be counted the intervals of time within which the various steps toward the proposed reference are to be taken.

ART. I.—The first article provides for the reference of the question to a friendly Sovereign or State, who shall be invited to investigate and decide upon the points of difference; and the two parties engage to proceed in concert to the choice of such friendly Sovereign or State immediately after the exchange of the Ratifications, and to use their best endeavors to obtain a decision within two years after the arbiter shall have consented to act as such.

Accordingly by instructions to Mr. Lawrence, Chargé d’Affaires of the United States at London, dated the 20th February, 1828, the Secretary of State in transmitting the American ratification of the Convention and in instructing him to proceed to its exchange, directed him to enter into negotiation with the British Government for the choice of an arbiter; to make or receive proposals for the same; and finally, to agree upon one of the three Sovereigns of Russia, Denmark, or the Netherlands, in the order in which they are named.

The correspondence of Mr. Lawrence on the subject shows the manner in which

the negotiation was conducted; and his dispatch No. 45, dated the 22d June, 1828, acquaints the Department of State with its result, which was that the King of the Netherlands had finally been agreed upon by both parties to be the arbiter, after various ineffectual attempts on the part of Mr. Lawrence to induce the British Government to agree first to the Emperor of Russia, and then to the King of Denmark, agreeably to his instructions. The same dispatch submitted, for the approval of the American Government, the form of a note proposed by the British Minister to be simultaneously addressed to the Government of the Netherlands by the Representatives of the two nations at the Hague, apprising the King of the selection made of him as arbiter, and requesting him to take that office upon himself.

On the 14th October, 1828, instructions were transmitted to Mr. Hughes, Chargé d'Affaires of the United States to the Netherlands, directing him to make the proper application to the Government of that country for the consent of the Sovereign to assume the office of arbiter, and to express the entire confidence of the President in the justice of his Majesty.

It is not yet known at the Department of State what has been the result of this application, nor whether the British Government has taken the proper measures to meet this ready compliance on the part of the United States with all the stipulations of the first article of the Convention. The King accepted the charge and decided a point not committed to him, and thus this effort at a settlement of the Eastern Boundary Line question was left to Mr. Webster, who settled it.

JAMES A. HAMILTON, Secretary of State.

APPENDIX B.

A LETTER ADDRESSED TO A DISTINGUISHED MEMBER OF THE CHICAGO CONVENTION.

NEVIS, DOBBS FERRY P. O., November 26, 1863.

DEAR SIR: Your very kind letter of the 16th inst. intimates a regret that I did not avail myself of an opportunity at the Chicago Convention, or at St. Louis, to express the views in relation to the present and the future of the Great West, which I have touched in our various conversations; and a wish that I would in reply write what I might have spoken there.

In compliance with your request, but with extreme reluctance from a conviction that I can say nothing worthy of the subject, I throw together some suggestions which others may extend with advantage.

The resources of the West, I think I may say without exaggeration, in its mineral and agricultural wealth, present a field of enterprise never before equalled in any part of the world. To develop the resources of that vast region with success, will require:

First, The exercise of the constitutional power of our national Government to open the avenues of commerce between the Western rivers and lakes, and the Atlantic seaboard;

Second, Abundant capital;

And Last, A hardy population. These three conditions of success, I am convinced, are within our reach. The extent of this region will be appreciated by the following leading facts. The valley of the Mississippi, bounded on the one hand by the Rocky Mountains, and on the other by the Alleghanies, embraces a drainage area of one million and a quarter square miles, which is more than one half the entire area of the United States. The internal navigation of the upper Mississippi valley is about 9000 miles in extent. "The Mississippi valley, viewed as a whole, may be considered as one great plain between two diverging coast ranges, elevated between 400 to 800 feet above the sea." The surface swells into hills and ridges, diversified by forest and prairie; and, exclusive of the sterile portions west of the Missouri, the soil is uniformly fertile, easily cultivated ("indeed, so easily that on the prairies

four furrows are turned by a single pair of horses"), and yields a most abundant return. The climate is healthy and invigorating.

The dimensions of the five great American Lakes, Superior, Michigan, Huron, Erie, and Ontario, extend over an area of more than 90,000 square miles. The area drained by these lakes is estimated at over 330,000 square miles, and their shore lines nearly 5000 miles in extent, exceeding those of the Atlantic Coast by 1500 miles.

The annual value of the commerce of these lakes reaches \$450,000,000, carried by a fleet of 1,643 vessels of 413,026 tons, and valued at \$13,250,000.

This region comprises nine States of the Union, with a population of nine millions of hardy and intelligent people; when energy and enterprise has connected its commercial points by railways extending more than 11,000 miles; the value of whose annual products, according to the census table, was in 1860: in wheat 89½ millions bushels, corn 392,250,000 bushels, oats 62,700,000 bushels, rye 4,000,000 bushels, barley 4,865,000 bushels. Total cereals over 553,000,000 bushels. Of hogs, over 11,000,000 head, and of cattle, 7,204,000 head.

This census, taken in 1860, was the product of the year 1859. The receipts at Chicago for the year 1862 show an increase of cereals of 196 per cent., in hogs, 400 per cent. and in cattle, 87 per cent.

To transport these products in their crude state would require 64,400 locomotives, each hauling 8,500 bushels. When it is known that these vast quantities are produced by the cultivation of less than 16 per cent. of the area capable of cultivation, the quantity that will be produced when the necessary avenues of commerce shall be opened to a market, staggers the imagination.

To show how inadequate the existing means of transportation are, the report of the Commissioner on statistics for the city of Chicago, from which these figures are taken, states that "the prairie farmer often finds it more profitable to consume it" (the Indian corn) "for fuel than to ship it to the seaboard, and that portion which is retailed to the New England operative at 60 cents per bushel, nets to him less than nine cents, the difference being used up in freights and commissions. All this is exclusive of that vast region adapted to the production of cotton, sugar, and rice, by its two essential meteorological conditions of heat and moisture lying between 30 and 36 degrees of North latitude, the Atlantic coast, and the herd lands of Texas.

Within this area, there are millions of acres which have never been touched by the foot of a white man, into which if one half of the whole laboring class of the continent of Europe were thrown, they would not be densely populated.

The metallic wealth to which I have referred consists of inexhaustible stores of gold and silver, and the more precious metals of iron, copper, and lead. The coal fields of Illinois alone are equal to all those of England, Scotland, and Ireland.

First: As to the constitutional power of Congress to construct or improve the channels of commercial intercourse. Relying upon the opinions of the fathers, upon the action of the Government, and the express powers given to Congress by the Constitution, it may be said with full confidence, that the constitution gives Congress full power to open and improve such channels of commercial communication as are natural. As to the authority of the fathers, Thomas Jefferson, in 1801, announced, that among the leading objects of the Constitution was the encouragement of Agriculture, and of Commerce its handmaiden. Again, Mr. Jefferson in his confidential communication to Congress of the 18th January, 1803, suggesting the expediency of authorizing a small exploring expedition to the source of the Missouri river, who might explore the whole line even to the Western Ocean, remarked, that "while other civilized nations have encountered great expense to enlarge the boundaries of knowledge, by undertaking voyages of discovery, and for other literary purposes in various parts and directions; our nation seems to owe to the same object as well as to its own interests to explore this, the only line of easy communication across the continent, and so directly traversing our own part of it. The interests of commerce place the principal object within the constitutional powers and care of Congress, and that it should incidentally advance the geographical knowledge of our own continent, cannot but be an additional gratification." And again, so comprehensive did President Jefferson consider the "restrictive energies" of Congress under this clause, that in December, 1807, in order to promote the agricultural interests of the country,

Congress, "at his special recommendation, was induced to lay an embargo on all the American trade with other countries, and to continue it with various regulations and enforcements affecting internal commerce until the spring of 1809, a period of 18 months." (Bristed's U. S. p. 37.)

Mr. Madison, in 1809, declared that Congress had the constitutional power to promote, by authorized means, improvements friendly to agriculture and to internal and external commerce.

Your own Benton, a statesman of much practical experience, said: I never had a doubt of the constitutionality of bringing the navigation of the lakes and rivers within the circle of internal improvements by the Federal Government, when the object to be improved should be one of general and national importance.

Mr. Gallatin, Secretary of the Treasury in 1808, wrote thus: "Amongst the resources of the Union there is one which, from its nature, seems more particularly applicable to internal improvements. It is believed, that nothing could be more gratifying to the purchasers, and to the inhabitants of the Western States generally, or better calculated to remove popular objections, than the application of the proceeds of the sales to improvements, conferring general advantages on the nation, and an immediate benefit on the purchasers and inhabitants themselves. It may be added that the United States, considered merely as owners of the soil, are also deeply interested in the opening of those communications which must necessarily enhance the value of their property.

In the convention which formed the Constitution, it was moved that "no State shall be restrained from laying tonnage duties for the express purpose of clearing harbors and erecting lighthouses," and the motion was rejected on the express ground, that the power was included under the power to regulate commerce. (Madison Papers, p. 1585.) The action of the Government of the United States under the power "to regulate commerce" has been so frequently extended to subjects of National importance in aid of commerce, as to render any reference to particular cases unnecessary. That Congress could constitutionally exercise the power to make roads, with the consent of the States, over the lands of such States, was early admitted.

Thus, by the Act of April 30, 1802, to enable the people of Ohio to form a State Government, provision was made for "laying out and making public roads leading from the navigable waters emptying into the Atlantic to the Ohio, to the said State and through the same, such roads to be laid out under the authority of Congress, with the consent of the several States through which the road shall pass." And so by other acts passed in 1803, 1811, 1816, 1817, 1818, 1819, and 1820, the means were enlarged for the same object; the latter act making provision for the extension of the road to the confines of Missouri, and avowing in its preamble as one object the increase in the value of the public lands.

Pursuant to these provisions, Congress by the Act of 1806 authorized the construction of a national road from Cumberland in Maryland to the Ohio, and by the act of 1825, directed its continuation through the States of Ohio, Indiana, Illinois, and to the seat of Government of the State of Missouri.

The States interested in providing ample commercial intercourse between the Mississippi and the Atlantic, not only consent that the work shall be performed by Congress, but they earnestly invoke the exercise of that power.

If it be true that by opening a communication by canals between the Mississippi River, Lake Michigan, and thence to the Atlantic seaboard, Congress facilitates commerce among the States and with foreign nations, and shall thus convey to the markets of the world that vast amount of wealth which is now produced by the agriculture of the great Western States of our Union, and which is capable of being and will be vastly extended (as soon as there are facilities for carrying it to market), who can doubt that the general welfare will be promoted thereby.

In the very amusing and characteristic speech of Mr. Ruggles at the convention (who may justly be said to be the best informed and soundest statistician of our country, and who has devoted a lifetime to the consideration of the internal improvements of our State and nation) we find that during the last year there were sent from New York in the agricultural products of the above States, the enormous

sum of one hundred millions of dollars, which is only the one fifth part of what they are capable of producing.

To open the avenues of commerce in the direction and by the means indicated of this vast accumulation of wealth, would, by drawing into intimate communion the commercial and social relations of the West and the East, necessarily tend "to form a more perfect Union," and would greatly "promote the general welfare." This being so, the Congress has the unquestionable power to pass such laws as are necessary and proper (that is, as are expedient) to provide the channels of commerce required to that end; and that Congress has the power to raise the necessary funds by taxation, or any other usual means to carry out this beneficent purpose.

Your friend and servant,

J. A. H.

APPENDIX C.

EXAMINATION OF THE POWER OF THE PRESIDENT TO REMOVE FROM OFFICE DURING THE RECESS OF THE SENATE.

Is this power conferred by the Constitution?

Answer.—It is not, as will clearly appear by the following examination of that instrument.

If this power is not so conferred, ought it to be continued?

Answer.—Experience conclusively proves that it ought not to be continued.

To this point we invite the earnest attention of the people of the United States, not as a party issue, but as one which involves the purity of our Government and the highest interests of our country.

The experience of the past thirty years proves that the exercise of the power of removal by the President, thus making the offices of government "*the spoils of victory*," has degraded the country by corrupting the parties and the people.

It is now established as almost indispensable to success in every party struggle in the general, State, or municipal governments through the land, that the offices of honor and of profit should be thrown into the arena as the prizes of victory, and that they are to be bestowed as the reward of the most *skilful* and most *unscrupulous* partisan of the one party or the other.

We believe this to be the condition of all parties, and that one of the greatest obstacles to a salutary change will arise from the fear that any party which should avow its determination to return to the course of the early period of our Government, when, as Mr. Jefferson said, "few died and none resigned," such party losing the services of the base hirelings, would risk its predominance.

These obvious truths, no intelligent and honest observer will deny.

What are the consequences of this course of our public affairs? Offices and their rewards are vastly increased that the number of recruits and retainers may be adequately rewarded.

The choice of persons to fill the offices is not guided by their fitness for the places, by their integrity or intelligence.

The officers are in all things governed "by a blind devotion to a party or the head of a party;" they are required to contribute out of their salaries or emoluments to the support of their party, consequently they require and receive increased salaries, or they purloin public money to meet these contributions, and thus in either way the Public Treasury is made to bear the burden of party services.

Mr. Calhoun, in 1835, said in a report to the Senate:

"When offices, instead of being considered as public trusts to be conferred on the deserving, were regarded as the spoils of victory to be bestowed as rewards for partisan services without respect to merit; when it came to be understood that all who hold office, hold by tenure of partisan and party services, it is easy to see that the certain, direct, and inevitable

tendency of such a state of things is to convert the entire body of those in office into corrupt and supple instruments of power, and to raise up a host of hungry, greedy, and subservient partisans for every service, however base and corrupt.

"Were a premium offered for the best means of extending the power of patronage, to destroy the love of country, and to substitute a spirit of subserviency and man-worship, to encourage vice, and discourage virtue; and in a word to *prepare for the subversion of liberty, and the establishment of despotism*, no scheme more perfect could be devised."

This is the language of truth, uttered by a wise and experienced statesman.

The same course of remark would be applicable to the administration of the Executive power of our government in regard to contracts, jobs, and purchases, which are made and given to secure or to reward partisan services, and oftentimes of the basest and most corrupting character, and by one means or the other of increasing the public expenditures vastly beyond the necessities of the Government.

We now proceed to prove that the power of removal from office is not conferred upon the President *alone*, by the Constitution; expressly, or by necessary implication.

There is certainly no such express power.

This question was first discussed in Congress in 1789 (see Benton's Abridgment, vol. 1, page 85, and also Gale's Annals), on the resolution moved by Mr. Madison in the House of Representatives to establish the Executive Departments:

"It is the opinion of the Committee, that there shall be established an Executive Department, to be denominated the Department of Foreign Affairs; at the head of which there shall be an officer, to be called the Secretary of the Department of Foreign Affairs, who shall be appointed by the President, by and with the advice and consent of the Senate; and to be removable by the President."

It was moved to strike out the words "by and with the advice and consent of the Senate," on the ground that "they were unnecessary, and looked as if they were conferring power."

After debate, they were struck out.

The last clause, "to be removable by the President," was objected to because it gave the power of removal to the President alone.

After a very long and interesting discussion, wherein it was insisted on one side by Sherman, Bland, and others, "that the power of removal was included in the power of appointment, and could only be exercised in concurrence with the Senate," and by Madison, Vining, Clymer, and others, "that it was an Executive power," and was given to the President alone, by Article 2, section 1, clause 1.

In Committee of the Whole the motion to strike out was rejected by a slender majority. The question afterward came up on the bill, it was debated with great earnestness, and it was admitted that there was no express power.

Mr. Benson, in order to obtain a majority, moved to amend the bill thus, "when-ever the said principal officer shall be removed by the President, or in any other case of vacancy," "the chief clerk should," &c. (Gordon's Digest, page 26, art. 205), and to strike out the words, "to be removable by the President."

This amendment being accepted by Mr. Madison, the bill was passed by a very small majority.

It is not very clear that the decision of the House, made in those words, was in affirmance of the power.

They do not necessarily exclude the idea that such removal might or could be with the concurrence of the Senate, or that the removal might not be by force of an act of Congress conferring the power on the President; they do not certainly and directly affirm the constitutional power to remove by the President alone.

When the bill came up in the Senate, it was passed in committee by the casting vote of the Vice-President, and finally by one majority.

Mr. Webster, in a speech in the Senate, in 1835, referring to this discussion, says: "After considering the question again and again, within the last six years, I am willing to say that, in my deliberate judgment, the original decision was wrong. I cannot but think that those who denied the power in 1789 had the best of the

argument—it appears to me, after thorough, and repeated, and conscientious examination, that an erroneous interpretation was given to the Constitution, in this respect, by the decision of the first Congress.” Chancellor Kent concurred in this opinion.

If the Constitution confers this power upon the President alone, either directly or by necessary implication; it is a power beyond the control of Congress, it cannot be directed, limited, or abrogated, and yet we find that in May, 1820 (Gordon's Digest, page 24, article 195), an act was passed declaring that the term of office of collectors, district attorneys, and others should be limited to four years.

The cotemporaneous history of the Constitution is against the assumption, that this power was conferred on the President *alone*.

No. 77, of the *Federalist*, written by Hamilton :

“It has been mentioned as one of the advantages to be expected from the coöperation of the Senate, in the business of appointments, that it would contribute to the stability of the administration.”

“The consent of that body *would be necessary to displace as well as to appoint*. A change of the chief magistrate, therefore, would not occasion so violent or so general a revolution as might be expected if he were the sole disposer of offices.”

Mr. Webster, in the speech before referred to, says :

“The principle of Republican Governments, we are taught, is public virtue, and whatever tends to corrupt this principle, to debase it, or to weaken its force, tends in the same degree to the final overthrow of such governments.

“Whenever personal, individual, or selfish motives influence the conduct of individuals, on public questions, they affect the safety of the whole system.

“And all will admit that, if these motives become general and overwhelming, so that all public principle is lost sight of, and every election becomes a mere scramble for office, the system must fall.

“The unlimited power to grant office, and to take it away, gives a command over the hopes and fears of a vast multitude of men. In the main it will be found that a power over man's support is a power over his will. When favors, once granted, may be withdrawn at pleasure, there is ordinarily little security for personal independence of character.

“The power of giving office thus affects the fears of all who are *in*, and the hopes of all who are *out*; those who are *out* endeavor to distinguish themselves by active political friendship, by warm personal devotion, by the clamorous support of men in whose hands is the power of reward, while those who are *in* take care not to be surpassed in such qualities or conduct as will secure favor.

“The consequence of this is, that a competition ensues, not of patriotic labors, but of complaisances, of indiscriminate support of executive measures, of pliant subserviency, and gross adulation.

“The patronage of office, the power of bestowing place and emoluments, creates parties not upon any principle or any measure, but upon the single ground of personal interest, and thus they form round a leader and go for the spoils of victory; if the party chieftain becomes the national chieftain, he is apt to consider all who oppose him as enemies to be punished, and all who have supported him as friends to be rewarded.

“Blind devotion to a party, and to the head of a party, thus takes the place of the sentiment of genuine patriotism, and a high and exalted state of public duty.”

In order to a clear understanding of this subject, we proceed to present the various clauses of the Constitution touching it.

By article 2, sec. 2, clause 2, it is provided, “that the President shall nominate, and by and with the advice and consent of the Senate shall appoint, ambassadors, other public ministers, and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by Congress, but the Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of departments.”

The following analysis of this clause will show what power the President has under it.

1st. It gives the President power to nominate (this is exclusive).

2d. With the concurrence of the Senate, "to appoint."

3d. What officers? "Ambassadors, other public Ministers and Consuls, Judges of the Supreme Court, and all other officers of the United States, whose appointments are not *herein* otherwise provided for."

4th. What offices are otherwise provided for by the Constitution?

1st. Members of the House of Representatives.

2d. Senators.

3d. Electors of President and Vice-President.

4th. The President and Vice-President of the United States.

5th. The Speaker and other officers of the House of Representatives.

6th. A President pro tempore, and other officers of the Senate.

5th. The President has power, with the concurrence of the Senate, to appoint "all other offices" which shall be established by law. He cannot create an office by making an appointment or otherwise, because "all other offices must be established by law."

6th. Congress may by law vest the appointment of such *inferior officers* as they think proper, *in the President alone, in the courts of law, or in the heads of departments.*

It will be admitted that, under this branch of this clause, the President alone can appoint only such inferior officers as the Congress may authorize him so to appoint.

Any other appointments made by him alone, or which are given to the courts of law or the heads of departments, would be a violation of the Constitution and the laws.

It thus appears that in every case where the Constitution gives the President power to appoint, it must be with the concurrence of the Senate. (Congress may give him power to appoint "inferior officers.") We except temporary appointments, which will be hereafter mentioned.

If the power of removal is incident to, or a consequence of, the power of appointment, it is very certain that as the *incident* cannot be more extensive than the *principal*, the power of removal must be as limited and qualified as is the power whence it is derived; and consequently, as the power of the President alone to appoint is limited to "inferior officers," and is only conferred by act of Congress, the power of removal does not extend to others than "inferior officers," and must always depend upon the action of Congress, so also the power to remove in all other cases than "inferior officers" (authorized by act of Congress) must be with the concurrence of the Senate.

Mr. Webster, in the speech referred to, says: "Nothing is said in the Constitution about the power of removal (except in case of impeachment), because it is not a separate and distinct power.

"It is a part of the power of appointment, naturally going with it, and necessarily resulting from it.

"Where no other tenure is prescribed, the officers hold their places at will; that will is necessarily the will of the appointing power, because the exercise of appointment at once displaces such officers.

"The power of placing one man in office necessarily implies the power of turning another out, and this is the practice of the Government, and has been so from the first.

"When the President desires to remove a person from office, he sends a message to the Senate nominating some other person.

"The message usually runs in this form, 'I nominate A. B. to be Collector of the Customs, &c., in the place of C. D., removed.'

"If the Senate advise and consent to this nomination, C. D. is effectually out of office, and A. B. is in "his place."

This is certainly the case when the Senate is in session; and such a removal necessarily results from an appointment so made; that is by the concurrent act of the President and Senate, under article 2, section 2, clause 2.

But whence comes the power *to appoint* when the Senate is not in session, and the consequent power thereby to remove?

It is certainly without the authority of the Constitution, or the law.

The removal to which we refer, effected by appointment during the recess, by giving a commission to A. B., appointing him Collector, &c., in place of C. D., who, at the time such commission was issued, was in that place and performing its duties, does not come within the clause authorizing the President to appoint after a nomination, with the concurrence of the Senate. Nor can it come within that clause which authorizes the President to make a temporary appointment "to fill a vacancy," because, in a case of removal caused by an appointment, there is no vacancy to be filled.

It will be said that such appointments and consequent removals during the recess are made by authority of the 3d clause of article 2, sec. 2, which is in these words:

"The President shall have the power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session."

Most certainly this cannot be properly said, because the clause only authorizes the President to grant commissions to fill up vacancies, whereas, in the supposed case and in practice, he grants a commission to make a vacancy.

Again—This clause only authorizes the President to fill up vacancies that "may happen" during the recess.

What is the meaning of the words "may happen"? They mean such vacancies as result from some "accidental occurrence," "without previous expectation," and certainly not by direct removal, or by an appointment which creates a removal. Such an act is *premeditated*, and wants every quality of an "accidental occurrence."

In the last case there is no vacancy, and in no sense can a vacancy by removal be said to *have happened*—that is, to be a casualty. Vacancies by casualty might occur during the recess, and it was therefore necessary to provide for such vacancies by temporary appointments.

It may be remarked that, when this clause was formed, the Convention had the subject of vacancies under consideration, and if they had supposed it possible that there could be a vacancy by removal, during the recess, they would have made provision for it, or have applied this clause to it, by saying, "or by removal" after the words "may happen."

From these considerations it may be confidently asserted, that there can be no appointment to a vacancy occasioned by removal during the recess.

And that all appointments made to fill vacancies occasioned by removals, if such there be, are unconstitutional and void.

There is no power in Congress, in the Senate, or in the President, to sanction such appointments.

As to the true meaning of the words "may happen," we refer with the utmost confidence to No. 77 of the Federalist.

Article 1, section 3, clause 2, declares: "If vacancies *happen* by resignation or otherwise, during the recess of the Legislature of any State, the Executive thereof may make temporary appointments until," &c. The author says: "Here is an express power, given in clear and *unambiguous terms*, to the State Executives to fill '*casual vacancies*' in the Senate by temporary appointments."

We have also the authority of the same author—Alexander Hamilton—in a letter written by him to James McHenry, Secretary of War, dated May 3d, 1799 (ten years after the debate in Congress on the subject of removals), in which he says: "In my opinion, vacancy is a relative term, and presupposes that the office has been once filled. If so, the power to fill a vacancy is not the power to make an original appointment.

"The terms, which *may have happened*, serve to confirm this construction. They imply casualty, and denote such as, having been once filled, have become vacant by accidental circumstances. * * * *

"It is clear that, independently of the authority of a special law, the President cannot fill a vacancy that happens during the session of the Senate." (Hamilton's Works, vol. 5, page 258.)

We have also Mr. Calhoun's opinion on this construction of the Constitution, in

his report to the Senate in 1835, on the corrupting influence of the President's power of removal. He says: "So long as offices were considered as public trusts, to be conferred on the honest, the faithful and capable, for the common good, and not for the benefit and gain of the incumbent or his party; and so long as it was the practice of the government to continue in office those who faithfully performed their duties, this patronage, in point of fact, was limited to the mere power of *nominating to accidental vacancies, or to newly created offices*, and could, of course, exercise but a limited influence either over the body of the community or office-holders themselves."

It is thus made quite clear that this clause does not authorize the President to grant a commission to fill a vacancy caused by removal, because that is not a vacancy by a "casualty," and that he has not the power to grant a commission which by appointment creates a vacancy, because that is not exercising the power to fill a vacancy which has already happened.

If the President has the power to create a vacancy by removal during the recess, he can have no power to fill up such vacancy, under this or any other clause of the Constitution.

It may be stated with assured confidence, according to all the rules of sound construction, that as the Constitution has given the power to *grant commissions* to fill vacancies during the recess, in "*particular and express cases*," such a grant excludes the power to grant commissions in any other cases, or "to fill up vacancies" of any other character than those alone which are described; and that the power so given must be strictly followed.

Therefore commissions can only be granted to *fill vacancies, and such vacancies* as are embraced by the words "*may happen during the recess*."

We consequently denounce the practice of appointing to office when there is no vacancy to be filled, or where a vacancy is made by removal, as altogether without and beside this clause, and therefore unconstitutional.

And we go further, and insist that Congress cannot authorize commissions to be granted, or appointments to be made during the recess, because this clause covers and disposes of the whole subject.

Admit, as has been contended, that the power of removal is an Executive power, and is therefore vested in the President alone, still, as the Constitution has defined the character of the vacancy which may be filled by the President alone, by a temporary appointment, he has no right to fill a vacancy occasioned by his power of removal, or to issue a commission appointing to an office not *vacant* during the recess.

The following conclusions are advanced as inevitable and invincible:

The President, if he possesses the power of removal, cannot exert that power by making an appointment during the recess.

If the power of removal results from the power to appoint, there can be no removal by the President alone during the session of the Senate.

If the President alone has the power to *remove* other than "*inferior officers*," the vacancy occasioned *thereby* must continue until the session of the Senate, because he has no power to appoint without their concurrence, except in the one case, to wit: to *fill a vacancy which may happen*—that is, which is the consequence of an "*accidental occurrence*."

These are all logical and safe deductions from the various provisions of the Constitution—whether the power of removal by the President alone be granted to him by article 2, section 1, clause 1, or whether it results from the power to appoint.

We call upon those who entertain the opinion *that removal is an Executive power, conferred by the above clause*, to show whence is derived the power of the President to make an *appointment*, to grant a commission, to fill a vacancy so made.

The Constitution, article 2, section 3, declares, "that the President, after nominating, with the consent of the Senate," shall "appoint" * * * * "all other officers of the United States."

This is the source of all power to appoint, and as granting a commission is the evidence of appointment, it embraces the whole subject, except in cases of "*inferior officers*," which *may by law* be vested in the President alone, and except "to fill up vacancies that *may happen* during the recess."

To appoint "*inferior officers*" must be by operation of law; to fill vacancies and issue temporary commissions, are constitutional provisions: neither reaches or provides for the case of removal by appointment as an implied Executive power.

We challenge the advocates of this opinion to produce constitutional or legal authority for the practice, which is of common occurrence during the recess, of issuing commissions, and thus appointing one man to, and removing another from office.

The above constitutional and legal provisions do not touch or authorize such appointments. There are no others.

During the discussion in 1789, in the House of Representatives, as we have seen, it was insisted that the power of removal, being an Executive power, was committed to the President alone, under article 2, section 1, clause 1, in these words, "The Executive power shall be vested in a President of the United States of America."

This latitude of construction was urged by Mr. Madison.

The argument was: "Removal is an Executive power; all Executive powers, not denied or placed elsewhere, are vested in the President."

Let us, without being carried away by the influence of great names (Mr. Madison in favor of, with Webster and Hamilton against, this interpretation of that clause), proceed to test this point by the rules of sound construction (by the spirit which guided those who formed that Constitution, and by the feelings and opinions of the people to whose adoption it was submitted), in regard to Executive power and prerogative.

In the first place, if this clause had been intended to be a grant of power, the Convention, governed by that wise forecast which distinguished them, would have declared, "All Executive power, *not otherwise conferred or denied* by this Constitution, shall be vested in a President of the United States."

When the illustrious men who assembled to perform that great work, "a Constitution of government for the people of the United States," their first effort in "arranging a system of organization" was, to decide how many and what departments there should be.

They decided that there should be *three great departments*: The Legislative, the Executive, the Judicial. And as next in order, their constituent parts, the mode of their choice, and their respective powers, and in doing this they had to deal with every variety of suggestion and opinion.

The system of organization having been thus completed, they proceeded to declare:

Art. 1. "All Legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

Art. 2. "The Executive power shall be vested in a President of the United States of America" (not "all Executive power *herein granted*," as in the case of the Legislative.)

Art. 3. "The Judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish."

This done, they proceeded in each case, and under each article, to declare specifically and in detail what powers were conferred on each department, and what were denied.

This allotment and detail of powers proves that the first article in each case was intended as a mere designation of a department, and not a grant of power to either of those great departments.

It is very certain the assumption, that these articles were to be considered as granting, or as intending to grant, powers, would have made the government, instead of it being, as it is, one of precise and delegated powers, one of an unlimited character, and particularly would this be the case as to the Executive, in regard to which the people entertained a morbid sensibility, and indulged an unreasonable jealousy.

On examining the detail of powers given and denied to the respective great departments, many of those which are universally recognized as executive powers are expressly conferred on the Legislature.

The power "to declare war, to coin money and regulate the value thereof," while the power to make treaties, to appoint to office, clearly executive powers, are given to the President, together with the Senate; on the other hand, the President has the unqualified power to receive ambassadors and other public ministers, to commission all officers; with one exception, to grant reprieves, and pardons for offences against the United States, to command the army and navy of the United States and the militia of the several States when called into the service of the United States; to require the opinions in writing of the heads of departments; to see that the laws are faithfully executed; on extraordinary occasions to convene both houses or either of them, and in case of disagreement to adjourn the Legislature. He has also a qualified veto.

In this enumeration of executive powers, some so very unimportant, we do not find that "dangerous power" of removal, as Mr. Madison calls it.

Can it be supposed that this was a careless omission?

The attention of the Convention was directed to one case of removal, by impeachment, it was directed to vacancies during the recess, and yet the vast power of removal by the President alone, we are told, was left to inference, to construction, and yet vacancies, occasioned by its exercise during the recess, are not to be filled until the session of the Senate.

It is surely much more reasonable to believe the Convention intended that the only removal by the President could be made by appointment, by and with the advice and consent of the Senate.

We recur on this subject with great confidence to the opinions of the great "defender of the Constitution," in the speech referred to.

"The most plausible reason brought forward on that occasion (the discussion of 1789) may be fairly stated thus: The executive power is vested in the President—this is the general rule of the Constitution.

"The association of the Senate with the President in exercising a particular function belonging to executive power is an exception to this general rule, and exceptions to general rules are to be taken strictly. Therefore, though the Senate partakes of the appointing power by express provision, yet, as nothing is said of its participation in the removing power, such participation is to be excluded.

"The error of this argument lies in this: it supposes the power of removal to be held by the President, under the general grant of executive power.

"Now, it is certain that the power of appointment is not held under the general grant, because it is particularly provided for, and is conferred in express terms on the President and the Senate.

"So that the spirit of the very rule on which the argument of 1789, as I have stated it, relies, appears to me to produce a directly opposite result.

"The true application of that rule of construction, thus relied upon, would present the argument in this form: The appointing power is vested in the President and Senate, this is the general rule of the Constitution.

"The removing power is part of the appointing power, it cannot be separated from the rest, but by supposing that an exception was intended; but all exceptions to general rules must be taken strictly, even when expressed; and for a much stronger reason they are not to be implied when not expressed, unless inevitable necessity of construction requires it.

"I must still express my conviction that the decision of Congress in 1789, which separated the power of removal from the power of appointment, was founded on an erroneous construction of the Constitution.

"I have the clearest conviction that they (the Convention) looked to no other mode of displacing an officer than by impeachment, or by the regular appointment of another person to the same place.

"I believe it to be within the just power of Congress to reverse the decision of 1789, and I mean to hold myself at liberty to act hereafter, upon that question, as I shall think the safety of the Government and of the Constitution may require.

"Let it always be remembered that the President's removing power, as now exercised, is claimed and held under the general clause, vesting in him the executive authority. It is implied or inferred from that clause."

It is well known that there are other powers, as clearly executive as is that of removal, which are not conferred or denied by the Constitution, to wit:

The power to grant charters of incorporation to cities and towns, and to associations of individuals, for the purposes of trade and commerce, and also the power to establish "fairs and markets" (see Blackstone's Commentaries, "*Prerogative*"), which by the same rule of interpretation must be "vested" in the President, as well as that of removal. Why not?

The argument is; the power of removal is an executive power; as all executive powers not given or denied are vested in the President, by article 2d, this power of removal, the power to grant charters, the power to establish "fairs and markets," and all other executive powers, are also vested in him alone.

It is not to be believed that the advocates of this latitudinarian construction will be willing to push their opinions, at this time of day, to their legitimate and logical results.

In No. 69 of the *Federalist* there will be found an enumeration of the powers of the President, and a comparison of these with those of the Governor of New York and of the King of Great Britain.

The power of removal by the President alone is not found in this enumeration, but the power to "erect corporations, with all the rights incident to corporate bodies," and to "establish fairs and markets," are referred to as clearly defined executive powers, not given to the President.

The inference is a strong one, that all executive powers, if any, not denied or elsewhere conferred, are not vested in the President, by the clause now under examination.

No part of the Constitution was so unscrupulously assailed during the discussion before the people, or in their Conventions, as was the executive power.

And as far as our researches have extended we not find that this dangerous power, on this unlimited and dangerous construction of the Constitution, was ever hinted at, as being vested in the President, or as having been supposed to be.

Influenced by these considerations, we are compelled to believe that, in the arrangement of the system of organization by the builders of "The Great Temple of Human Liberty," the clause referred to was intended to be a mere designation of the executive office, and was in no respect to be deemed a grant of power.

If this be so, there remains no ground whatever on which to rest this claim of power, a power which, in its practical operation, as exercised since 1829, has tended more to degrade the parties and politicians of our country than all other powers or practices.

It has essentially thrown all the offices of the government into the arena of party, to be scrambled for, and clutched as "the spoils of victory," by the most unscrupulous demagogues and knaves.

The power of removal was not known to have been used until 1829, to reward or punish party services or offences. The whole number of removals during *forty years*, from 1789, did not exceed seventy-three, more than half of which were made by Mr. Jefferson, as we learn from "*Parson's Life of Jackson*." He further says, referring to the removals in 1829: "The estimate of 2,000 includes all who lost their places in consequence of General Jackson's accession to power, and though the exact number cannot now be ascertained, I fear it will not be less than two thousand."

Admitting that the decision of 1789 and that the law of 1820 distinctly recognize the power of the President alone to remove, and that the Constitution, by article 2, vests this power in him, we aver that those laws and this article cannot confer upon the President *alone* the power to make an appointment or to grant a commission, because both of these powers are expressly provided for by article 2, section 2, clauses 2 and 3.

If the advocates of this executive power shall insist that the power of removal draws after it the power to appoint, they must admit that the power given to the Senate, to remove by a sentence, upon the trial and conviction upon impeachment, gives that body the power, in such cases, to appoint.

The potency of removal, in the last case, must be equal to that of the former. Both are absurd.

If removal is an undefined power, it might be reached under clause 16 of section 8, article 1, which gives the Congress power "to make all laws which shall be

necessary and proper for carrying into execution the foregoing powers" (all powers enumerated in that section), "and all other powers vested by this Constitution in the Government of the United States, or any department or officer thereof."

Removal is a power vested by the Constitution in the Government.

If it is not included in the power of appointment (we think it is), if it is not vested in the President by article 2, which assumption we are confident cannot be sustained, let an act be passed, declaring that the President shall have power to suspend any officer during the recess, for cause, and to appoint another in his place until the end of the next session of the Senate; and, whenever the Senate shall be in session, he shall nominate the person so temporarily appointed to the Senate, or some other, and with their advice and consent shall appoint him to office, and with such nomination he shall state the cause for such suspension; and further, that whenever the President shall nominate to the Senate a person to fill a place thus occupied by another, he shall give his reasons for the removal of such incumbent.

This course, while it would afford to the President all the power necessary to enforce the laws, would secure officers against the exercise of a selfish or capricious control.

Suspension and removal, being exceptional and for cause, would be considered disgraceful, whereas the existing practice of removal for opinion's sake removes all idea of disgrace.

The stability of administration would be secured, and the public would be much better served.

But, above all, the hope of spoils being blasted, the sordid, selfish, and degraded demagogues would be compelled to seek their bread by some other employment.

RESULTS.

First. The Constitution has not vested the power of removal in the President alone, expressly or by necessary implication.

Second. The second article is not a grant of all executive power, not denied or given elsewhere.

Third. The power of removal is embraced by and results from the power of appointment.

Fourth. If the power of removal is vested in the President, he has no power to appoint during the recess, in order to fill a vacancy occasioned by the exercise of that power.

Fifth. The President has no power to make an appointment, or issue a commission, during the recess, except "to fill a vacancy," occasioned by an "accidental occurrence."

Sixth. Removal by the President, if he has the power, does not create a vacancy which he can fill by granting a commission during the recess.

Seventh. If the power of removal is not vested by the Constitution in the President alone, the Congress has power to repeal all laws now existing which affirm or admit such a power, and to declare that it is a power resulting from the power of appointment, to be exercised with the concurrence of the Senate.

J. A. H.

APPENDIX D.

PROPERTY IN MAN.

LETTER FROM HON. JAMES A. HAMILTON ON THE DOCTRINE OF THE CONSTITUTION CONCERNING SLAVERY.

“Every man has a property in his own person; this nobody has a right to but himself.”—*Locke*.

“Natural liberty is the gift of the beneficent Creator of the whole human race.”—*Hamilton*.

“Slavery is a system of outrage and robbery.”—*Socrates*.

“Slavery is a system of the most complete injustice.”—*Plato*.

“No man by nature is the property of another.”—*Dr. Johnson*.

“Slavery in all its forms, in all its degrees, is a violation of Divine law, and a degradation of human nature.”—*Brissot*.

“Not only does the Christian religion, but nature herself cry out against the state of Slavery.”—*Pope Leo X.*

“The wise and good men throughout all time, and the Christian Church throughout all the world, with an unimportant exception during a brief period in our own country, have denounced ‘Slavery’ as ‘an atrocious debasement of human nature.’”—*Franklin*.

Chief Justice Taney has authoritatively declared “*the right of property in a slave is distinctly and expressly affirmed in the Constitution*”—and Southern men generally, with their allies in the North, insist that the Constitution of the United States, *proprio vigore*, carries Slavery wherever it reaches; and that, as property, they have a right to take their slaves into the Territories of the United States—there to be protected by a slave code, to be enacted by Congress. We believe we thus state the assumptions of the slave-holders and their party as fully and distinctly as they are asserted; and we now intend to prove to the satisfaction of every enlightened and disinterested reader that the declaration of the Chief Justice, and *these assumptions* founded thereon, are *wholly* groundless.

The Chief Justice has not quoted those parts of the Constitution on which his judgment is founded. We, however, intend to present every word of that “great charter of human liberty” which is or can be claimed to refer to this subject, and then, by the cotemporaneous history of the formation of that Constitution, the declarations of its most distinguished members, and the action of the Convention itself, to prove beyond all question that it was the purpose of *all* to exclude Slavery, and all idea that there could be property in man from that instrument. And next, by a candid analysis of all its provisions touching this subject, to prove that such purpose of the Convention was carried out faithfully and skilfully.

THE PROVISIONS OF THE CONSTITUTION.

Art. 4, Section 2, Clause 3.—No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor shall be due.

Art. 1, Sec. 9, Clause 1.—The migration or importation of such persons as any of the States now existing think proper to admit, shall not be prohibited by the Congress prior to the year 1808, but a tax or duty may be imposed on such importation, not exceeding \$10 for each person.

Art. 1, Sec. 2, Clause 3.—Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including

those bound to service for a term of years, and excluding Indians not taxed, three fifths of all other persons.

Art. 4, Sec. 4.—The United States shall protect each of the States * * * on application of the Legislature or of the Executive (when the Legislature cannot be convened), against domestic violence.

First, the cotemporaneous history: In Convention (see Madison and Elliott's debates) Madison said he "thought it wrong to admit in the Constitution the idea that there could be property in man. We intend this Constitution to be the great charter of human liberty to the unborn millions who may enjoy its protection, and who shall never see that such an institution was ever known in their midst." The Convention concurring in these opinions without debate, *unanimously* resolved that the words "Slave" and "Slavery" should be stricken out; and the words "such person" and "other persons" should be substituted wherever they occurred.

On motion of Randolph, of Virginia, the word "servitude" was stricken out and "service" was *unanimously* inserted; the former being thought to express the condition of slaves, and the latter the obligations of free persons.—[*Madison's Debates*, p. 1,569.]

Gouverneur Morris, a delegate from Pennsylvania, who was as much opposed to Slavery as were Washington, Madison, Randolph, George Mason, or Franklin, says, in a letter to a friend, "The hand which writes this letter wrote the Constitution." To avoid prolixity, we do not give all the declarations of members to the effect "that man could not have property in man." Mr. Gerry said, "as Congress would have no power over the institution *within the States*, we ought to be careful to *lend no sanction to it*. When the amendment, now a part of the Constitution, declaring that "no person shall be deprived of life, liberty, or property without due process of law," was debated in the Virginia Convention, the Convention felt that this would be fatal to all future right to property in man; and therefore proposed to make it read "no *free* man shall be deprived of life, liberty, and property without," &c.

In the House of Representatives in 1789, on the Resolution upon Import Duties, Mr. Parker moved to insert a clause imposing a duty on the importation of slaves. Roger Sherman, a member of the Convention from Connecticut, "could not reconcile himself to the insertion of human beings as an article of duty among goods," &c. "*The Constitution does not consider these persons as a species of property.*" Mr. Madison said: "It is hoped that by expressing a national disapprobation of this trade, we may destroy it; and save ourselves from reproaches and our posterity from *the imbecility ever attendant on a country filled with slaves.*" * * "Every addition they (Georgia and South Carolina) receive to the number of their slaves tends to weaken, and render them less capable of self-defence. In case of hostilities with foreign nations, they will be the means of inviting attack instead of repelling invasion." Mr. Jackson, of Georgia, in the course of the same debate, referred to the fact that "white slaves were imported from all the jails in Europe; wretches convicted of the most flagrant crimes were brought in and sold without any duty whatever." He opposed the duty upon slaves.

These facts prove incontestably that it was the deliberate purpose, not of individual members *alone*, but of *the Convention*, to exclude from the Constitution, not only the hated word "*Slave*," but the detested thing "*Slavery*;" and we have, therefore, the right to insist—before it can be asserted with any title to our respect, that this august and intelligent body affirmed or established "the right of property in a slave," and thus reversed the established law of Nature on that subject—that the language of the Constitution should be found to be so explicit as to be irresistible. Instead of this being the case, we boldly and defiantly assert that upon an intelligent examination of each and all the clauses quoted above, it will be found that such an idea is distinctly excluded therefrom.

The Chief Justice says, "The Constitution has always been remarkable" * * "for the perspicuity and appropriateness of the language it used."

And now we proceed to show that the Constitution, with language singularly perspicuous and appropriate, distinctly disaffirms all idea of Slavery or property in man, by natural law, by the Constitution, or by the action of Congress. Art. 4, Sec. 2, Clause 3—"No person held to service or labor in one State under the laws."

What laws? "Under the laws or the Constitution of the United States?" Not at all. "In one State under *the laws thereof*"—under the laws of such State. This distinct reference to *the State laws* excludes all idea that such person "is held to service or labor" by force of any other laws, or any other authority, than that of a State. "No person held to service or labor under *the laws thereof*, escaping into another State shall, in consequence of any law or regulation therein," (that is any law, &c., of the State into which he goes), "be discharged from *such* service or labor." Here again we ask, what "service or labor?" Answer—"The service or labor which was due, or to which the person was held in the State from which he fled, under and by virtue of its laws, and no others."

In both cases, precise reference is made to the State laws, and to no other laws. The clause proceeds, "but shall be delivered up on claim of the party to whom such service or labor may be due,"—under the law of his State, and of course under no other law.

If, upon the arrest of a fugitive slave the claimant should affirm that the service or labor of such person was due to him under the Constitution of the United States, could the fugitive be delivered up on such claim? Most certainly not. We assume that this position is too clear for argument, and if so, how can it be said that a right of property in such fugitive can be claimed under, or derived from, the Constitution?

The act passed in 1793, to carry out this clause, provides that the person to whom such service or labor shall be due, must prove to the satisfaction of the magistrate before whom such fugitive is taken, "That such person seized or arrested *doth*, under *the laws of the State or Territory* from which he or she fled, *owe service or labor* to the person claiming him or her." Thus Congress and the President (Washington) distinctly affirm that the right to such service or labor could only result from the law of a State or Territory.

The right to a person's service or labor comes very short of the right to the person himself. The right of service of an apprentice or a redemptioner does not make either a slave.

The Constitution in this clause recognizes the existence of two facts: 1. That persons are held to service or labor under State laws. 2. That such persons do escape from the State under the laws whereof they are held; and beyond the jurisdiction of such State. If by this recognition of the first fact it can be said to sanction or approve such laws, why may it not be said, with equal correctness, that it sanctions or approves the second fact?—the escape. To recognize such a law as an existing fact, no more sanctions or approves such a law or the effect thereof, to wit: a right of property in such person or to his service or labor, than the recognition of the escape sanctions or affirms the right of such person to escape. To recognize the existence of a law, is very far short of sanctioning, approving, or affirming any right under such law, or any other effect thereof. The existence of such laws is recognized, and that their force and effect does not extend beyond the boundaries of the State is admitted or asserted by the fact that this clause is found in the Constitution. If the right to "such service or labor" was founded on the same law as that which gives a right to a horse or any other chattel, there could have been no necessity for such a clause. To protect the right of the owner of a horse which should escape into another State, does not require any especial legal, much less a constitutional provision. These State laws were thus recognized to exist to prevent all interference by the laws or regulations of one State with the right of property, or to personal service or labor derived exclusively from and under the laws of another State; therefore, this provision was inserted.

The Constitution, by this provision, recognizes the fact that there were laws in some of the States under which a right of property in the service or labor of persons—men and women—in such States is due to others. It does no more; and so in the clause next preceding this one, which provides for the rendition of fugitives from the justice of one State into another. The words are, "A person charged in any State with treason, felony, or other crime, who shall flee from justice and be found in another State, shall on demand," &c., "be delivered up," &c. The Constitution here recognizes the fact that one State may pass laws declaring what acts shall be punished as crimes if committed within such State; which acts may not be

held to be criminal in other States; as for instance, to declare in Virginia "that Slavery is criminal and ought to be abolished," as both Washington and Jefferson did again and again, is by the laws of Virginia denounced a penal offence and punishable as such by fine and imprisonment. Can it be said, that because the Constitution recognizes the existence of a power to pass such a law, in a State; and because it requires that a person who flies from justice and shall be found in another State shall be delivered up, that the Constitution affirms the propriety of such a law, and adopts it, and carries it with it into the Territories or wherever the Constitution is effective? It surely cannot.

There are various provisions of the Constitution which recognize laws as existing in the States and giving effect to them in other States, as Art. 4, Sec. 1: "Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State." These facts are here recognized as existing; but the public acts, records, and judicial proceedings are not affirmed, sanctioned, approved, or adopted.

The provision as to fugitives from justice, fugitives from service or labor, public acts and judicial proceedings, do no more than affirm that there are such laws, and may be such escapes and judicial proceedings, which shall have full faith and credit in other States, between the inhabitants thereof, when in other States.

We proceed to examine Art. 1, Sec. 9, Clause 1: "The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by Congress prior to 1808." It is admitted that this clause refers to the importation of negroes; that it also embraces the persons then known as "Re-emptioners," that is, persons who, in order to pay their passage-money, authorized captains of vessels to sell their service or labor for a given time on their arrival in the United States; and also of that other class of persons referred to by Mr. Jackson.

Chief-Justice Taney says: "By this clause the right to purchase and hold property (slave property) is directly sanctioned and authorized for twenty years."

We confidently assert and mean to prove that this clause neither directly nor indirectly sanctions or authorizes anything of the kind.

Under the power to regulate commerce, it is admitted that Congress has the power to prohibit the migration or importation of persons and things. By this clause the Constitution does no more than declare that Congress shall *forbear the exercise of the power of prohibiting for twenty years the migration or importation of such persons* (not property) as any of the States *shall think proper to admit.*"

Not to prohibit a thing to be done, cannot be said to sanction and authorize the doing of such a thing. To admit the migration or importation of such persons, whoever they may be, whether negroes or felons, and whencesoever they may come, whether from Africa or the jails of Europe, and whatever may be their condition, after they are within a State, is made to depend entirely upon the will of such State, and not at all upon the Constitution of the United States. Indeed, the clause *addresses itself to the conscience of the States* when it says such persons as any of the States shall "*think proper to admit.*" Is there a word in this clause which sanctions or even refers to a right to purchase and hold property? Not one. Every thing—the admission, the condition of the persons—is committed clearly to the will and discretion, to the laws and policy of the State. If any State decided to admit, so be it. If not, so be it. The Constitution decides nothing as to admission or condition. It merely declares that Congress shall forbear to exercise its power to prohibit it in conformity with the will of the State or States. Where such persons are admitted by the State to come within its borders, their condition and treatment is left exclusively to the power and authority of the State. It cannot be otherwise. The Constitution or Congress under it has no power to say to the State which admits the migration or importation, "You shall hold such persons as freemen or as slaves."

The Chief Justice of the Supreme Court of the United States has declared that their being "purchased and held as property" within the States and under the law, is "sanctioned and authorized by the Constitution." Respect for the high office he holds forbids us to intimate the cause of this palpable judicial perversion. Recent discussions as to the arbitrament of that Court upon the meaning of a deceptive party platform, are pregnant with painful suggestions.

We proceed to examine art. 1, sec. 2, clause 3: "Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers"—(it will be remarked that the rule of apportionment is numbers, not property. The next branch of the clause merely indicates the arithmetical rule by which the respective numbers shall be ascertained)—"which" (the respective numbers of the several States) "shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three fifths of all other persons."

Under this arithmetical rule it is required *first* to ascertain the number of "free persons, including those bound to service for a term of years." But in doing this to exclude from the number of "free persons *Indians not taxed*," and to the aggregate of these free persons to add "three fifths of all other persons." This rule assumes that five different conditions of persons may be found in the several States. That, as an assumption of fact, may be true as to some States, and not as to others. It, however, neither creates, sanctions, nor in any way affects the conditions of such persons, their right, or the rights of others in regard to them.

1. It assumes that there are free persons. 2. That there are those who are "bound" to service for a term of years (redemptioners, apprentices). 3. That there are or may be "*Indians not taxed*." 4. That there are or may be Indians who are taxed; and 5. That there are or may be such other persons as could not come within the four other classes, to wit: Persons held to "service or labor" under the laws of the States. There is a marked distinction between those who come within the second class and those who come within the fifth class, which is worthy of attention. The second are "*bound*," it may be by their voluntary act, as "redemptioners," or by the acts of their parents or guardians, as "apprentices." The fifth are "*held*" to service or labor by the laws of the States. The one "*bound*" for a term of years, the other "*held*" forever.

This being exactly and distinctly what is to be the rule for the "actual enumeration of the respective 'numbers' in the 'several States,'" it cannot logically, legally, or in the common acceptance of the language used, be said, that because the Constitution recognized the fact that there were or might be these various conditions of persons in the States (three out of the five, to wit, the second, fourth, and and fifth, resulting *entirely* from State laws or policy), that it therefore touched, much less established, affected, or approved of the condition of either or all of the several classes. The Constitution, by prescribing the rule to be observed in making the enumeration, could not make some free, others bound for a term of years, others untaxed Indians, or others "held" forever.

Let us test this by reference to the condition of the Indians. If a State should tax the Indians within its jurisdiction (the tribes within the State of New York), it most certainly has the power to do so, these being "*free persons*," and not coming within the terms of exclusion. "*Indians not taxed*," would be enumerated, and thus increase the number of the Representatives of such State.

The assumption by the Constitution of such a state of facts—such a condition of persons—can, in no sense whatever, be said to create or affirm the condition of such persons. If this is a correct view of this clause, there is no more propriety in saying that it affirms, approves, or creates the other four conditions of persons.

This clause was intended not only to establish the basis of representation, but to enunciate and enforce that great fundamental principle in defence of which we engaged in the war of the Revolution—that *representation and taxation should be concomitant*. It was well known that the inhabitants of many of the States had invested large amounts in that kind of property, which consisted in the "service or labor" of persons, under and by the laws of such States; and when it was declared that three fifths of such persons should be enumerated, and form the basis of representation, it was also declared, that they should form the basis of direct taxation, and thus, so far as they are made the basis of taxation under this clause of the Constitution, they are so treated in conformity with the State laws under which such property is created and held. The Constitution takes this subject as it finds it, under the laws of the States, by which it is held and treated as property. It gives the

advantage of increased representation, resulting from the enumeration of three fifths of such persons, to those who hold them, under their laws; and imposes the burden of taxation in the same proportion upon that which, under the State laws, is held to be property; and in doing so, it merely recognizes an existing fact, which is, that the inhabitants of some of the States have invested large amounts in that which they deem property, to wit: the right to the service or labor of persons held under the laws of their States. In doing so, it no more *establishes* that as property, than it enacts, or sanctions, or affirms the laws which make it property, and in doing so, it only recognizes the fact that by the laws of these States this property exists, without affirming or sanctioning it.

And here we may remark, that while the slaveholders have from the beginning enjoyed the benefit in representation (now amounting to twenty members), they have never, except during a very short period of the administration of John Adams, and until the South, under the administration of Mr. Jefferson, controlled the Government, when the law referred to was repealed, borne the burden of its taxation. During the war of 1812, in the period of the Government's greatest need, it was untouched. Mr. Madison says, "In one respect the establishment of a common measure for representation and taxation, will have a salutary effect. As the accuracy of the census to be obtained by Congress will necessarily depend in a considerable degree on the disposition, if not the cooperation of the States, it is of great importance that the States should feel as little bias as possible to swell or reduce the amount of their numbers. Were their share of representation alone to be governed by this rule, they would have an interest in exaggerating their inhabitants. Were the rule to decide the taxation alone, a contrary temptation would prevail. By extending the rule to both objects, the States will have opposite interests which will control and balance each other, and produce the requisite impartiality." (*The Federalist*, No. 45, pp. 260, 261; edit. of 1837.)

This history in part of what was said by distinguished members, and what was unanimsly declared by the Convention, proves beyond all doubt or cavil that there was no purpose to establish or give power to others to establish slavery. That so far from forming a Constitution which *proprio vigore* carried slavery into the Territories, or which affirmed a right of property in a slave, it most obviously was an object of great solicitude on the part of members, from the South as well as the North, to exclude the very idea from this "great charter of human liberty."

The object of the framers of the Constitution was, to establish the Union, and a government for that Union on the basis of the equality of man; to secure the blessings of liberty to themselves and their posterity; to give the Federal Government no more power over the States or the people thereof than was essential to preserve that Union; to direct the foreign relations and such relations among the States and the people thereof, as were necessary and proper. To regulate commerce, and to secure the power of taxation; at the same time to leave with the States and the people thereof the regulation of such subjects as are of a domestic and social character; and particularly the rights of private property, and the control and disposition thereof. In this view of the subject it may be asked, could the power to establish slavery in a State come within the scope and object of the *Government of the Union*? On the other hand, if it were to exist at all, must it not be considered of a character so entirely social and domestic as to be most emphatically one of the reserved rights of the States, and consequently without and beyond the jurisdiction or power of the Federal Government.

This interpretation is that which "the Fathers" held to be true; and it is that under which the Government was administered during more than one half century of its existence, with the approval of all the departments of the Government, and of the people of all parts of the country.

We are told by Southern men of distinguished rank, with an arrogance in tone and manner which can never be properly indulged among equals, that unless the North shall renounce this interpretation, sanctioned by time and the highest authority, and adopt that of Chief Justice Taney and Mr. Buchanan, with the Democracy of the South, the Government and Union of the United States are to be destroyed, and with them the brightest hopes of mankind, founded on popular government.

This recent heresy is dictated *alone* by a lust for power, disguised under an assertion, made with all the confidence of truth and sincerity, that unless the Territories of the United States shall be opened to Slavery, there to be protected by Congress, the institution will be so "cribbed, coffined, and confined," as to be destroyed by its increasing numbers.

That this is certainly groundless, is proved by the fact that within the area lying between the 30th and 36th degrees of North latitude—the Atlantic Ocean on the East, and the herds-lands of Texas on the West—there are millions of fertile acres, enjoying the two great meteorological conditions (heat and moisture) necessary to produce cotton, in the greatest abundance—all *within the Slave States*. It has been truly said that "the amount of labor engaged in the production of cotton, within this region, does not exceed that of one strong man to a square mile:" and that, "if one-half the agricultural population of Europe was transferred to this region, it would not be at all densely populated. It is capable of producing tenfold the amount of its present production."

The boast of the South is, that it has governed the country for the last sixty years. And now, well knowing that through the vast increase of population in the Free States, they are required by an inevitable necessity to yield to the power of numbers, and to be governed hereafter by that great rule of Democratic government—"the will of the majority," they struggle to subvert all the established rules for the construction of the Constitution; and thus, by carrying slaves, as property, into the Territories, ultimately to be admitted as Slave States, to perpetuate that majority in the Senate which now controls the Government.

Upon this issue they have broken up the great Democratic Party, to whose past subserviency they owe their domination; and we are now told, that through its destruction "*the South may be plunged into revolution.*" We are confident that a large proportion of the people and statesmen of the South are as true to their interests and their patriotic impulses as were their ancestors. The people of the North hear these threats of di-union with no other emotion than that humiliation which a family feels from the degradation of one of its members.

"Disunion" is a word of mighty import. There is no mind in the country capable of forming a practicable scheme of peaceable secession, or of measuring the calamities of a bloody one, and particularly to that section where "an unhappy species of population abounds," to whom Mr. Madison alludes as those "who, during the calm of regular Government, are sunk below the level of men; but who, in the tempestuous scenes of civil violence, may emerge into the human character, and give a superiority of strength to any party with which they may associate themselves."

This language of one who well understood the restless condition of the people to whom he referred, pointed to dome-tic insurrection. They are words of fearful import, in the event of a civil war resulting from a separation occasioned by the existing issue.

It is a gross heresy to maintain "that a party to a compact has a right to revoke that compact," (*The Federalist*), as no State can have the right to withdraw from its compact with the other States, without their consent. The Government of the United States was formed by a compact among all the States, by the people thereof, for "themselves and their posterity." In the event of secession by one or more States, the actual President is required by his duty and his oath of office, to "protect and defend the Constitution," to exert all the powers of the Government to compel obedience to the laws by every State or section of the country. This is war.

We forbear to pursue these reflections, under the conviction that no man who is not mad, or so base as to be wholly unworthy of consideration, would, in the actual condition of our affairs, in any result of the coming election, or for any other cause, until the last extremity, counsel or advise his countrymen to resort to such a fratricidal and suicidal course. All the evils presented to the people's consideration, as in any degree justifying such a dire alternative, are purely speculative. It is said that the election of the Republican candidate as President would require such a resort, because it is assumed that such a result would establish the right of intervention by Congress as to Slavery in the Territories—that is to say, if a majority of the

people sanction by their voices the constitutional power of Congress to *prohibit* Slavery in the Territories, this would now be an intolerable grievance; and yet the same party of the South insist and hope to prove by the election of Mr. Breckinridge that a majority of the people may sanction by their votes the intervention by Congress to *sustain Slavery* in the Territories. It is impossible to believe that any respectable portion of the South can be moved to hazard the Constitution and the Union upon such absurd abstractions.

We trust the statesmen of the South will return to the wise counsels of the illustrious dead, and unite with their brethren of the North, as they did in the better days of the Republic, in securing an administration of the Government upon the principles which guided those who formed the Constitution, and which will secure the rights of all sections and people, and sternly rebuke the profligate extravagance and gross corruption of the present Administration.

JAMES A. HAMILTON.



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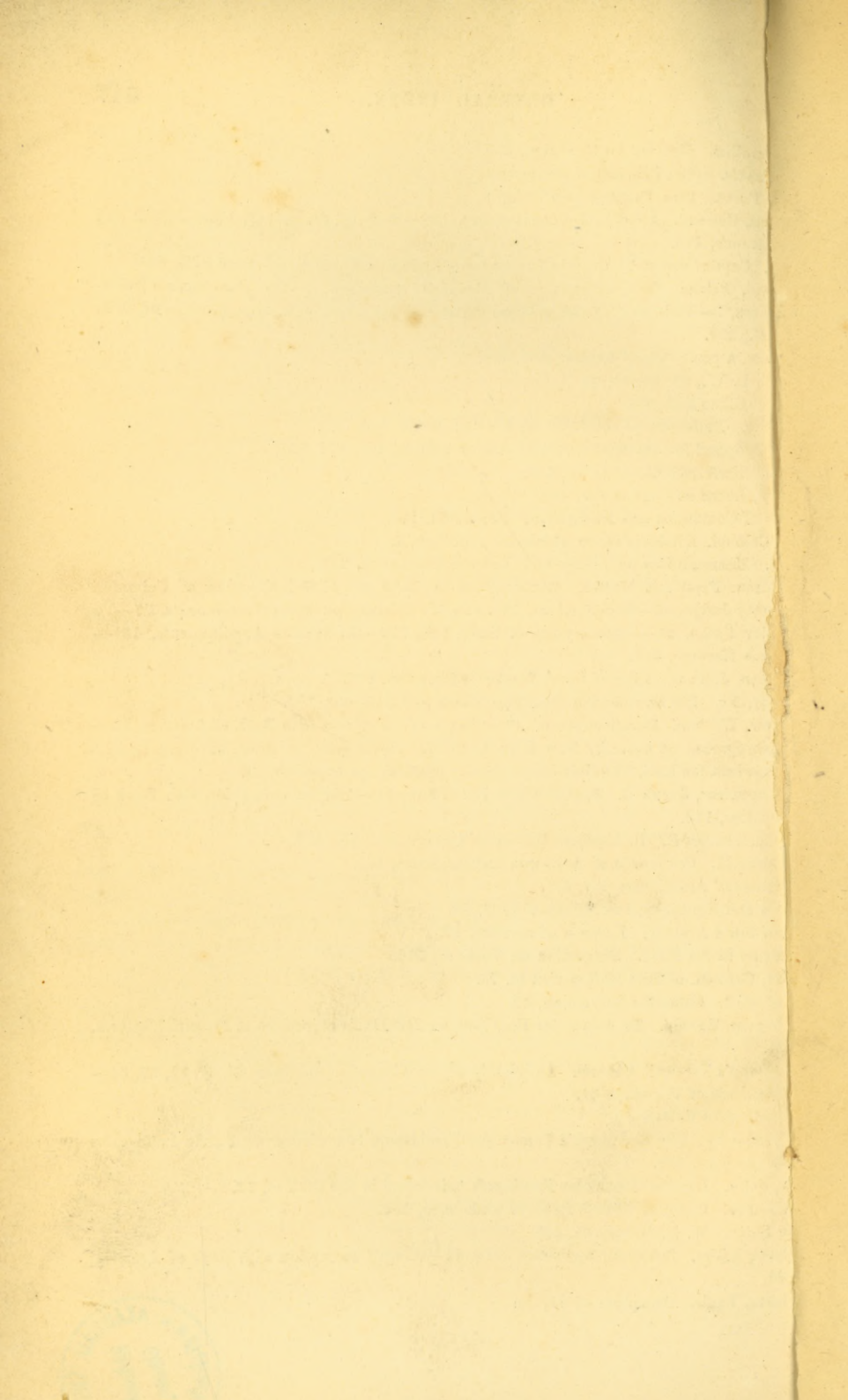
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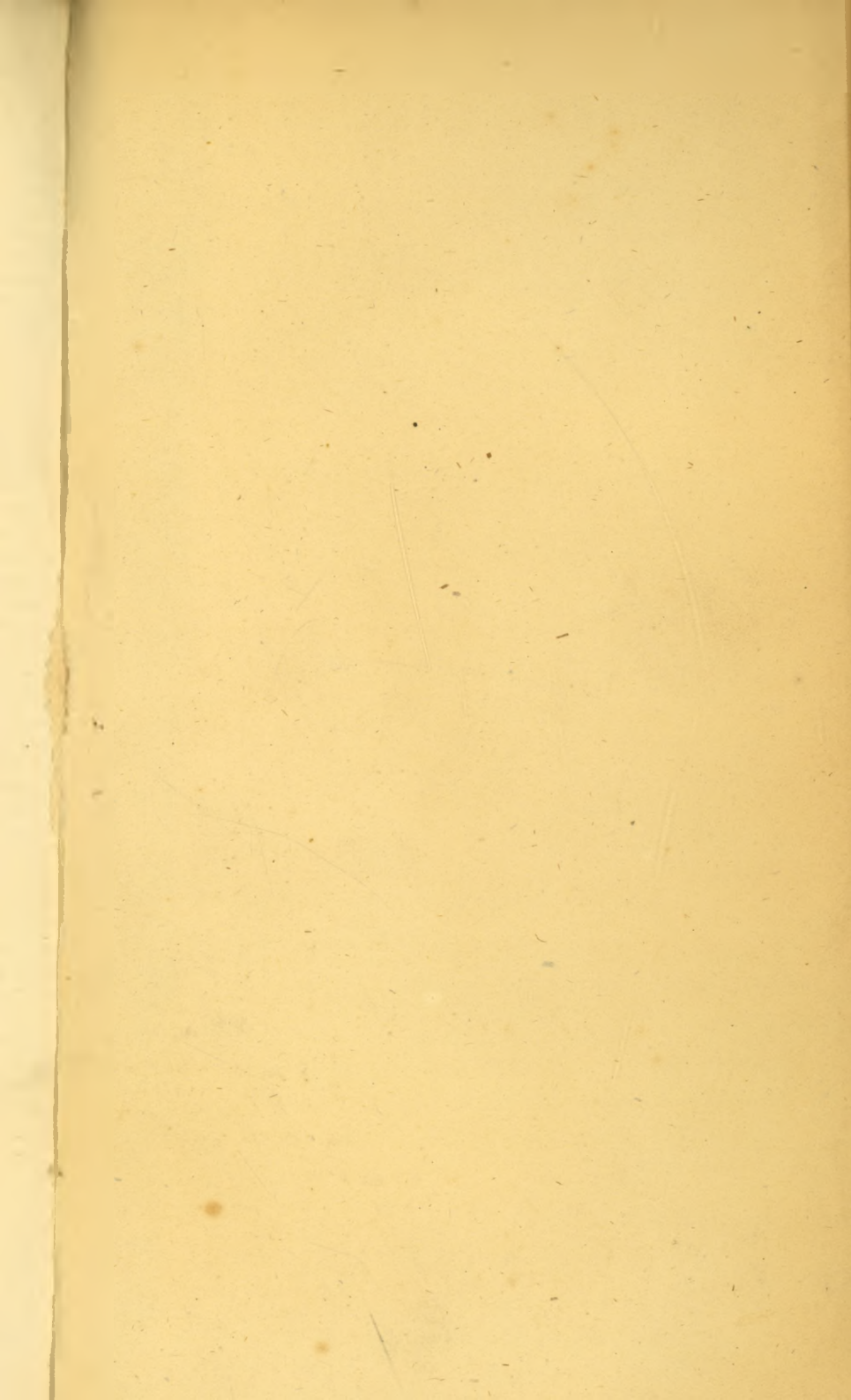
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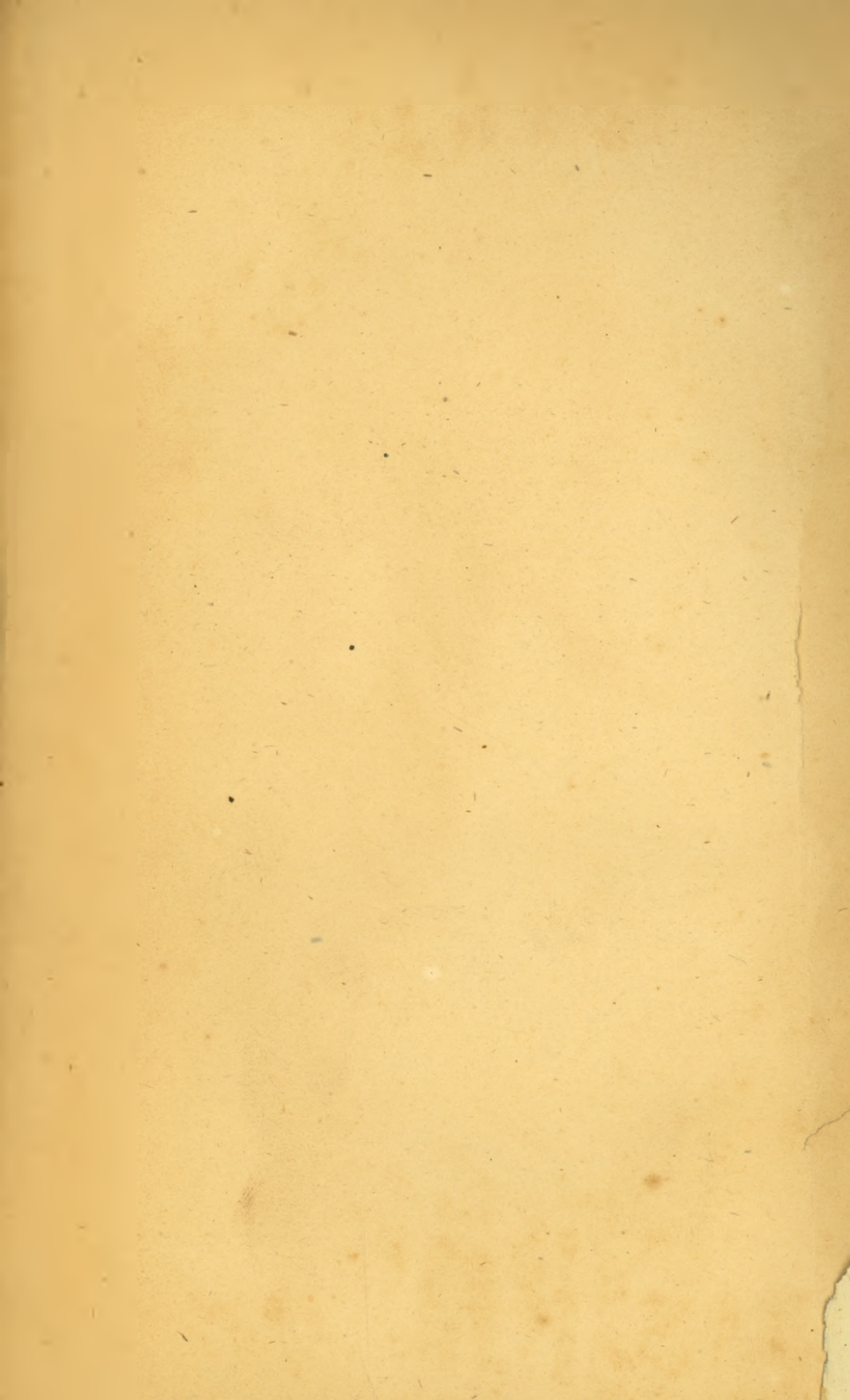
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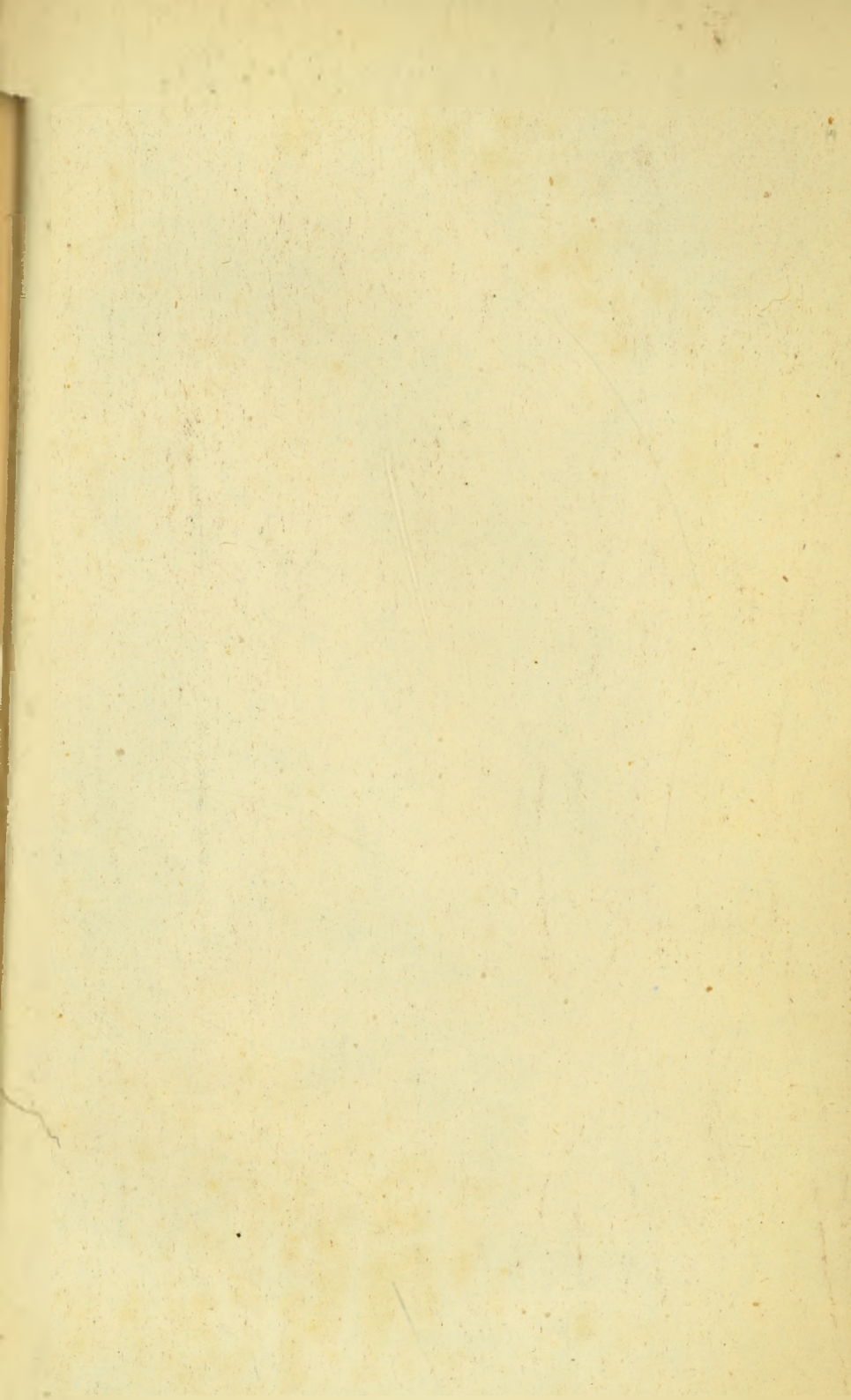
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