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BIOGRAPHY

OF

JOHN RANDOLPH,

OF ROANOKE,

WITH

A SELECTION FROM HIS SPEECHES.

BY

LEMUEL SAWYER,

FORMERLY OF NORTH CAROLINA, AND FOR SIXTEEN YEARS AN ASSOCIATE IN CONGRESS WITH
MR. RANDOLPH.

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CONTENTS.

CHAPTER I.

Preliminary Remarks—Genealogy of the Randolph Family—Birth of John Randolph—Early Studies—Enters Princeton College—Affair of Honor with Robert B. Taylor—Opportunities for Information with respect to the Foreign Policy of this Country—Incident at a Gaming-table—Enters into possession of his Patrimonial Estate—First elected to Congress for his own District in 1799, 5

CHAPTER II.

Mr. Randolph's Maiden Speech—Difficulty with two Officers of the Navy—Made Chairman of the Committee of Ways and Means—Indefatigable in the Discharge of his Legislative Duties—Deliberations on the Cession of Louisiana by Spain and France—Impeachment of Judge Chase—The Yazoo Claim—Mr. Randolph's Speech—Debate on the Proposition to present a Sword to General Eaton—Sudden Change in Mr. Randolph's Political Sentiments—True Cause of his Hostility to the Administration—Judge Innes of Ohio—Burr's Conspiracy—Letter of Burr to Wilkinson—Anecdotes of Mr. Randolph—Debate on the Embargo Message—Case of Mr. Key, 13

CHAPTER III.

Contest on Electing the Clerk of the House—Debate on the Application of certain Appropriations—The Republican Party nominate Mr. Madison for President—Inquiry into the Conduct of General Wilkinson—Debate on the Embargo Question—Mr. Randolph's Resolutions on National Defence—Quarrel between Randolph and Eppes—and between Randolph and Alston—Mr Randolph's Style and Address as an Orator—His Personal Habits and Character, 33

CHAPTER IV.

Remarks of Randolph on Loans and Taxes—Debate on the Subject—Resolution for the Reduction of the Army and Navy—Debate on the Subject of the Repeal of the Act interdicting Commercial Intercourse—Resolution on the Demise of Lieut. Col. W. Washington—Further Debates on the Non-Intercourse Law—Congress convened by Proclamation—Petition of Matthew Lyon—Night Sitzings of Congress—Convention of Commerce between Great Britain and the United States—Mr. Randolph's Speech on the Subject—Active Part taken by him on the Revenue Bills—Debate on the Constitutionality of the Appointment of P. B. Porter, as Commissioner—The Presidency and other stirring Questions—Repeal of the Compensation Act—Animadversions of Mr. Randolph on certain Irregularities in the Treasury Department—Resolution concerning Oliver H. Perry, of the U. S. Navy—Mr. Randolph's Motion on the Contingent Expenses of the House of Representatives—His Speech on the Missouri Question—Duel between Commodores Decatur and Barron—Proceedings of the House thereupon—Mr. Randolph's Speech on Appropriations for the Indian Department—Debate on the Apportionment of the Representation—Death of William Pinckney, and Oration by Mr. Randolph—Election of Mr. Randolph to the Senate of the United States—Letter from John Tyler—Public Dinners given to Mr. Randolph—Appointed Minister to Russia by General Jackson—Singular Conduct on that Occasion—Visit to England—Debate on the Subject of his Salary as Minister—His Death—Disputes concerning his Will—Anecdotes, 48

CHAPTER V.

Mr. Randolph's Voyage to England—Visit to Newgate—His Society courted by the Nobility and Gentry—Obtains the private Entrée to the House of Commons, 113

CHAPTER VI.

Letters to T. B. Dudley and others, 117

CHAPTER VII.

Difficult to find a Parallel to John Randolph—More splendid than solid as an Orator—Want of Consistency—Fine Taste—Wit—Powers of Riddle—His Friendship unstable—His Appetite for Money, 122

Appendix, 127

BIOGRAPHY

OF

JOHN RANDOLPH.

CHAPTER I.

HIS BIRTH—PARENTAGE—EARLY EDUCATION—RELATIONS.

WE are forced to pause a moment at the commencement of this work, to express our wonder and astonishment that no regular biography of JOHN RANDOLPH has yet made its appearance. We should have supposed that some of his many gifted relatives would have felt it a sacred duty to have taken the lead, in transmitting to future ages, in an imperishable memoir, the great founder of their name and fortunes.

So lofty a theme is well calculated to rouse the ambition of the higher order of native talent, and to insure a rich harvest of laurels and wealth to the successful adventurer in this unoccupied field of literature. He has long passed from among us, his "sun has made a glorious set," but no one has ventured to mark "the bright track of his resplendent car." In the "Port-Folio" of 1812, is a print of Mr. Randolph from a miniature likeness, furnished at the instance of Dr. Nathaniel Chapman of Philadelphia, with a promise that it should be followed with a biographical sketch in a succeeding number. Some overtures were made to Mr. Randolph, on behalf of Dr. Chapman, through Theodore Bland Dudley, Mr. Randolph's nephew and correspondent, a student attending the medical lectures of Dr. Chapman and his brethren of the Faculty, for some materials for the projected work. Mr. Randolph, in reply, tenders his thanks to Dr. Chapman for his good intentions, but says his life, though eventful, did not afford the requisite materials. In a letter written in the November following, he directs his nephew to inform Dr. Chapman that he would give him some *mémoires pour servir*, if he had an amanuensis. In another letter, written to his nephew, of the 19th of December following, he expresses some dissatisfaction at the print given of him in the Port-Folio. "I really regret," says he, "that you lent the miniature for the purpose of having it so wretchedly engraved." Whether he felt

his "life" unsafe in the hands of a physician—whether he thought he had undergone torture enough already—whether from a knowledge of their contracted sphere of thought, arising from their education for a particular profession, they might not be too apt to infuse a little tincture of their peculiar cast of mind or bias, or if we may be permitted to use one of their own terms, idiosyncrasy, into the work—whether it would not still prove physic, or smell strongly of the shop, I am not able to say, but the promises held out by the learned Doctor not being sufficiently encouraged from the right quarter, or from professional avocations, have never been performed.

Perhaps, like Alexander, he deemed no artist worthy of taking his portrait but Apelles, and as such a person was hard to be found, it would have been well both for him and the public that he had treated them with the more felicitous presentment of his own autobiography. Under these circumstances, in the absence of even an apology for a desired work of the kind, after waiting in vain for more than ten years for an abler pen than mine to meet the urgent necessity of the occasion, though with a full sense of my inability to accomplish the undertaking in a proper manner, I am induced by several considerations to hazard the attempt. As nothing in relation to the subject of this memoir can be unaccompanied with interest, I am flattered with the hope that if I can succeed in erecting a structure, however modest, simple, and unpretending, provided it display some proportion and symmetry of parts, the humble artificer will be unobserved, while the spectator is absorbed in the richness and splendor of the materials. My opportunities of possessing information on the subject, I am willing to admit, are sufficient to justify the public in their expectations of obtaining a work, more worthy the exalted subject on which I have engaged to treat, than any I can pretend to supply. If, however, a firm determination on my part to give a fair and impartial history of the life of the illustrious subject of my sketch, by presenting him as he was, at least as I viewed him, without exaggerating his merits "or setting down aught in malice," shall entitle me to a due share of indulgence from a generous community for any deficiency that may appear in its execution, I shall spare no pains to earn and deserve it.

The parents of Mr. Randolph were JOHN RANDOLPH of Roanoke and FRANCES BLAND, daughter of Theodore Bland of Cawsons, of the family of Bland in the West Riding of Yorkshire. They were married in 1762, and his father died in Mattox in 1776. John was born in June, in the year 1773, at Mattox in Chesterfield, and was the youngest of three sons, Richard and Theodoric Bland. Theodoric died soon after he became of age, of pulmonary consumption. Richard married the daughter of Thomas Randolph of Tuckahoe, and was a man of great personal beauty and superior talents. After Richard's death, his widow's sister married Gouverneur Morris of Morrisiana, Westchester County, in the State of New York, and by him had a son, Gouverneur Morris, Esq., who resides on the patrimonial estate.

Richard had two sons by his wife Judith Randolph, John St. George and Tudor. The latter died in England, in 1814. John St. George is deaf and

dumb, and has been for twenty years confined in the Lunatic Asylum in Baltimore. The mother afterwards intermarried with Judge St. George Tucker, the author of an edition of Blackstone's Commentaries, in which the laws of Virginia are engrafted on those of England. By Judge Tucker she had three children; Henry St. George, a member of Congress from the Winchester district for the sessions of 1818 and some successive ones, afterwards Chief Justice of Virginia and now Professor of Law in the University of that State; Beverley Tucker, Professor of Law in the College of William and Mary; and a daughter, married to Judge Coater, one of the late Judges of the Court of Appeals.

Mr. Randolph took much pride in claiming his descent from Pocahontas. He sums up his genealogy to the 7th degree of descent in himself, thus: Pocahontas; 2d, Thomas Rolfe; 3d, Jane Bolling; 4th, John Bolling the elder; 5th, John Bolling the younger; 6th, Jane Randolph; 7th, John Randolph of Roanoke the elder; 8th, John Randolph of Roanoke, himself; being seven degrees from her, according to his enumeration. Doctor Smith of Princeton, in his essay on "the variety of the complexion of the human species," had given only four descents from Pocahontas, and Mr. Randolph published a letter in the National Gazette of Philadelphia on the 2d of December, 1811, for the purpose, principally, of correcting the Doctor's statement, and with that view gave his full and complete genealogy. He cultivated his genealogical tree with great care, and scrupled not, upon occasions, to lop off a branch or shoot that he deemed unworthy the parent stock. He accused Burke, the historian of Virginia, with falsifying the account of the descendants of the Indian Princess by making Jane Bolling his grandmother marry a Bolling: which mistake he says was intentional on the part of Burke, as he had the Bolling manuscript before him.

Mr. Burke's account of the first union of the two races, by the marriage of Pocahontas with Mr. Rolfe, is too interesting to omit in giving a rapid trace of the illustrious line of their posterity. They were married at Jamestown with the approbation of Powhatan, and their marriage cemented a friendship between him and the colonists which lasted till her death. She soon after accompanied her husband to England, where, after a most tender interview with her old friend John Smith, she was presented to Queen Elizabeth, and received with marks of royal grace and favor. She had an apartment allotted for her in the palace, was baptized under the name of Rebecca, and by her modesty, good sense and virtuous deportment, enlisted universal regard and friendship. Business requiring his return to his own country, Mr. Rolfe set out for Gravesend with his royal consort and an infant son two years of age, for the purpose of embarking in a ship especially ordered for their passage to Virginia. On arriving at Gravesend, Pocahontas sickened and died in 1617, after a short illness, and in her last moments exhibited all her native fortitude, beautified by her Christian meekness and resignation. Thomas, their child, was left in England to be brought up and educated by his uncle, Henry Rolfe of London. When he grew up to manhood, he was invested with an important office in the revenue service, returned to Virginia and became a man of wealth and eminence. He left behind him an only daughter, who was married to Col. Robert Bolling. By him she had one son, Major John, the father

to Col. John Bolling the younger. He left a daughter, Jane Randolph, the grandmother of Mr. Randolph, according to the pedigree given before.

In tracing his descendants, the branches become numerous and ramified with some of the first families in the State, including Thomas Jefferson. This prolific progeny sprung from the loins of William Randolph of Yorkshire, who settled at Turkey Island in Virginia. 1st. His son Peter of Chalsworth, father of the late Beverley, and of Mrs. Fitzhugh of Chatham, who thereupon sold Turkey Island to his uncle Ryland—and William of Wilton, grandfather of the present Wilton—Mrs. Chiswell and Mrs. Price. 2d. Thomas of Tuckahoe, great grandfather of Thomas Mann Randolph, Mr. Jefferson's son-in-law. 3d. Isham of Dungenes, who had William of Bristol—Thomas of Dungenes—Jane married to Peter Jefferson and bore him the celebrated Thomas, former President—Anne married to James Pleasants, sen., father of Mr. Randolph's colleague, James Pleasants, jun., afterwards a senator and governor of the State—Sukey married to Carter Harrison of Clifton—1st Richard of Charles married Anne Mease—Jane Walker Brett, Ryland of Turkey Island—Elizabeth married Kedder Mease—John of Roanoke. 4th. Sir John (Kn't.) father of Peyton Randolph, president of Congress, and of John, Edmund's father, Attorney General of the Colonies, and whose lineal descendant, Edmund, was Attorney General, and afterwards Secretary of State under President Washington; and tracing the descent down, it comprehends in its chain Hugh Nelson, his colleague in Congress, and Stith, the historian of Virginia. Thus it appears that, including the root which is planted in the State of New York, the descendants of that renowned Princess are both numerous and respectable enough to transmit her blood, and it is hoped, her virtues to the latest posterity.*

The Barony, as Mr. Randolph used to call it, or Roanoke, was a grant by royal patent, probably as early as the time of Queen Anne. By the death of his brother Theodoric without issue, he became its sole proprietor, and I believe, of another called Farmville, and after Richard's death, of Bizarre, where he used to spend some of his time, and dates many of his letters. Although he lost his father when he was only about three or four years old, he found in his mother a preceptress well calculated to instil into his tender mind, not only the rudiments of learning, but those moral precepts and Christian faith, as a solid and useful foundation for the liberal education of his riper years. He always spoke of his mother in terms of the warmest affection, and never mentioned her name without invoking God's blessing upon her. Whatever mental culture he possessed, he acknowledged he owed to her assiduous care. She taught his infant lips to pray, and never, even when he was in the barren wilds of unbelief, could he silence that small still voice of memory, which recalled to him the days of his youth when she used to make him kneel beside her and repeat the Lord's Prayer.

According to his own statement, his opportunities of acquiring a regular classical education in his youth, were not as favorable as we should suppose

* Though this account may be clear to the order of Heralds, it is a little obscure to common readers, but as it is his own, we dare not alter it.

from his subsequent accomplishments and pre-eminence as a scholar. In a letter to his nephew, Theodoric B. Dudley, dated Georgetown, February 5th, 1806, he writes, "At your time of life, my son, I was even more ineligibly placed than you are; and would have given worlds for private seclusion and books. I never had either. You will smile when I tell you that the first map I ever saw was one of Virginia when I was nearly fifteen, and that I never, till the age of manhood, possessed any treatise on Geography other than an obsolete gazetteer of Salmon; and my sole atlas was the five maps, if you will honor them with that name, contained in the gazetteer, each not quite as big as this page, of the three great eastern and the two western divisions of the globe. The best and only Latin dictionary I ever owned you now possess. I had a small Greek Lexicon bought with my own pocket money, and many other books acquired in the same way (from 10 to 20 years of age), but those were merely books of amusement. I never was with any preceptor, one only excepted (and he left school after I had been there two months), who would deserve to be called a Latin or Greek scholar. I never had any master of modern languages but an old Frenchman (some gentleman's valet probably), who could neither write nor spell. I mention these things, my child, that you may not be disheartened. 'Tis true I am a very ignorant man, who is thought to have received a regular education."

In his letter to Doctor Smith, before alluded to, he informs us that he and his brother Theodoric entered Princeton in the fall of 1787, then in his sixteenth year, and where the Doctor occupied a Professor's chair, but left in the December following, with no very favorable opinion of that venerable seat of learning. But what of all this? What were these and a hundred other and greater difficulties in his way? His genius could conquer them, and by a mighty grasp seize upon the spoils of a life of toilsome study. As Judge Tucker, with his wife, removed to Williamsburgh, where he was appointed Professor of Law in the college, about the close of the revolutionary war, before Mr. Randolph arrived at years of manhood, and where his half-brothers afterwards completed their education, he was placed in the grammar school of the college, as a member of the Judge's family, and after that advanced to some of its higher classes. Here he had ample scope for his ambition, and was in no want of means and opportunity to gratify it most fully. And without recurring to its records to furnish the evidence, we feel well assured that he did not leave its walls without obtaining its highest honors.

While at college, he had an affair of honor with a fellow graduate, Robert B. Taylor of Norfolk. They had taken opposite sides in politics, and were both fiery spirits and full of Virginia pride of chivalry. Their quarrel arose in a debating society to which they both belonged, from that most fertile cause, politics. For some personalities of an unpalatable nature, Mr. Taylor challenged him. They met in a field near the town and the first fire was exchanged without effect. While preparing for the second, Mr. Randolph promised to hit him the next time, which he did, dangerously wounding him in the hip, rather in the posterior or fleshy portion; and he carried the ball in him to the day of

his death. They were reconciled on the spot, and Mr. Randolph always spoke of him in the highest terms of admiration, as well of his high sense of honor as his superior talents.

As far as I am able to gather from circumstances he must have left college about the year 1793, after having attended a course of lectures on law delivered by his father-in-law. With a view to complete his studies for that profession, he went to Philadelphia, and placed himself in the office of his uncle, Edmund Randolph, who was then Attorney General; but on Mr. Jefferson's retirement soon after, he was raised to the office of Secretary of State, in 1794. A new school was thus opened to the student, and one which much better suited his disposition than the one he had first chosen—that of politics and the general law of nations, growing out of our commercial and political relations with the two belligerents, France and England. The new Secretary of State soon found himself involved in an animated discussion with the French Minister, Joseph Fauchet. It arose principally about the construction of the 17th article of the treaty of amity and commerce with France, in relation to the ships of war and privateers of France, upon entering the waters of the United States. The 17th article, above alluded to, of the treaty of 1778, stipulates, 1st, That the ships of war and privateers of France may freely carry the ships and goods taken from their enemies, into the ports of the United States, without being obliged to pay any fees. 2d, That such prizes are not to be arrested or seized, when they enter the ports of the United States. 3d, That the officers of the United States shall not make any examination concerning the lawfulness of their prizes. The 5th article, on the contrary, interdicts shelter and refuge in the ports of the United States to such vessels of war of the enemies of France as shall have made prize of her subjects or property. Mr. Fauchet complained in a letter to Mr. Secretary Randolph dated 17th September, 1794, and others that followed, that each of these stipulations had been violated on the part of the government, through her citizens, or British residents, and proceeds to enumerate the several instances in which they occurred. Mr. Randolph's answers were ably written, intended to vindicate our government from the charges, and to prove its disposition to preserve the relations of amity and peace existing between the two powers. This correspondence passed through the hands or met the eye of Mr. Randolph, as he was at the office and a member of the family of his uncle at the time. He thus had it in his power to store his mind with useful knowledge as a politician, to acquire information as regards our foreign policy, to become acquainted with the treaties existing between us and the principal European powers, in fine, to prepare himself for that high sphere in the councils of the nation in which he was destined to move. He there had the rare opportunity of gaining the acquaintance and the friendship of the Father of his country, at whose table his uncle and himself were favored guests, and agreeable additions to Gen. Washington's levees. At his time of life and in his situation and circumstances, it is natural to suppose that he sometimes entered into some of the various scenes of amusement and dissipation which the city offered. He was never chargeable, however, during his three years' residence there, with the

guilt of any excesses, or of acquiring any vicious propensity or habit. An anecdote is told of him, however, which proves him not entirely exempt from some of the fashionable follies of the time, a passion for cards. On one occasion he made one of a party at a club, where the game of loo was introduced, and the stake played for was considerable, the limit being not less than one or two hundred dollars. Among the company was a rough-looking man, a sea-captain. The stake had gradually accumulated to sixty dollars. Mr. Randolph stood his hand; he was followed by the captain, and judging from his appearance that his purse was not commensurate with his boldness, Mr. Randolph demanded of him whether he had money enough to make good the board, if he lost, as the rules of the club required. After expressing some scruples as to his authority for propounding the question, the captain pulled out an old rusty pocket-book, upon opening which a large roll of bank notes was exhibited, to the no little envy of the spectators. The hands were then played and neither won. They continued to play, the stake increasing all the time until it arose to eighty dollars. After the next deal the captain and Mr. Randolph again became competitors for it. Before playing his hand, the captain arose, and striking his fist upon the table, demanded of Mr. Randolph whether he was able to make good the stake if he were looted? Mr. Randolph was evidently abashed, and had to admit that he might not have as much about him, but would make it a point of honor to obtain it, as soon after the game was played, should he be the loser, as he could go to his room and get it. The captain declared that would not do, and insisted that he should not be allowed to play his hand, unless the amount required were instantly produced. Mr. Randolph demurred, but upon an appeal being made to the umpires, it was decided against him. He threw down his cards and quitted the room with no very pleasant feelings. Whether this occurrence gave him a disgust to gaming, or his natural good sense presented the vice to him in its proper colors, he abandoned the amusement from that day. He hated the very sight of a gambler, or to apply his more opprobrious term, blackleg, which he classed lower than robbers and thieves, that studied nothing else—it was their sole vocation—to wrest by fraud, the hard earnings of the honest, industrious and unsuspecting class. His maxim was if he were so indiscreet as to play with such a person and lost his money, to pay it, but to mark the man and shun him ever afterwards.

Edmund Randolph retired from the office of Secretary of State, in September, 1795, and was succeeded by Timothy Pickering. Though we have no certain data to show positively that Mr. Randolph returned home immediately afterwards, we have reason to believe that he entered into the possession of his patrimonial estate early in the spring of 1796. Its dilapidated state, the usual fate of an orphan's estate at the end of its lease, required his personal care and attention to restore it to its pristine order and fertility. He found it also encumbered with a considerable debt, which pressed so urgently upon him, that he felt no little embarrassment in his efforts to meet it. Upon applying to John Wickham, his friend, a celebrated counsellor and advocate at Richmond, his fears were dispelled, and Mr. Wickham immediately granted him the required loan of a

thousand dollars. He ever after acknowledged the favor in terms of the warmest gratitude. By a judicious application of this sum, he relieved himself of the more pressing claims against him, and by a wise economy, unwearied application, by adopting the new and improved mode of culture introduced and enforced by his neighbor, John Taylor of Caroline, he soon produced an advantageous change in the appearance of Roanoke, made heavy and productive crops, principally of tobacco, and at the end of two years was enabled to repay Mr. Wickham with interest, and to discharge every other claim against him.

Although he was educated for the bar, he never engaged in its practice. It neither suited his disposition nor his taste, which turned more upon politics. This was a field which he entered fearlessly, and although the Sedition Law was in force, he hesitated not to speak of the acts of the administration with unmitigated severity. He embraced the popular, or Republican side of the two great parties that divided the Union, and at once became conspicuous among the leading men of his district. His discussions on public occasions were sure to collect crowds around him, whom he highly gratified by the originality of his ideas, the freedom of his language, and the animation and ability with which he maintained his sentiments. By these means, and going through the different counties, and by his pleasing and gentlemanly deportment, and his interesting youthful appearance, he won a great accession of popularity. He stood too high above all candidates for popular favor to admit of room for choice, and accordingly upon the vacancy which occurred in his district, by the resignation of the Representative in April, 1799, he was elected almost by acclamation. He attended the session of Congress at Philadelphia the December following, and on appearing at the Speaker's table, when the roll was called, to take the oath of office, the Speaker, Mr. Sedgwick, surprised at his youthful appearance, asked him if he was old enough to be eligible. "Ask my constituents," replied Mr. Randolph, which was all the satisfaction the Speaker got or required. Mr. Randolph was not of the constitutional age of twenty-five years when he was elected, but he became so by the time he took the oath of a member, and Congress had applied the most liberal construction of the qualification clause, by limiting it to the time of the administration of the oath, and not to the date of the election. He had not been long in his seat before the flash and fiery outbreak of his mind ensued.

CHAPTER II.

MR. RANDOLPH'S FIRST SPEECH—DIFFICULTY WITH THE PRESIDENT.

ON the 10th of January, 1800, Mr. Randolph made his maiden speech on Mr. Nicholas's resolution for reducing the army. In the course of his remarks, he applied the term "raggamuffins" to the soldiery in general. On the following night, while he was seated in a front row of a box at the Chestnut street theatre, in company with some friends, members of the House, two officers of the army or navy, in an adjoining box, just before the curtain rose, began to vociferate to the orchestra, "Play up, you d—d raggamuffins," and repeated it at intervals during the performance. The friends of Mr. Randolph, apprehending some mischief or personal insult, sat closely on each side of him, and put him on his guard. At the conclusion of the piece as they arose to depart, Mr. R. felt some one seize him by the hair of the head from behind and give him a violent pull, that nearly brought him down on his seat. Turning suddenly around, he found the two officers standing close by, when he asked, "Which of these two d—d rascals did that?" No answer was returned, and his friends, taking him between them, retired to their respective lodgings without further molestation. The next day Mr. Randolph wrote a letter to the President, in which he complained of this treatment by two officers of the army or navy (he did not know which), with evident intention to provoke him to a course of conduct which might, in some sort, justify the hostile designs they entertained towards him, from the execution of which they were only deterred by the presence of several of his friends. He stated that he was acquainted with the name of one of these young men, who appeared to have so false an estimate of true dignity of character, who seemed to have mistaken brutality for spirit, and an armed combination against the person of an individual for an indication of courage. He was called McKnight, rank unknown. Mr. Christie, a member of the House, appeared to know him; and that gentleman, with Capt. Campbell Smith, who, as he understood, endeavored to deter those rash young men from their scheme, and whose conduct would evince, if, indeed, there were any need of proof, that the character of the man and the citizen is not incompatible with the soldier, can give an account of the various instances of misconduct which were exhibited by the parties.

"Having stated the fact, it would be derogatory to your character (says Mr. R.), for me to point out the remedy. So far as they relate to this applica-

tion addressed to you in a public capacity, they can only be supposed by you to be of a public nature. It is enough for me to state, that the independence of the Legislature has been attacked, and the majesty of the people, of which you are the principal representative, insulted, and your authority contemned. In their name, I demand that a provision commensurate with the evil be made, and which will be calculated to deter others from any future attempt to introduce the reign of terror into our country. In addressing you in this plain language of man, I give you, sir, the best proof I can afford of the estimation in which I hold your office and your understanding, and I assure you with truth, that I am with respect, your fellow-citizen,

JOHN RANDOLPH,

“Chamber H. Representatives, 11th Jan., 24th Independence.

“TO THE PRESIDENT OF THE U. STATES.”

On the 14th, three days afterwards, Mr. Adams sent a message to the House, of the following tenor:—

“GENTLEMEN OF THE HOUSE OF REPRESENTATIVES—As the enclosed letter from a member of your body, received by me on the night of Saturday, the 11th instant, relates to the privileges of the House, which in my opinion ought to be inquired into by the House itself, if anywhere, I have thought proper to submit the whole letter and its tendencies to your consideration, without any other comments on its matter and style. But as no gross impropriety of conduct on the part of officers holding commissions in the army or navy of the United States, ought to pass without due animadversions, I have directed the Secretary of War and the Secretary of the Navy to investigate the conduct complained of, and report to me without delay such a statement of facts as will enable me to decide on the course which duty and justice shall appear to prescribe.

“JOHN ADAMS.

“U. States, January 14, 1800.”

The message, on motion, though opposed by Mr. Randolph, was referred to a select committee, of which Chauncey Goodrich of Connecticut was chairman. On the 20th of the month the committee made their report, with the accompanying evidence. They gave the names of the offenders as Capt. James McKnight and Michael Reynold, of the marines. As to the style of Mr. Randolph's letter, they forbore to make any other remarks, than to express their regret that he had conceived himself justified in deviating from the form of decorum customary in official communications to the President, and which they consider so justly due to his office and character, and concluded that there did not appear, on the examination of testimony, sufficient reason for the interference of the House, on the ground of a breach of privilege. They submitted two resolutions: 1st, That this House entertains a respectful sense of the regard which the President has shown to its rights and privileges, in his message of the 14th instant. 2d, That in respect to the charges made by John Randolph, a member of this House, that sufficient cause does not appear for the interference of this House, on the grounds of a breach of privilege. On the 30th, the resolutions were passed, after a spirited and feeling defence by Mr. Randolph.

In 1800, the Government was moved to Washington City. Preparations were making on both sides for the approaching campaign. The great battle was fought in the fall of 1800, and the dominant party was entirely defeated. A great political revolution occurred. On the 4th of March, 1801, John Adams yielded the sceptre of executive power into the hands of his successful rival, Thomas Jefferson. Mr. Randolph had contributed his share most freely in bringing about this change of popular sentiment, particularly in his own State. Upon the meeting of the House on the December following, he expressed the most lively felicitations at witnessing so thorough a change in the councils of the nation. He saw himself surrounded, for the first time, by a large majority of representatives of congenial feelings, and the new cabinet strongly fortified in both branches of the Legislature. At the session of December following Nathaniel Macon was elected Speaker, by a majority of 56 to 29, and on organizing the several committees, they were made to partake of the political complexion of the triumphant principles. Mr. Randolph was placed at the head of the Committee of Ways and Means, the most considerable and dignified post in the gift of the chair. When we view the prominent men of the party then present, as Mr. Giles, Mr. Newton, Mr. Nicholas, Mr. Nicholson and others, it was no small compliment to the high standing to which he had risen in so short a time. The work of destruction now commenced, and in that business Mr. Randolph was said to be more fitted and expert, than the opposite one of building up. The majority thought that they could not better discharge their duty and recommend themselves to their constituents, than by undoing what had been done by their predecessors, and which had been so great a cause for their dismissal from power. Among the first positions attacked, was the new judiciary law by which a batch of sixteen judges had been created as the last expiring three of the late executive. In accordance with the recommendation of the President, Mr. Breckenridge, on the 16th of January, moved in the Senate, that the act of the last session, creating sixteen new judges, should be repealed. The resolution met with strong opposition, and caused a debate that lasted, at intervals, till the end of the session. In order to obtain an expression of the opinions of the house on the same subject, without waiting for the tardy discussion of the Senate, Mr. Randolph introduced a proposition, though somewhat different in form, "that a committee be appointed to inquire whether any, and what alterations can be made in the judiciary department of the United States, and to provide for securing the impartial selection of juries in the Courts of the United States," to which was appended a resolution to inquire what reductions could be made in the civil government of the United States. They were referred to a select committee of which he was appointed Chairman. On the 4th of February, he reported a bill to repeal the laws of the last session with respect to the judiciary, and after undergoing considerable discussion in committee of the whole, was reported to the House and passed on the 3d of March, 1802, by a vote of 59 to 32. Although we would suppose he had enough to do, as chairman of the committee of ways and means, yet he was almost constantly carving out new work, and appeared to be indefatigable in his legislative duties.

On the 20th of January, he introduced a resolution, directing the Secretary of the Treasury to lay before the House a list of the exports to the Mediterranean, distinguishing those of the growth of the United States. He also took part in the debate on the apportionment under the census of 1800, but as we have given his views on that question at a *later* period, it will be unnecessary to present them here. He also introduced, on the 9th of June, a resolution to reduce the military establishment. Having been appointed Chairman of a select committee to see what could be done to expedite the public printing, he reported a resolution to appoint a public printer, and on that foundation and to his exertions rest the credit of this sage and economical improvement in the printing business of the House. Although he was among the foremost in clearing away the impediments which obstructed the progress of the new majority, in rescinding the prominent measures of the late administration, yet, though a great deal was done, comparatively little was said. Most of the speaking came from the side of the opposition. The majority adopted the maxim to act, and they watched in almost perfect silence the slow but sure progress of their measures of reform. From this cause, this Congress received the name of the dumb legislature, and was compared by the opponents to the legislative council of France, the embryo of the fertile invention of Seyes, which was restricted to the introduction of laws, without entering into the discussion of their object or policy.

At the session of 1803, the most important subject that engaged the attention of the House, was the navigation of the Mississippi. In the October preceding, the Governor of New Orleans, Don Morales, had issued a proclamation excluding that port as a *dépôt* for our commerce, a favor we had hitherto enjoyed under our treaty with Spain. On the 5th of January, 1803, Mr. Griswold offered a resolution, calling on the President for information relating to the cession of Louisiana by Spain and France, alluded to by the President in a private message. This message, with some motion connected with it, had, on motion of Mr. Randolph, been referred to a committee, and had been under consideration of the House with closed doors. Mr. Randolph moved to refer the resolution of Mr. Griswold to a committee of the whole on the state of the Union: which motion, after some opposition, was agreed to, ayes 49 to 39 noes. The House then went into committee of the whole, and Mr. Randolph observed, that he held in his hand certain resolutions connected with the message, relative to the late proceedings at New Orleans; the discussion of which had been ordered to be carried on with closed doors. He asked the decision of the question, whether, previously to offering his resolutions, the doors ought not to be closed. Much variety of opinion was expressed, the opposition preferring the adoption of Mr. Griswold's resolution for information, and the discussion with open doors. Mr. Randolph observed, that he had already more than once stated his objections to discuss this subject in public. He had observations which he had already said must be made in secret. "The gentleman from Connecticut says, he is willing the resolution should be fully discussed, and therefore concludes that it must not be referred to a secret committee, as he is pleased to term it: where alone, as we

contend, and have informed him, the discussion can take place. Sir, this may be logic, but it is new to me. A message from the President relative to New Orleans has been referred to a certain committee, and we propose to refer the resolution to the same committee. Gentlemen exclaim that this is denying them information. Does it follow of necessity, that we deny the information because we choose to consider the subject with closed doors? Cannot the resolution be as fully discussed in private as in public? Do all the reasoning faculties of the House cease to exist the moment the doors are closed? Cannot the eloquence of the gentleman be exerted unless when addressed to the ladies who do us the honor of attending in this hall?" He would not be drawn into a discussion of the merits of the resolution at this time. He had arguments, he said, which should be known at a proper time. Mr. Griswold's motion was negatived, and Mr. Randolph's was agreed too. Mr. Monroe was appointed minister to France, on the 15th of January, to negotiate with that power for the purchase of Louisiana. He succeeded in the object of his mission, and that province was ceded to us for the consideration of 20 millions of dollars, and placed in our possession the December following. On the 4th of February, on the passage of a bill to prevent the importation of certain persons whose admission is prohibited by several States, Mr. Randolph advocated its passage, although coming from a slave-holding State, and wished to make the bill efficacious in suppressing the slave-trade, by authorizing the officers of the customs to assist in preventing the evil. Such was Mr. Randolph's zeal in the public service, that he was induced to make a motion, the like of which had seldom or never been made before or since, that the House, on adjourning, should agree to meet the next day, which he said he knew to be Sunday, but the business of the House had been so pressing as to justify it. He was opposed, of course, by some member from the land of steady habits, Mr. Griswold, which induced Mr. Randolph to withdraw his motion. Not much business of importance was transacted by the House during the remainder of the session, and Mr. Randolph's time was mostly occupied by the vigilance which he had to use as Chairman of the committee of ways and means, in filling the several blanks of the various appropriation bills he reported, and in making the necessary explanations on all the points on which objections were raised from any quarter of the House. In this arduous task he appeared to be always ready, and possessed a fund of useful information on which he frequently had to draw, on the fiscal concerns of the nation.

IMPEACHMENT OF JUDGE CHASE.

Mr. Randolph had ascended to his culminating point in the political firmament. Were we to select any portion of his legislative career as the most brilliant, one in which his faculties were in their fullest vigor, and his influence the most powerful, we should refer to the succeeding sessions of 1804-5. Among the numerous questions which he originated, or in which he took an active part, we shall introduce three or four in support of the opinion which we have just expressed.

On Thursday, the 5th of January, 1804, he offered the following resolution as the foundation for the impeachment of Judge Chase: "Resolved, That a committee be appointed to inquire into the official conduct of Samuel Chase, one of the associate justices of the Supreme court of the United States, and report their opinion whether the said Samuel Chase hath so acted in his judicial capacity as to require the interposition of the constitutional power of this house." Although the resolution purported to be merely one of inquiry, it encountered considerable opposition. He resolutely supported it against all attacks, and it was not until the 20th of February following, that it was carried, by a vote of 82 to 41. The principal ground of accusation against the Judge was, that in the trial of John Fries for high treason, in levying war against the United States during the Whisky insurrection in the western part of Pennsylvania, before the circuit court held at Philadelphia in 1779, he had prejudged the question by handing from the bench, to the counsel of the prisoner, a written opinion, in which they were enjoined against discussing the law of treason, as applicable to the particular case. This decision was so repugnant to the feelings of the counsel, and such an unwarrantable abridgment of their rights, that they refused to speak in Fries' defence and withdrew from the bar. Fries was found guilty by the jury and sentenced to be hanged by the Judge, but immediately pardoned by President Adams. There were seven managers elected by the House, and Mr. Randolph the chairman or principal one. Articles of impeachment were reported against Judge Chase, amounting to seven, and relating to other cases of misconduct, on the trial of Thomas Cooper and James Kallender for sedition or libel against the President. For want of time or the difficulties which necessarily attended this novel and solemn trial, it was continued until the succeeding session. On the 30th of November, 1805, the same articles of impeachment were again reported, and Mr. Randolph appeared at the bar of the Senate, to inform that body, in the name of the House, that he impeached Samuel Chase of high crimes and misdemeanors. The proceedings were necessarily tedious, and owing to the number of witnesses examined on both sides, the many arguments on the part of the managers and the counsel of the accused, we are compelled to omit even a condensed view of them. Mr. Randolph opened the case on the part of the House, on the 14th of February, 1805, in a speech occupying one hour and a half. Though it was not considered the best of his forensic efforts and is too long to give entire, yet the peroration may well repay the reader for the perusal.

"The respondent, in his answer, has appealed to heaven for the rectitude of his intentions. When such an appeal is made I feel for the respondent: but I feel great relief that the blood of John Fries, an innocent, oppressed man, will not rise in judgment against him. But for the timely extension of that provision of the constitution which gives the President the power of granting pardon, the cries of the widow and the tears of the orphan would have implored for justice against him at the bar of that tribunal, when at the last day all hearts are laid open, he would have been obliged to accuse himself and to attest that in a manner novel and unprecedented, he had procured the conviction of a poor, illiter-

ate German, and sent him without remorse into eternity. But the President has saved the respondent from answering for blood by granting pardon to Fries, and by that act has obliterated the remembrance of a number of errors from my mind. For mercy, like charity, covers a multitude of sins, and the pure ermine of justice was not suffered to be dyed in the blood of John Fries."

By the Constitution, two-thirds of the Senators present being required to concur in sustaining an impeachment, and as that number were not found on any single article, though on some there was a bare majority, Judge Chase was acquitted. It may be as well to add, that John Fries afterwards opened a store in Market street, Philadelphia, for the sale of tin ware, and where, being considered by many as a persecuted man, he received a "salve for his wounds" in the rapid sale of his goods, and acquired independence.

MR. RANDOLPH'S SPEECH ON THE YAZOO QUESTION.

In order to understand the occasion of Mr. Randolph's speech on the Yazoo claim, we must enter somewhat into the particulars. As his resolutions go into a detail comprehending a sufficiency of the history of the transaction to make us acquainted with the main facts of the case, we will introduce them in the first place.

"Resolved, That the legislature of Georgia were at no time invested with the power of alienating the right of sale possessed by the people of that State to the vacant territory lying within the limits of the same: that when the governors of any people shall have betrayed the confidence reposed in them and shall have exercised the authority with which they have been clothed for the general welfare, to promote their own private ends, with the basest motives and to the public detriment, it is the undoubted right of the people so deceived, to resume the rights thus attempted to be bartered, and to abrogate the act thus endeavoring to betray them. That it is in evidence before this house that the act of the Legislature of Georgia, passed on the 7th day of January, 1795, entitled an act appropriating a part of the unlocated territory of the State, for the purpose of paying the State troops and other purposes, was passed by persons under the influence of gross and palpable corruption, practised by the grantees of the lands attempted to be alienated by the aforesaid act, tending to enrich and aggrandize to a degree almost incalculable, a few individuals, to the public injury. That by an act passed the 13th of February, 1796, declaring the same null and void and the grants made under it, the said act should be expunged from the journals and publicly burned, which was accordingly done, provision being made for restoring the pretended purchase money to the grantees, the greater part of which purchase money has been by them withdrawn from the treasury of Georgia.

"Resolved, That no part of the five millions of acres reserved for satisfying and quieting claims to lands ceded by Georgia to the United States shall be appropriated to quiet any claims derived under any act or pretended act passed by the State of Georgia during the year 1795."

The resolutions were referred to a committee of the whole, to whom was referred a bill providing for the settlement of sundry claims to lands lying south of Tennessee, by a vote of 50 to 30.

There was no decision on the resolutions during that session, which terminated on the 4th of March. It was laid over, with the impeachment of Judge Chase, till the ensuing session. In the meantime the original grantees had sold out rights to northern purchasers, who instituted a company called the New England and Mississippi Land Company. They petitioned Congress to satisfy their claim by a fair purchase or commutation, and at the session of 1805, the Committee of Claims reported in their favor, through Mr. Dana the chairman.

On the 25th of January, they introduced the following resolution:—"That three Commissioners be appointed to receive propositions of compromise and settlement from the several companies or persons holding claims to lands within the present limits of the Mississippi Territory, in such manner as, in their opinion, shall conduce to the interest of the United States, Provided, such settlement shall not exceed the limit prescribed by the convention with the State of Georgia."

The resolution of Mr. Dana being introduced with a few remarks, Mr. Randolph arose:—"Perhaps," said he, "it may be supposed from the course which this business has taken, that the adversaries of the present measure indulge the expectation of being able to come forward at a future day—not to this House, for that hope is desperate, but to the public, with a more matured opposition than it is in their power now to make. But past experience has shown them that this is one of those subjects which pollution has sanctified, that the hallowed mysteries of corruption are not to be profaned by the eye of public curiosity. No, sir, the orgies of Yazoo speculation are not to be laid open to the vulgar gaze. None but the initiated are permitted to behold the monstrous sacrifice of the best interests of the nation on the altar of corruption. When this abomination is to be practised, we go into conclave. Do we apply to the press, that potent engine, the dread of tyrants and of villains, but the shield of freedom and of worth? No, sir, the press is gagged. On this subject we have a virtual sedition law—not with a specious title, but irresistible in its operation, which goes directly to its object. This demon of speculation has wrested from the nation at one sweep, their best, their only defence, and has closed the avenue of information. But a day of retribution may yet come. If their rights are to be bartered away and their property squandered, the people must not, they shall not be kept in ignorance by whom it is done. We have often heard of party spirit, of caucuses, as they are termed, to settle legislative questions, but never have I seen that spirit so visible as at present. The out-door intrigue is too palpable to be disguised. When it was proposed to abolish the judiciary system, reared in the last moments of an expiring administration, the detested offspring of a midnight hour; when the question of repeal was before the House, it could not be taken until midnight, in the third or fourth week of the discussion. When the great and good man who now fills, and who (whatever may be the wishes

of our opponents) I hope and trust will long fill the Executive chair, not less to his own honor than to the happiness of his fellow-citizens—when he recommended the repeal of the internal taxes, delay succeeded delay, till patience itself was worn thread-bare. But now, when public plunder is the order of the day, how are we treated? Driven into a committee of the whole, and out again in a breath by an inflexible majority, exulting in their strength, a decision must be had immediately. The advocates for the proposed measure feel that it will not bear scrutiny. Hence this precipitancy. They wince from the touch of examination, and are willing to hurry through a painful and disgraceful discussion. As if animated by one spirit, they perform all their evolutions with the most exact discipline, and march in firm phalanx directly up to their object. Is it that men combined together to effect some evil purpose, acting on previous pledge to each other, are ever more in unison than those who, seeking only to discover truth, obey the impulse of that conscience which God has placed in their bosom? Such men will not stand compromised. They will not stifle the suggestions of their own minds, and sacrifice their private opinions to the attainment of some nefarious object. The memorialists plead ignorance of that fraud by which the act from which their present title was derived was passed. As it has been a pretext for exciting the compassion of the legislature, I wish to examine the ground upon which this allegation rests. When the act of stupendous villany was passed in 1795, attempting under the form and semblance of law, to rob unborn millions of their birthright and inheritance, and to convey to a band of unprincipled and flagitious men, a territory more extensive, more fertile than any State in the Union, it caused a sensation scarcely less violent than that caused by the passage of the Stamp Act, or the shutting up of the port of Boston: with this difference, that when the port bill of Boston passed, her southern brethren did not take advantage of the forms of law, by which a corrupt legislature attempted to defraud her of the bounties of nature; they did not speculate on the wrongs of their abused and insulted countrymen. * * * * Sanction this claim, derived from the act of 1795, and what, in effect, do you declare? You record a solemn acknowledgment that Congress have unfairly and dishonestly obtained from Georgia a grant of land to which that State had no title, having previously sold it to others for a valuable consideration, of which transaction Congress was at the time fully apprised. The agents of this Mississippi Land Company set out with an attempt to prove that they are entitled to the whole fifty millions of acres of land, under the act of 1795, and thus they make their plea to be admitted to a proportional share of five. If they really believed what they say, would they be willing to commute a good legal or equitable claim for one-tenth of its value? * * * We are told that we stand pledged, and that an appropriation for British grants, not regranted by Spain especially, was made for the especial benefit of a particular class of claimants, branded too by the deepest odium, who dare talk to us of the public faith, and appeal to the national honor! * * * The right of the State of Georgia to sell is denied by your own statute book. So far from being able to transfer to others, the right to extinguish the Indian title to land, she has not been able to exercise it for her own benefit. It is only

through the agency of the United States that she can obtain the extinguishment of the Indian title to the sale of land within her limits, much less could she delegate it to a few Yazoo men. * * * * The present case presents a monstrous anomaly, to which the ordinary and narrow maxims of municipal jurisprudence cannot be applied. It is from great first principles, to which the patriots of Georgia so gloriously appealed, that we must look for aid in such extremity. Extreme cases like this call for extreme remedies. They bid defiance to palliatives, and it is only by the knife, or the actual cautery, that you can expect relief. There is no cure short of extirpation. Attornies and Judges do not decide the fate of empires. * * * * The Government of the United States, on a former occasion, did not, indeed, act in this firm and decided manner. But those were hard, unconstitutional times, that never ought to be drawn into precedent. The first year I had the honor of a seat in this House, an act was passed somewhat of a similar nature to the one now proposed. I allude to the case of the Connecticut Reserve, by which the nation was swindled out of three or four millions of acres, which, like other bad titles, had fallen into the hands of innocent purchasers. When I advert to the applicants by whom we were then beset, I find among them one of the persons who style themselves the Agents of the New England Mississippi Land Company, who seems to have an unfortunate knack of buying bad titles. His gigantic grasp embraces with one hand the shores of Lake Erie, and with the other stretches to the Bay of Mobile. Millions of acres are easily digested by such stomachs. Goaded by avarice, they buy only to sell, and sell only to buy. The retail trade of fraud and imposture yields too small and slow a profit to gratify their cupidity. They buy and sell corruption in the gross, and a few millions of acres, more or less, is hardly felt in the account. The deeper the play, the greater their zest for the game, and the stake which is set upon the throw is nothing less than the patrimony of the people. Mr. Speaker, when I see the agency which is employed on this occasion, I must own that it fills me with apprehension and alarm. The same agent is at the head of an Executive Department of our Government, and inferior to none in the influence attached to it. * * * * This officer presents himself at your bar, at once a party and an advocate. Sir, when I see such a tremendous influence brought to bear upon us, I do confess it strikes me with consternation and despair. Are the heads of Executive Departments, with the influence and patronage attached to them, to extort from us now, what we refused at the last session of Congress? * * * * I will pin myself upon this text, and preach upon it as long as I have life. If no other reason could be adduced, but for a regard for our own fame, if it were only to rescue ourselves from this foul imputation, this weak and dishonorable compromise ought to receive a prompt and decisive rejection. Is the voice of patriotism lulled to rest, that we no longer hear the cry against an overbearing majority! determined to put down the constitution, and deaf to every proposition of compromise! Such were the dire forebodings to which we have been compelled heretofore to listen. But if the enmity of such men be formidable, their friendship is deadly destruction, their touch deadly pollution! What is the spirit against which we now struggle? which we have vainly endeavored to stifle?

A monster generated by fraud, nursed in corruption, that in grim silence awaits its prey. It is the spirit of Federalism." * * * *

The speech maintains the same lofty strain of indignant eloquence, and vehement invective throughout, and is one of the finest specimens of oratory ever exhibited on the floor of Congress. It possesses a due proportion of argument, of close logical reasoning, animated with a glow of honest and patriotic sentiment, enforced by the powerful energies of his fervid imagination. To the correspondent of one of the daily papers who attempts to fix on Mr. Randolph the charge of insanity previous to this period, I would confidently refer to this speech. If the judges of the Areopagus at Athens acquitted Sophocles of a charge of madness, merely upon his production of the *Ædipus Coloneus*, Mr. Randolph's sanity could not rest on safer grounds than by a reference of his speech to a similar tribunal. Such a rare piece of excellence ought to find a place in every schoolboy's monitor that pretends to give a judicious selection from the stores of American oratory, and the young aspirant to oratorical fame could not have a better lesson put in his hands.

Mr. Randolph also took a conspicuous part in the debate on the resolution for requesting the President to present a sword to General Eaton in the name of Congress, for his services in defeating the Tripolitan army at the capture of Derne. The select committee to whom the resolution was referred, recommended a gold medal instead of a sword. Mr. Joseph Clay had spoken, and gave his reasons for preferring a sword, inasmuch as during the whole revolutionary war, Congress had conferred only three medals, and he did not think General Eaton was entitled to more credit for his march through the desert of Lydia and the capture of Derne, than was Captain Decatur for the burning of the Philadelphia frigate, and the capture of a junk boat in the harbor of Tripoli. Mr. Randolph, in his first speech, coincided in opinion with Mr. Clay, that rewards should be proportioned to the exertions of those claiming them, as well as to the dignity and importance of the achievement which drew them forth. He believed that General Eaton would set a greater value upon any testimony, however small, of the unanimous approbation of Congress, than on the highest token of applause which a bare majority could give him. For this reason, he regretted that the mover of the resolution had changed a course in which all seemed disposed to follow him, for one which many were likely to disapprove. It has been stated, said he, that but three or four medals had been struck during the revolutionary war. One, he believed, for Saratoga—another for the capitulation of Yorktown—a third upon that occasion, yet more august, when the commander-in-chief of our armies came to resign into the hands of the civil authorities, that military power with which he had been entrusted for the salvation of his country. He had always understood that medals had been struck, not so much in compliment to an individual, as to commemorate some great national event—of what, sir? a skirmish between some of our countrymen, with a handful of undisciplined and half-armed barbarians? As this question is more one of taste and feeling than of argument, he would

not trouble the committee further upon it than to remark, that there is a true and a false sublime in politics as well as in poetry, and that by attempting to soar too high, we are in danger of plunging into bathos." In replying in a second speech to the members who preceded him, Messrs Clay, Jackson, Bidwell, and Varnum, he said, he offered a few words in explanation, apprehending he had been misunderstood by the gentleman from Massachusetts, Mr. Varnum. It was far from his intention to say that rewards should be proportioned according to rank. With that gentleman, he would be ready to acknowledge merit in a private sentinel, as in a field marshal. It was to the dignity of the action, its importance and value to the community, that he should look, not to the commission of him who performed it. Acts of heroism should never pass unheeded, but every day did not produce a Cocles or a Mutius. It was to preserve some proportion between the reward and the action, and value of the service, that he opposed this resolution in its present shape. He wished the House to be more frugal of the treasure of public applause; it was more precious than that which all seemed ready enough to guard. In such cases, it was always safest to err on the side of economy. Already it seemed that a sword, presented in the name of the nation, was too cheap a recompense for ordinary professional service. Where was this to end? The utmost penury of approbation would not so injure the tone of public sentiment as this lavish prodigality. By being too niggard of praise, enterprise might be repressed in many instances, and merit stifled in the germ: but too great a profusion of honors would almost convert them into a disgrace, and beget an overweening vanity fatal to real greatness. Every man who obtained a trifling advantage over the enemy, would conceive himself a Marion or a Nelson. By setting up this transaction as the *NE PLUS ULTRA* of military achievements, as the pillars of Hercules, beyond which none may pretend to pass, we do more to check the spirit of adventurous enterprise than if we took no notice of it. But say gentlemen, the person who is the object of this resolution acted in a two-fold capacity, civil and military, and a sword is exclusively appropriated to reward military services. But without intending a ludicrous allusion, if the gentleman had acted in as many capacities as Lady Bountiful's butler, it would not alter his opinion as to the nature and value of the service. If, indeed, there was such a political repulsion as the gentleman supposed, between a medal and a sword, like chemical bodies having no affinity to each other, we should give both on this occasion, and add a vote of thanks as a basis on which they might unite.* * * The amendment was agreed to, by 58 votes to 53; by which a gold medal was awarded to General Eaton.

SUDDEN CHANGE.

We now come to a crisis, an epoch in Mr. Randolph's political life, the most extraordinary of any that ever occurred in it, eventful as it was. To this period he had been considered the unrivalled leader of the Republican party in the House. He had been the confidential friend of Mr. Jefferson, from the commencement of his first

Presidential term in 1801, to this fatal moment. By his station at the head of the Committee of Ways and Means, he was in almost daily communion with the church he had till then received as orthodox. He had but a short time before, in the exuberance of his friendly feeling, honored the President with the most enviable of all titles, that of a great and good man at the head of the nation. He had conducted himself as the privileged, and almost exclusive champion of Executive policy on the floor. But, in one unfortunate moment, these congenial feelings are blasted for ever, and as if, with the vengeful wrath of Othello, are blown away with a breath, and exchanged for the most deadly hatred. The ostensible occasion on which this most singular phasis took place, and of which no portent or sign in his political zodiac had given the least prognostication, was Mr. Gregg's resolution for the non-importation of goods from Great Britain and Ireland. On the 5th day of March, 1806, Mr. Randolph delivered a long and intemperate speech against it. In the course of it, he attacked Mr. Madison's pamphlet, that had been lately published, as an answer to a pamphlet produced under the immediate eye of the Ministry, called "War in Disguise." "If I were the foe," said he, "as I must aver I am the friend of this nation, I would say, 'Oh that mine enemy would write a book.'" At the very onset, on the first page, there is a complete abandonment of the principle in dispute. The first principle taken is the broad principle of unlimited freedom of trade between nations at peace, which the writer endeavors to extend to the trade between a neutral and a belligerent power, accompanied, however, by this acknowledgment: "But inasmuch as the trade of a neutral with a belligerent power might in certain special cases affect the safety of its antagonist, usage, founded on this principle of necessity, has admitted of few exceptions to the general rule. The pamphlet, called the 'War in Disguise,' had maintained this very principle of necessity, and this is abandoned by this pamphleteer at the very threshold." Mr. Madison's pamphlet was called, "The Examination of the British Doctrine of Neutral Trade." For profound views, sound and statesman-like opinions, and the deep and comprehensive knowledge of the laws of nations in their relations to neutral and belligerent powers, it was as invulnerable to Mr. Randolph's puny attacks, as were those of Chapman Johnson in the convention of Virginia, upon the position of Judge Marshall, which Mr. Randolph compared to an attack upon the rock of Gibraltar with a pocket pistol. Even the garbled extract (a most unfair and uncandid mode of judging a work) which he has selected, does not sustain him in his charge of abandonment, where he says, "usage, founded on the principle of necessity, has admitted a few exceptions to the general rule." But he does not admit that those exceptions are numerous and important enough to constitute a rule of themselves. Mr. Madison went on to show, that even those very exceptions did not apply to our trade with the enemies of Great Britain, with whom we had treaty stipulations and commercial intercourse.

After allowing the usual time for the expression of general astonishment at this most unexpected change, the next inquiry arose as to the cause of it. A paper called "The Expositor," which professed to be in the secret, said that an embassy was sought for and refused. The Enquirer, of Richmond, had hitherto

applauded Mr. Randolph's course, and appeared still reluctant to give him up to the opposition, and desired us to wait till everything that had been done with closed doors should be published, before we decided upon the nature of his strictures on the Cabinet. On the 28th of March, Mr. Randolph declared war against Mr. Madison in fit terms, and promised that on the Monday following he would publicly denounce him, and assigned as a reason, that Mr. Madison had told him at the beginning of the session, that France wanted money and must have it, and would not suffer Spain to treat with us till we gave it to her: upon which, he said, he turned upon his heel. In his overweening vanity and arrogance, Mr. Randolph flattered himself that, in his herculean strength, he could prostrate the Government at a single blow—that, on the first division, he could have them at his mercy and exact his own terms. That the majority which he had been accustomed to lead would follow him, like a flock of sheep their bell-wether. But he calculated without his host. On the very first vote, on the very question on which he had hurled the lightning and thunderbolts of his denunciation at the devoted heads of the Government, he was left in a woful minority. From the very rebound of his ireful arm, which he bared and raised aloft, to level to the dust the unconscious victims of his wrath, he fell from his angel height, like Lucifer, never to rise more.

The painful duty now devolves upon me to give the true cause of his hostility to the Administration. We are informed that on Friday, the 21st of March, the House was sitting with closed doors. When the doors were opened and the injunction of secrecy dissolved, the important proceedings which had been before them appeared in the form of a resolution:—

“Resolved, That ——— dollars be hereby appropriated towards purchasing the Spanish territory lying on the Atlantic and the Gulf of Mexico, and eastward of the Mississippi, to be applied under the direction of the President of the United States, who shall have authority to borrow the same, at a rate not to exceed six per cent., and that the account thereof be laid before Congress at its next session.”

The resolution was adopted by ayes 77, and noes 54: and the engrossed bill for defraying the expenses of the purchase of the territory described in the resolution passed by a vote of 76 to 54, Mr. Randolph being in the minority.

About the 17th of January, Mr. Jefferson had communicated to Congress a secret message, no doubt containing the proposition for the purchase of the Floridas, and requiring an appropriation of two millions to carry it into effect. From some cause or other, the secret was not entrusted to Mr. Randolph, but the honor of introducing and advocating the measure in the House, was confided to Barnabas Bidwell of New York. *Hinc illæ lachrymæ.* I am well assured from those that ought to know, and whose veracity was unimpeachable, and fortified by the strong probability of the cause assigned, that to this source alone may be ascribed the anger of Mr. Randolph against his late friends, and his implacable jealousy against the favorite. He, of course, opposed the passage of this bill with all his might, and held up Mr. Bidwell to ridicule, as the weak and unworthy recipient of Executive favor. But he had lost his influence—his opposition had no weight, and even his abilities were supposed to have fallen with it, and he appeared in some measure shorn of the beams of both mental and political power.

In December, 1807, Mr. Randolph introduced a resolution calling on the President for information respecting the proceedings in the western country, and the measures adopted to defeat any combination against the peace and safety of the United States. The object of the resolution was to expose to censure the conduct of Judge Innes of Ohio, for concealing a conspiracy on the part of Spain, to separate the western States from the Union. It seems the subject was communicated to him by one Dr. Powers, an authorized agent of the Governor of New Orleans, the Baron de Carondelet, as early as 1797, but as he alleged in his deposition of the 1st of December, 1806, he had not divulged the project because Mr. Adams was President, and he did not want an army sent into the country. Mr. Randolph said, "We are told this conspiracy is defeated, or has succeeded to the utmost. If it has succeeded but in part, can it not be checked? The newspaper evidence to which he alluded, he observed was the authentic proofs, at the trial of Judge Sebastian, of the disposition of the Spanish. Castilian honor and fame are no more. Spain, while treating with one hand, was preparing to stab us with the other. What has been the treatment of the Spanish Minister? Why has he not been sent home? When Miranda had gone, how great were his complaints and inquiries. We have no complaints or inquiries now made by him. New Orleans is the object, and can we doubt that he is concerned in it. Of one circumstance, he thought, we had sufficient evidence. He believed that if the conspirator should arrive at Baton Rouge before our troops, New Orleans must fall. He wished not such an "union of honest men" to take possession of the key of the Mississippi, and shut the door in our face. He was not disposed to triumph, though he had ample cause. It would be no gratification to him, to triumph in the disgrace of the country. He had no hand in these acts of omission or commission which had brought us to the present disastrous state. He had expressed, he had foretold the danger of losing the delta of the Mississippi. He knew not who the modern Catiline would be, but expected there would be such. Yet the House seemed to be in a state of insensibility or indifference, or were so economical, they wanted greatness of soul enough to purchase a key to secure their strong box. They pursued a narrow and unaccountable policy. What would have been the feelings of this House, if the British forces were now scouring the lakes, were along the 45th degree of latitude on our frontier? What if the British minister had been ordered home, and his Court had continued him here—stuck him under the very nose of the executive? The feelings and the measures of the House would be very different from what they are now. They would be what they ought to be, but what they are not. The resolution had been said to betray a want of confidence in the executive. He must be indulged in the cultivation of a sceptical philosophy. He should judge in politics as in religion, by works, not by faith. He would not mortgage his conscience to the executive in that manner. But the principle was wrong. The House was entitled to information. It was their duty to obtain it."

On the 23d of December, Mr. Jefferson communicated a long message to the House, denouncing Burr's conspiracy. Upon the strength of its sup-

posed dangerous tendency, and from the alarm the exposure occasioned, the Senate passed a bill in secret conclave on the 26th of January, for a suspension of the habeas corpus, and sent it to the House for concurrence; and on a motion to reject the bill, a warm debate arose. Mr. Randolph opposed it in an eloquent speech. He handled with great severity, "the monstrous, outrageous, violent usurpation of authority on the part of General Wilkinson, in seizing and transporting two citizens of the United States (Dr. Bollman and Samuel Swartwout), of his own mere arbitrary will, refusing them a writ of habeas corpus, or even a hearing before a court. He called Burr's conspiracy a mere intrigue, nothing comparable to the western insurrection, where no such tyrannic measure was ever thought of. He declared the contest now was, whether we were to live under a military or civil government—whether by passing this law, the House would connive at the violation of all law that had been committed by General Wilkinson. As well might he have transported these men to Cayenne or Botany Bay. A mortal wound had been attempted upon the constitution, and he hoped the House would never countenance it." The bill was rejected by a large majority.¹

Burr was brought to Richmond the first of April, 1807, to undergo a trial before the District Court, his principal scene of operations being on Blennerhasset's Island, in the State of Virginia. Mr. Randolph was among the leading men of the State summoned on the grand jury, who found an indictment of treason against him the July following. On the same jury he moved for an indictment against Gen. Wilkinson for misprision of treason, but being opposed by Gen. Taylor, was defeated. On examination of the evidence offered to the grand jury, the celebrated letter of Burr to Wilkinson, in cypher, which is herewith given, was laid before them by the General, who attended before them as a witness. The General gave the key by which he had deciphered it, and which seemed incomprehensible to all the jury except Mr. Randolph, who understood it at once, and explained it to the comprehension of the rest of the members. The chief ground of his charge against Wilkinson was, the length of time which he suffered to elapse from the time he received the letter until he divulged it, from which he inferred that the General was a party in Burr's conspiracy, and that he only awaited the event to declare himself openly—that on the failure of Burr's plans, and his capture and order for trial, he for the first time produced this letter, and entered the charge of treason against him. This proceeding, as well as other severe strictures uttered against the General at the preceding session, laid the foundation of that enmity, which ended in the challenge on the part of the General.

BURR'S LETTER.

"I, Aaron Burr, have obtained funds and have actually commenced the enterprise. Detachments from different points and under different pretences will rendezvous on the Ohio, the 1st of November next. Everything external and internal favors views. Protection of England is secured. T.* is gone to Ja-

* Truxton.

maica to arrange with the Admiral on that station and will meet at the Mississippi—England—Navy of the United States are ready to join. Special orders are given to my friends and followers. It will be a host of choice spirits. Wilkinson shall be second to Burr only. W. shall dictate the rank and promotion of his officers. Burr shall proceed westward 1st August, never to return—with him go his daughter—the husband will follow in October with a corps of worthies. Send forthwith an intelligent and confidential friend with whom Burr may confer. We shall return immediately with further interesting details. This is essential to concert and harmony of movement. Send a list of all persons known to Wilkinson west of the mountains, who could be useful, with a note delineating their character. By your messenger send me four or five of the commissions of your officers which you can borrow under any pretence you please. They shall be returned faithfully. Already are orders given to the contractor to forward six months' provisions to points Wilkinson may name. This shall not be used till the last moment, and then under proper injunctions. The project is brought to the point so long desired. Burr guarantees the result with his life and honor—the lives, the honor and fortunes of hundreds, the best blood in the country. Burr's plan of operation is to move down rapidly from the falls on the 15th November with the first 500 or 1000 men in light boats now constructing for that purpose, to be at Natchez between the 5th and the 15th December. There to meet Wilkinson—then to determine whether it will be expedient in the first instance to seize on or pass by Baton Rouge. On receipt of this send Burr an answer. Draw on Burr for all expenses, &c. The people of the country to which we are going are prepared to receive us. Their agents now with Burr say if he will protect their religion and will not subject them to a foreign power, in three weeks all will be settled. The gods invite to glory and fortune. It remains to be seen whether we deserve the boon. The bearer of this (Doctor Bollman) goes express to you. He will hand a formal letter of introduction to you from Burr, a copy of which is subjoined. He is a man of inviolable honor and perfect discretion. Formed to execute rather than project—capable of relating facts with fidelity, and incapable of relating them otherwise. He is thoroughly informed of the plans and instructions of ——— and will disclose to you as far as you inquire and no farther. He has imbibed a reverence for your character and may be embarrassed in your presence. Put him at ease and he will satisfy you. Doctor Bollman will hand you the duplicate."

The first time I had the pleasure of Mr. Randolph's acquaintance, was at the commencement of the session of 1807. Several members collected at Crawford's, in Georgetown, to compose a mess. The evening before the opening of the session, I took my place among them, where I met with two old acquaintances, Richard Stanford and James M. Garnett, political partisans of Mr. Randolph. After some general observations by Mr. Stanford and myself, he said that as I had voted for the administration as an Elector, if I had any views of official favor, now was the time to apply. I replied that I had already paid my respects to the President, and on making the usual inquiries, found, to my sur-

prise, "the market forestalled." This created a laugh through the mess, and among the rest, Mr. Randolph was so pleased that he arose and got Mr. Stanford to introduce me, hoping, from this incident, that I would become a new recruit in his opposition corps, in which he miscalculated, as I continued a consistent Republican, and gave my humble support to the administration; and although I was frequently under the necessity of voting against Mr. Randolph, it did not occasion any coolness between us.

A few evenings afterward, while the mess were arranged around the fire in the sitting-room, Mr. Randolph came in somewhat excited, and immediately began to talk of his discontent. He said that Melvil the tailor had for years been his beautifier, and he had always paid his bills without dispute. He had been taking a stroll through the business part of the town, and on the way had called on Melvil, who prevailed on him to have his measure taken for a coat. He had not proceeded far from the shop before he was accosted by a retailer and requested to look at a piece of cloth, which, upon inspection, he found superior and much cheaper than that Melvil had shown him. He was persuaded to buy a pattern, provided M. would agree to make it up instead of the one he had spoken for. On calling upon M. for that purpose, he positively refused, and held Mr. R. to his hard bargain. Mr. R. said of course he should fulfil it, but Melvil should never have any more of his custom. A member present then interposed and informed Mr. Randolph that he was not acquainted with the mode of shopping prevalent there. The merchants there had two prices—an asking price and a taking one; and he used to send his wife around to make all the purchases for the family, by which he made a saving of 15 or 20 per cent. Mr. Randolph replied: "I had rather my wife should make a living any other way but one than that." His being a confirmed old bachelor made the remark the more comical.

Mr. Garnett, a few evenings afterward, on his return from canvass-back duck shooting, told an adventure which occurred on the part of another hunter he had fallen in with on the banks of the Potomac. "The man had followed a large flock till it entered a cove, and secreted himself behind a log, to await an opportunity to get a number in a range. After waiting in the cold for some time, and finding a fair chance to place his gun over the log to take rest, and just as he had taken sight and was ready to pull trigger, what should he see but another long gun directly opposite, aiming at the same object. He had hardly time to drop down behind the log, before away blazed the other sportsman, the whole load coming into the log behind which he was—'*Lying*,' said Randolph, finishing the sentence for Mr. Garnett, to the great diversion of the company."

PROCEEDINGS IN CONGRESS, 1808.

On the 24th of November, 1808, Mr. Randolph moved that the injunction of secrecy imposed on so much of the President's message of the 9th instant, as relates to the substance of the communication of our Minister at London and Paris be removed—but it failed, 39 to 87.

That injunction of secrecy had been imposed since December, 1807, when the embargo message was sent to the House, and it was thought premature to remove it. His great speech of the session was delivered on the 20th of November, against the Report of the Committee of Foreign Relations, which closed with a resolution, "That the House cannot, without a sacrifice of their rights, independence and honor, submit to the late edicts of Great Britain and France." The Committee recommended a non-intercourse with both nations. He began by saying, that one-fourth part of the session had elapsed, and the House were merely debating an abstract proposition, which, whether rejected or adopted, was perfectly nugatory, and could not become the basis of any measure. They were merely making speeches for the amusement of the gallery, the people of Washington and the vicinity. He inquired, on whom the declaration contained in the first resolution was to operate? Was it upon the House themselves? Had their conduct been such heretofore, or was it such now, as to render it necessary for them to swallow the dose for their own good? Was it for the people to rouse their courage to the sticking point? or was it for the belligerents of Europe, to be sent to Gen. Armstrong and Mr. Pinckney, to be administered to France and Great Britain for the purpose of convincing them of our resolution and prowess? He thought it too late to produce such an effect upon them by such means. He regretted the introduction of this Report, as it goes to establish the belief which has been too long entertained, that words are all the means to be used for vindicating our rights. To make an impression upon Europe, something more substantial must be resorted to. This mode of defence by words has been too long resorted to. He would not follow the example of gentlemen, by recounting in detail the wrongs we had received and submitted to, from the great belligerents and the little belligerents. He had no stomach for such repasts. It was no pleasure to him to be repeating, like Shylock, "On such a day you called me dog, on such another day, you spat upon my gaberdine." He had no pleasure in reading the reports of committees, however finely they may be dressed in argument. He wished the aggressors had more of the argument, and we less of the injury. As long as we would quietly submit to the insult and the injury, they would consent to let us have the best of the argument. He felt deep mortification and humiliation in this perpetual theme of wrongs and insults, and our only means of repelling them, words, words, words, correspondences of ministers abroad, and reports of committees at home. In this whole Report there was not one word of substance, all was prologue, episode and epilogue. Still he did not mean to find fault with the particular Report. It was pretty much after the fashion of the times—the old dose which had been so often served up, but not of quite so exquisite cookery as he had seen before. It might, perhaps, be answered, that the resolution was nothing by itself, yet when taken in connection with others, it had a meaning. He asserted that it had none, or it had more than meets the eye or ear. If it has any meaning, it is a declaration of war. The resolutions, taken together, are inconsistent with each other. In one breath it is asserted that we cannot, without a sacrifice of national honor and independence, submit to these edicts; in the next we declare that we will submit. It would be

objected, that a temporary suspension of commerce is not submission. But the suspension is not temporary ; there is not a word in the statute book which limits the duration of this suspension. If an unlimited suspension of commerce, in compliance with the order of foreign governments, be not submission, he knew not in what submission consists. He said he had not the assurance to pronounce upon that floor, that the embargo was a measure of resistance, when the Government had officially declared to the governments of Europe, that it was no such thing, but merely an internal regulation. If not resistance, it must be submission. He then examined the statements of those who undertook to show that the pressure of the embargo was greater in the eastern than in the southern States. He compared the distress occasioned by the embargo, with that produced by the excise law, when the father of his country was obliged to raise his arm to chastise his undutiful children, and concluded that the former was much more severe than the latter ever was, and consequently that the virtue and patriotism of the country were much greater now than at that period. He next took a view of the origin of the present Constitution, and proved that it had its rise in a disposition to have some general provision for the protection of commerce—that under it, commerce rose and flourished beyond anything that had been anticipated—and now, to the astonishment of everybody, without any warning, the navigating section of the Union, and that section of the Union which produces most of the articles of exportation, have united in destroying both. He then adverted to the third resolution, to make immediate provision for the defence of the country, and asked what was the plan of defence ? He asked, whether a man who felt himself insulted beyond all power of forbearance, usually resolved upon providing more effectually for his defence by adding another bolt to the street door, another nail to the embargo ? * * * We have offered to take off the embargo with respect to each, and both have refused to revoke their edicts. Our present situation, said he, reminds me of the story of Jack in the “Tale of a Tub.” “We have hanged ourselves for spite, in hopes they would cut us down. But to our utter disappointment, they preferred to let us dangle in our garters.”

Mr. Randolph spoke again on the same subject on the 8th of December, and made such an impression on the House, that one of the majority thought they ought to take further time for deliberation. On the 16th, the question was taken on the resolution and carried, ayes 113, noes 2 !!

On all private claims, or where his judgment was not warped by party-spirit, he voted without fear, favor or affection. At the Session of 1807, Philip B. Key's seat was contested by Patrick Magruder, on the ground of non-residence within the district, he residing in Georgetown. On a visit to Mr. Key on horseback, in company with his friend Garnett, in February, upon dismounting at the door, the ground being slippery with ice and snow, he trod upon an uneven surface, and fell heavily, wrenching his hip so badly that he could not walk. He was taken up in great pain, and carried into the house and put on a bed, which he was not able to leave for a month, when he returned to his lodgings. The pain was so great that it deprived him of sleep for three nights, during which time Mr. Garnett lay in the room with him, and was kept

awake the whole time by the groanings of his friend, and his mental anxiety on his account. But what was a remarkable circumstance, Mr. Garnett observed he felt no inconvenience from the want of sleep, but arose every morning as fresh as if he had slept the whole night. Mr. Randolph received every attention, and the most delicate care from the lady, and the other female members of the family, during the whole time of his confinement there. Mr. Key's hospitalities had been conspicuous, in the shape of dinner and supper parties given to the members, some of whom were by these arts, either neutralized, or reconciled to vote in favor of Mr. Key. When the question came up, on the report of the committee of elections, in favor of the sitting member, Mr. Randolph arose in his place and made a speech against it, or the right of Mr. Key to a seat in that House. In his introductory remarks, he expressed his many obligations to Mr. Key for the kind attention and hospitality shown him on the occasion, but he must vote from the convictions of his unbiassed judgment. The report of the committee, however, in favor of Mr. Key was agreed to and he kept his seat.

CHAPTER III.

PROCEEDINGS IN CONGRESS.

JOHN RANDOLPH, like Iago, "was nothing without he was critical," and on most occasions his criticism sprang from the same unworthy source, malice. On the opening of the first day of the session of 1807, the first speech delivered was by him, and inflicted a cruel and unprovoked injury on the subject of it. On the House was called upon to elect a clerk in the place of Mr. John Beckley, who had died in the recess. His head clerk, Nicholas B. Vanzandt, well acquainted with the duties of the office, was nominated with Patrick Magruder, and one or two others. On the first ballot, he ran ahead of the rest, and came within four votes of being elected. Randolph took his seat just before the second ballot, and got up and delivered a severe philippic against Vanzandt, whom he charged with having, at a previous session, when the House was sitting with closed doors, listened through the key-hole of the door of the gallery, and was suspected of having caught and betrayed the secret. The House was taken by surprise, and more than one half being new members and unacquainted with Randolph's character, conceived strong prejudices against Vanzandt. He offered by a letter to the Speaker, if the House would hear him, to disprove the charge, but no one stepped forward in his defence, and when he approached Mr. Randolph's seat to offer some explanations, he rudely ordered him away. This attack was fatal to poor Vanzandt, and Magruder in the next

ballot obtained the majority. Vanzandt, with his amiable family, was thus thrust out of his usual channel of maintenance, and had to resort to other shifts and expedients to obtain a living. He came out with his card the next day, complaining most feelingly of his treatment by Mr. Randolph, which created only the unavailing regret of the House that they had not had the opportunity of forming a timely judgment of his pretensions. After struggling some years in the unsuccessful business of a wine merchant, he was very properly provided for with a clerkship in the Treasury Department, which he still occupies. The secret of Randolph's persecution soon after leaked out. Vanzandt was the protégé of Mrs. Madison, having married a relative, one of three sisters, the Misses Southall of Virginia.

At the commencement of the session of 1807 Joseph B. Varnum was elected speaker by a majority of only one vote. Mr. Macon not being present he could not be run as Speaker, and Mr. Randolph struggled hard to have the election postponed till next day. In consequence of this change in the Chair, which was in a great measure caused by the alleged partiality of Mr. Macon towards Mr. Randolph in not calling him to order on proper occasions, but permitting him to indulge in personalities, Mr. Randolph was removed from the head of the Committee of Ways and Means, and G. W. Campbell of Tennessee, placed there. When the navy appropriation bill came up on the 9th of November, Mr. Randolph raised his voice against the item of \$87,000 for timber for the navy, while the estimate of the Secretary was calculated for timber to build 73 gun-boats. Some other expenses had been incurred by the President, in anticipation of the meeting of the Houses, which he justified by the urgency of the occasion. Among them were contracts for sulphur and saltpetre, for manufacturing a requisite supply of powder, in which our magazines were deficient. By an existing law, the President had a right to increase the marine corps to 1004 men, and under existing circumstances he had availed himself of it. It is true, no appropriation had been made for the purpose, but he construed the law as by implication giving him the power incidentally of supporting and clothing them while in service. The same reasoning applied to timber. It was thought necessary, for "our common defence," to provide for the protection of our defenceless ports, and prevent our cities, as had been threatened by the commanders of the British squadron in the Chesapeake, from being attacked and burned. With this view, a supply of timber had been procured, suitable for gun-boats, but might be applied to other purposes of naval construction, or if not found necessary to use in that form, it could be sold without loss. Mr. Randolph allowed that the crisis which occasioned these expenses, was an imminent one. "It was so imminent that Congress ought to have been immediately convened, that they might have given authority, said he, for these extraordinary expenses, and for adopting such measures as national feeling and national honor called for. He confessed, he felt extremely reluctant to vote large sums to support our disgraced and degraded navy, for expenses too, that had been illegally incurred. He had endeavored in vain to procure Gallatin on Finance, which ought to be in our library. In that book, he recollected a

case exactly apposite to the present, where the President of the United States, during the Pennsylvania insurrection, made use of money to defray expenses incurred, which had been appropriated for a different object. He concluded by saying, that when he rose, he did not mean to say much on this subject, but he could not restrain his indignation, at hearing such anti-republican and highly federal opinions, as had been supported by the gentleman from Tennessee, Mr. Campbell." Mr. Randolph spoke twice afterwards—and observed, that he did not intend to vote against this appropriation, but he voted to pay these expenses with the same reluctance as he should to pay the debt due a gambler who had cheated him. In his third speech, he said he understood the gentleman from Tennessee to say he should not apply to him for instructions in political principles. He would assure the gentleman that he was one of the last persons he should wish to instruct, and when he wanted pupils he should not solicit him to become one. He should give his vote in favor of the appropriation, because the expense had been incurred by the patriotism of our citizens, and it would be an indelible disgrace not to discharge it. The President had received, said he, an insult from a minister of a foreign power (the Chevalier Don Carlos Martinez D'Yreujo—who, being charged with a participation in the Spanish conspiracy to separate the Union, was ordered by Mr. Madison to leave Washington in 1806, but refused to go, and wrote an insolent letter in reply), and now had received a slap on the cheek, and through him, he himself had received a slap on the cheek by the navy of another. On the receipt of the President's confidential message, the 21st of December, recommending an embargo, Mr. Randolph offered a resolution for carrying it into effect.

About the period of Mr. Jefferson's term, the Republican party, with Mr. Jefferson, had fixed their hopes upon Mr. Madison, as worthy to receive the presidential mantle. John Randolph, at a levee, asked Mr. Jefferson when he expected Mr. Monroe back from his mission to France. Mr. Jefferson, divining Randolph's views in making the inquiry, asked him if Mr. Madison would not serve his purpose. Randolph said no, he wanted no more philosopher Presidents. In February, 1808, the Republican members of Congress, not having the fear of John Randolph before their eyes, and instigated by Stephen Rowe Bradley of Vermont, as chairman of a prior meeting, held a caucus at the capitol, in the senate chamber, to nominate James Madison as the successor of Thomas Jefferson. Randolph, of course, denounced the meeting, and boasted that no one present at it would dare avow the name of his choice. The writer of this sketch, being detained by indisposition, sent his proxy by John Montgomery of Maryland, to vote in his name for James Madison and George Clinton. His name happened to be published in the papers next day among the proceedings of the caucus, and he received the unction of Randolph's praise for being the only member present that openly and boldly risked his election, by staking it on Mr. Madison's.

On the last of December Mr. Randolph introduced a resolution, prefaced by a few remarks, requesting the President of the United States to inquire into the conduct of General James Wilkinson, on the charge of his having corruptly

received from the Governor of Louisiana, the Baron de Carondelet, in 1796, money by way of pension from the Spanish Government or their agents. It seems that a letter was sent by the Baron to one Thomas Portel, of New Madrid, advising him of the shipment of the sum of \$9,460 in specie, to be held to the order of General Wilkinson. Mr. Randolph also produced a letter from Thomas Power, stating that he had, at General Wilkinson's request, delivered the money to Philip Nolan at Cincinnati, which Nolan received in some barrels of sugar and coffee and conveyed to Frankfort in a wagon. In a speech on the resolution the 11th of January following, he implicated the General in Burr's conspiracy, and charged him with having garbled and mutilated the letter in cipher. He instanced the passage which says, "I have actually commenced," not the enterprise, but the "eastern detachment," implying that there might be some western detachment under Wilkinson. Again he makes the letter read, "everything internal and external favors views," which, according to Mr. Randolph, was "favors" our "views," and the project, "my dear friend," is omitted in the General's version. "These suppressions," said Mr. Randolph, "conveyed to my mind an impression, which I never attempted to conceal, of the guilt, not only of the principal, but of many of the inferior officers of the army. Guilt is always short-sighted and infatuated. Not content with that dubious sort of faith which it might sometimes acquire, when not brought to the trial, it had attempted not only to occupy the middle ground of doubt and suspicion, but to clothe itself with the reputation of the fairest character in the country, and in so doing, had torn the last shred of concealment from its own deformity. The motion to indict General Wilkinson before the grand jury at Richmond, of which he was a member," said he, "for misprision of treason, failed from a mere flaw, or legal exception. His moral guilt was not denied by a single member of the jury. The treason having been alleged to have been committed in Ohio, and General Wilkinson's letter to the President being dated a short time before that act, he had the benefit of what lawyers call a legal exception. He and his colleagues on the jury believed the army was tainted to the core with that disease." On the 1st of January, or the next day after the delivery of these reproachful and insulting remarks, General Wilkinson sent Mr. Randolph a challenge. Mr. Randolph refused to accept it, and returned for answer, that he could not descend to the General's level. The General then posted him in handbills, throughout the District, in the following terms:

"HECTOR UNMASKED.—In justice to my character, I denounce John Randolph, M. C., to the world, as a prevaricating, base, calumniating scoundrel, poltroon and coward."

In a postscript to his letter in reply to Mr. Randolph's refusal to meet him, he said, "Embrace the alternative still within your reach, and rise to the level of a gentleman;" and added, "The first idea suggested by your letter in response to mine was the chastisement of my cane, from which the sacred respect I owe to the station you occupy in the councils of the nation alone protected you."

Mr. Randolph's resolution was agreed to, after several days' debate; and on the 14th of January Mr. Jefferson sent a message to the House, saying that Mr. Clark's statement gave him the first intimation of General Wilkinson's having corruptly received money from the Spanish authorities, and that the inquiry should be pursued with rigorous impartiality. General Wilkinson had asked of the Secretary of War, on the first of January, to raise a court of inquiry into his conduct, which was acceded to, and the court held its session in Washington, and received from the committee of investigation in the House all the information they had obtained. It resulted in subjecting the General to a regular court-martial, held at Fredericktown, in Maryland, when the General was honorably acquitted.

Jacob Crowninshield, a distinguished member from Massachusetts, moved an amendment, or a substitute for Mr. R.'s resolution for an embargo, and supported it with many cogent reasons. Mr. R. opposed it, and insisted upon the adoption of his own. Crowninshield replied, and as each appeared obstinately tenacious of his own proposition and were up and down alternately, an hour or more, without giving way, a message was received from the Senate, in the midst of this "war of words," informing the House that they had passed a resolution for laying a general embargo. By common consent, the Senate's resolution was taken up, and Mr. Randolph's laid on the table. Strong opposition was raised against it by the Federal members, and a warm debate ensued, and the House adjourned at night, without taking the question. It was continued all the next day, with undiminished zeal and ability until 11 o'clock at night, when just as the roll was about to be called, and the ayes and nays ordered, John Randolph took the floor. Everybody, of course, expected he would support the resolution, and what was their astonishment to hear him come out dead against it. He made a poor excuse for this sudden change of opinion, and spoke half an hour in opposition to its passage. The vote was then taken and the resolution passed, and the House adjourned at near 12 o'clock, on the 24th of December, perfectly exhausted. The conclusion was irresistibly drawn, that John Randolph's opposition arose from pure envy—the jealousy of another's success in carrying through so important a measure. His rival, however, Mr. Jacob Crowninshield, a gentleman of great natural ability, a good speaker and a most honorable man, during a debate on Friday, the 8th of January, in which he was earnestly engaged, in opposition to Mr. Randolph's resolution of inquiry into the conduct of Gen. Wilkinson, burst a blood-vessel of the lungs, and bled so profusely that he could barely be got to his lodgings alive, and died the 15th of April afterwards.

This measure, with others growing out of it, as the act supplementary, or the enforcement act, excited such bitter feelings between the two parties, that the most violent, inflammatory, and personally abusive speeches were delivered, by the northern members especially, and scarcely a member spoke without violating the rules of the House. John Randolph was not sparing of his abusive language; he had adroitness enough to avoid any direct personal insults, while he aimed his blows at the administration. But among the inveterate political belligerents in the House, Barent Gardenier of New York was the most

provoking. On the act supplementary to the embargo, on the 30th February, he accused the House of being actuated by a subserviency to the ambitious views of Bonaparte. Many members replied to him in no courteous strains, and among the rest R. M. Johnson, who pronounced it a base slander. G. W. Campbell said, he knew no other answer to give, than the lie direct, and pronounced the charge an infamous falsehood. Though at least three members had used the same language, yet, I presume, from his peaceful deportment and rather Quaker look, Gardenier singled him out, probably under an expectation he would apologise and avoid a fight. But he mistook his man. Campbell refused to recall a single word, and Gardenier challenged him. They met in Bladensburg, the great battle-ground, on the 2d of March, 1808, and at the first fire Gardenier fell, desperately wounded. He recovered, however, in the course of six weeks, and learned a lesson of moderation which he did not soon forget, and for the balance of his career exhibited a decided improvement in his manners.

On the first of December, Mr. Randolph introduced three resolutions, which he supported by some pertinent preliminary remarks:—

1st, That provision ought to be made by law for the adequate and comfortable support of such officers and soldiers of the Revolutionary war as are still living in a state of indigence to the disgrace of the country which owes its liberty to their valor.

2d, That provision ought to be made by law for arming and equipping the whole militia of the United States.

3d, That provision ought to be made by law for procuring a formidable train of artillery for the service of the United States.

He moved that these resolutions should be referred to a Committee of the Whole on the state of the Union for the next day, which was agreed to. He said that as long as the public defence had been before a respectable committee of the House, and while their report was pending, he had deemed it unavailing in him to offer anything on the subject. But he felt the necessity so urgent that he could no longer dispense with it, to offer some propositions to the House on this important subject. That necessity grew out of the general opinion which appeared to prevail in the House, that a peculiar mode of defence was the only one proper to be adopted. It arose, also, out of the enormous sums he had heard proposed for that mode of defence, and which, if agreed to, we should, when we wished to adopt those measures of defence equally essential, find an empty treasury, and be compelled to resort to the system of loans recommended by the Secretary of the Treasury. He said the militia ought to be armed and equipped, ready at all times to oppose an invading enemy. It had been said, if a war took place, we should have to contend with enemies on our frontier: that we should be attacked by the savages at Montreal. Whether we considered ourselves at war, or on the eve of war, it behoved us to arm the natural defence of the country, which had carried us through dangers, and on which we should always have to rely. He contended that muskets in the hands of our people, and cannon on our shores, were the proper methods of defence. There was another measure, he said, that ought to be adopted, previous to any step for the

defence of the nation : a measure of justice, a measure which would not only entitle us to success, but which was eminently calculated to insure it ; a measure which would unite all hearts and hands in our service. This was, that the House should no longer permit the nation to labor under the stigma of leaving the men who had formerly fought in its service, to perish in the streets. With what propriety can we call upon the youth of our country to arm in its defence, when they see their fathers standing at the door of this hall begging for bread. On the 3d of the month, Mr. Randolph called for the orders of the day, and these resolutions came up for adoption. The first one was agreed to without opposition. The House was not aware, nor was Mr. Randolph apprehensive of the many millions which it was calculated to draw from the treasury for the support, under a pension system, of the venerable remains of that band of Revolutionary worthies, whom it was intended to render comfortable the short remnant of their days. Some years afterwards, when it was proposed to extend the system, and when he found the sums required to satisfy that class of public creditors, so far beyond his anticipation, and the inequality of its operation, he changed his views and opposed it, declaring that the current of this expenditure ran as regularly North-east as the Gulf Stream. On the second resolution, Mr Eppes said that the whole number of militia was 640,000, and estimating the price of guns at \$10, they would cost upwards of \$6,000,000. He moved to strike out "the whole body," and insert "the 100,000 men held in requisition by the act of 1806, and the 30,000 volunteers by the law of 1807." Mr. Randolph said, "he should consider an agreement to this amendment as equivalent to a rejection of his resolution, because, if adopted, it would turn up in fact, that to arm these troops, the greater part of whom were already armed, it would not be necessary to expend a single dollar. He had no intention of draining the treasury of six millions of dollars. His idea was, that an appropriation (and he hoped it would be a liberal one) would be made towards arming the militia, and at the same time the nation should pledge itself to put arms in the hands of every man capable of bearing them. He believed that all the laws for regulating the militia were futile till arms were put into their hands. It was no use to pass such laws as long as men were mustered with walking-canes : and he would venture to say, if the same rules were put in practice over freemen as were adopted over the hirelings of despots, it would occasion discontent and perhaps mutiny." Mr. Eppes's amendment was lost and the resolutions were agreed to.

Though a little premature, I may here state the occasion and the result of the quarrel between Randolph and Eppes :—

On the 28th of February, 1811, the House had been engaged all the fore part of the day upon some retaliation measures, a Supplementary Embargo Act. On the motion of Mr. Eppes, the House took a recess, from 4 to 7 o'clock, P. M., at which time it was understood the question would be taken, without further debate. Mr. Randolph in the meantime reached Washington, and after a hearty dinner, which was well diluted with the homely stimulus of whisky, he took his seat, for the first time during the session, at the hour of adjournment.

As soon as the House formed, Mr. R. got up and moved it to adjourn, and among other reasons, stated that he had just reached his seat after a long and fatiguing ride, and was not in a condition to vote or to speak on a question of that importance at that hour. Mr. Eppes opposed it, and suggested that the motive of his colleague in making the motion was primarily to delay and ultimately to defeat the object of the bill. Mr. R. got up much excited, and gave Mr. Eppes the lie direct, in so many words, by asserting that it was not true; and although he was called to order, yet he managed to keep the floor until he reiterated the charge three times. Mr. Eppes wrote a challenge and handed it to Richard M. Johnson, who immediately delivered it to Mr. Randolph.

While Mr. Randolph was out, for the purpose of entering into the usual preliminaries for the anticipated duel, and holding a conversation with his second, the House had ordered the previous question, which cut off all farther debate. Randolph returned just as the main question was about to be put and got up to speak, but being stopped by the Speaker's informing him what had taken place, he flew into a furious passion, and declared that the House had disgraced itself. The epithet "d——d liar" was heard from several quarters, and Dr. Shaw of Vermont, said the rascal ought to be expelled. The House was in an uproar for some minutes, but the roll was called, the bill passed and the House adjourned. A "note of dreadful preparation" was heard for days together from the side of John Randolph. He dispatched an express to Baltimore for a celebrated pair of hair-triggers, and engaged the services of a surgeon from the same place, and under the drilling of a first-rate shot, practised two hours daily about the woods on the turnpike to the Northeast of the Capitol. It was dangerous to travel the road, as frequent cracks, followed by the whizzing of balls, were heard by travellers on the road, to their no little apprehension. But all this mighty preparation and ostentatious parade was to end in smoke. General Wilkinson was Eppes's second, and in a few days, from being perfectly ignorant of the use of the pistol, he became a first-rate marksman. Wilkinson called on me at the time, and knowing my friendship for Eppes, informed me of the rapid progress of his pupil in "the art of the duello." But he was decided in the opinion it would never come off. "If they fight," said he, "Eppes will kill him; but take my word for it, Randolph will back out. All this blustering and fuss is merely intended to bully Eppes, and then through the disinterested interference of a friend, to get the quarrel accommodated on the best terms he can." And so indeed it happened. On the eve of adjournment, on the 2d of March, 1811, a friend of Randolph called on Richard M. Johnson, Eppes's second, who was a good-natured fellow, as was his principal Eppes himself, and offered, on the withdrawal of the challenge, to make a satisfactory explanation on the part of Randolph. The offer was accepted, the matter amicably settled, and the honor of the parties preserved whole with their hides. But you would be astonished to learn the minutiae and details of the science of duelling; the care they take in selecting and putting in order the "irons." The bullet must fit to a nicety. The flint (there were no percussion locks invented then) examined, picked, and warranted sure. The powder, the first London duelling, had to undergo the pro-

cess of warming and drying, in a clean white crockery plate, over a chafing-dish or furnace of charcoal, from thence transferred to a sheet of white paper, and minutely examined by a microscope, grain by grain, and every mote or particle of extraneous matter removed, before it was rammed down the pistol's throat, to propel, with the celerity of lightning, the deadly ball ; it being a main point with Wilkinson, and other professors of the art since, to draw the antagonist's fire.

Having thus brought Randolph and Eppes, the two great party leaders, in near a deadly collision, we will let them (although we are anticipating the period by a few years) try their strength as opposing candidates in the elective arena. It seems that the breach between them was ostensibly, but never really, healed. Eppes resided in the district adjoining Randolph, in Chesterfield county. Eppes was the main prop of the administration, having to support nearly the whole brunt of the opposition on the floor, and by his readiness, his fluency, and impassioned eloquence, came out of the conflict with the highest credit. Randolph's unreasonable and bitter opposition to the government of Mr. Jefferson, continuing unabated through that of his successor, excited much discontent among his republican constituents. Finding no one in the district willing or able to oppose him effectually, they prevailed on Eppes to remove among them, and he accordingly settled in Buckingham, a short time previous to the election of 1815. The campaign between them was very warm and exciting. They both addressed the freeholders at the hustings and other public meetings, and Eppes, being a very popular speaker, aroused the prejudices and the passions of his auditors against Randolph, by exposing his defence of the aggressions of the national enemy, and his coalition with the federalists and Hartford conventionalists. By these means, he succeeded in defeating Randolph for the first time, by a majority of three hundred. Randolph's pride received a mortifying blow ; but he resolved to regain his lost popularity, by courting the popular favor during Eppes' absence at the seat of government. A powerful enemy, one that had contributed more than any other man to Randolph's defeat, was one Griggs, a Baptist preacher. Randolph "put on the armor and attitude" of a Christian, attended their meetings, showed marked attention to the elders of the society, talked with them, prayed with them, and exhorted all he met, with such feeling and pathos, as frequently to be melted into tears, or the counterfeit of them. By these means, he ingratiated himself in the favor of the Baptist, as well as other religious denominations, while Eppes, who was naturally indolent, feeling assured of his power by his recent great victory, took no active steps to retain it. Nathaniel Macon used to say, that a majority of one was the best majority in the world. Eppes' large majority lulled him into a fatal sense of his security. In consequence of his supineness, Randolph succeeded at the next election by a small majority. Eppes was soon after translated to the Senate of the United States, and could afford to leave the field clear to his antagonist.

Among the prominent members who composed the caucus of 1808, that nominated James Madison, was Wilson C. Nicholas of Virginia. Randolph

took a strong prejudice against him, giving him the name of the great earl of Warwick, your only king-maker. Randolph wanted to consider him as the leader of the administration party in the House, which honor, Mr. Nicholas's modesty caused him to decline. Mr. Nicholas was not an active member, though he made an impressive speech in favor of the embargo. Randolph never could bear Willis Alston. The first occasion of their enmity arose out of a dispute, which ended in an affray at the dinner table in 1804, at Miss Shields' boarding house. Alston was somewhat arrogant and presuming in conversation, and during a warm altercation between him and Randolph, he made use of some expressions which Randolph deemed personal and insulting. The ladies having finished their meal, Randolph assisted in handing them out, and then pouring out a glass of wine, dashed it in Alston's face. Alston sent a decanter at his head in return, and these and similar missiles continued to fly to and fro, until there was much destruction of glass ware, though the blood of the grape was all that was shed on the occasion. Alston sent either a challenge, or a note demanding an explanation, but Randolph having locked himself in his room, refused admittance, and denounced instant death to any one that should attempt to enter on any such mission. So the matter ended for that time, and Randolph continued to treat Alston afterwards with studied contempt, being especially careful never to mention his name, or notice him in debate. He was driven from this course, however, at the session of January, 1810, by some highly provoking remarks of Alston, when pouncing upon him at one desperate spring, with fury flashing from his eyes, and the most bitter sarcasm, calling Alston "that thing," gave him such an unmerciful verbal castigation, as made Alston cower and cringe in his seat.

Alston, however, could not learn to hold his tongue, and on many frequent occasions, would "have a fling" at Randolph. During the same session, the House having, on motion of Mr. Randolph, adjourned, as the members were breaking up, Alston remarked, loud enough to be heard by several members, and among them John Randolph himself, that the puppy still had respect shown him. Whether he alluded to Randolph, or his dog, of which he always had some at his heels, was a question, but as Alston proceeded down the stairs ahead of Randolph, the latter observed, "I have a great mind to cane him, and I believe I will," and immediately commenced a battery on Alston's head. Alston had no weapon, but turned round and tried to reach Randolph with his hand and seize him by the throat, and also kicked at him, but Randolph having the vantage ground, repeated his blows, knocked Alston's hat off, and gave him some severe cuts, till the blood began to flow. They were then separated; Alston "unpacking his heart with words," was conducted to his quarters, where his wounds were dressed. The next day he appeared in his seat with his head bandaged. The district court then in session, took the case in hand. The grand jury presented an indictment against Randolph for a breach of the peace, and the court allowed him to offer evidence in extenuation, before mulcting him in a fine. This he did, and proved by several members that Alston had frequently made use of provoking language in regard to him. The court imposed

a fine of \$20, which Randolph paid and left the bar, by which their appraisal of Alston's head was fixed at a very moderate estimate. Randolph ruled with a sceptre of iron his little corps of followers. They consisted of only half a dozen, and among them, the most talented was his colleague, Daniel Sheffy, who had risen by the force of his genius, from a cobbler's stall, to a seat in Congress. Sheffy, during a debate on some important question ventured to think and speak for himself. Randolph, maintaining different views, thought proper to punish Sheffy for his desertion. He commenced a personal attack upon him, threw into his teeth his low origin, and called to his especial recollection the old Latin proverb, *ne sutor ultra crepidam*, that every cobbler should stick to his last. Sheffy did not take this punishment with due submission, but retaliated with great spirit, acknowledged his humble origin, and stated that had Mr. Randolph been in his place, he would never have risen above it, but would have remained a cobbler to this day. Replies and rejoinders were kept up nearly two days, and these two now bitter foes worried one another like bull dogs, till they were dragged apart by the House proceeding to the orders of the day.

We will now suggest a few observations on Mr. Randolph's style and address as an orator. From his last speeches in the Senate, which follow, we must come to the conclusion that "his mind began to unsettle." So different from his productions in his more youthful and vigorous days, they betray a morbid sensibility, and an apprehension of some dreaded danger that existed only in his over-excited imagination; and his pledge, in his speech hereafter quoted, that he would prove that the leaders of the administration sometimes played their political game with a card too many, and sometimes too few, was never redeemed. In his latter years he could not confine himself to the point, but touched upon things in general, as if in a tone of conversational improvisation. He spoke so slow and deliberately that I have thought, in listening to him, that he had not considered the subject before he arose; but as he proceeded, his mind was put into motion, or rather commotion, and he threw off the new coinage of his active brain as fast as it was struck. He was greatly assisted and encouraged, and generally arrayed his countenance in a bland smile, if he could discover among his audience any one paying particular attention to his address. He would rivet his eye upon him and seem to address him alone; and I have seen members in that case nod assent to his assertions as he proceeded, which he appeared to take as a marked favor. During his speech on the judiciary bill, I believe in April, 1826, I happened to be a listener, and standing near the President of the Senate, when Mr. Randolph was denouncing the Executive for buying up the leading prints in the different States. Among others he enumerated the Petersburg Intelligencer, and added one or two others, and looking steadily at me, asked, was there not the whole three that had given in their adhesion? I was ignorant of the circumstance, and did not return the nod of assent, which seemed to confuse Mr. Randolph, and remarking that he knew who he was talking to, dropped that part of his subject. In his earlier years, he was as remarkable for adhering to the question before the House as other members, and when roused by opposition, seldom left it till it was com-

pletely exhausted. He was then animated, clear, and distinct; his delivery was forcible, and his language pure, his words select and strictly grammatical, and his order and arrangement lucid and harmonious. His voice was clear, loud and sonorous, and almost as fine as a female's, and in his extemporaneous efforts, in which he excelled, his action was perfectly suited to his expression. If he was treated with courtesy and deference by his antagonists, he always returned it with interest; but if they provoked him by the use of any personality or unfairness in stating his arguments, he retaliated with terrible retribution. Although he was accused of being much more efficient in pulling down than building up, yet there were some important measures for which the nation is indebted to his oratorical powers, as the originator and successful defender. Among them was the substitution, under the appropriate heads, of specific instead of general and indefinite appropriations, which he brought about, after a warm and extremely powerful discussion with Mr. Lowndes of South Carolina, who advocated the old system. The next measure which he introduced and carried through was the standing appropriation of \$200,000 for arming the whole body of the militia, and it is calculated, according to his views, that the fund shall remain sacred to that object till every freeman in the United States shall possess a stand of arms complete.

PERSONAL HABITS AND CHARACTER.

Though we shall endeavor to portray Mr. Randolph's character fully at the close of this work, it may not be amiss, and it may prove some relief to the more serious contemplation of his official course, to present some peculiar traits of his private life and manners, that do not appear as necessary materials to fill up his regular picture—and yet seem too interesting to omit altogether. He retained both a part of the external appearance of his Indian descent, as well as of its vengeful passions. His color was somewhat tawny; he was straight, and he walked like the Indian with one foot placed on a straight line before the other. When he was seated at his desk, he appeared rather below the middle size, but when he arose, he seemed to unjoint or unfold himself, and stood erect near six feet high; his lower limbs being disproportionately long for his body. His head was small, his hair light, and worn long, and tied behind; his eyes were black and piercing, his mouth handsome, but with the arrangement of his teeth, gave him a puerile look; his chin rather pointed, and smooth or beardless; his hands small, and his fingers long and tapering. His dress was that of the old Virginia gentleman. He wore white top boots, with drab or buckskin short clothes, and sometimes gaiters, and though neat, he was generally plain in his appearance, and had no ambition to conform to any prevalent fashion. He was free from almost every vice—"Never knew woman," like Malcolm, and never played a game at cards during his seat in Congress. His intimate friend, Mr. Macon, was fond of the game of whist, and one evening, when conversing together on the impolicy of joining fences, in which they both

agreed, some friends coming in, a game of whist was proposed, to which Mr. Macon readily assented, but Mr. Randolph refused, saying, with truth, that he never played cards.

He was fond of a social circle around his parlor fire of an evening, and of conversing on agricultural subjects, declining to enter into politics out of the House. He was the soul of conversation, every person preferring to hear him than to hear themselves talk. He was as brilliant and original on these occasions as he was on the floor of Congress, and would sit up till midnight, if he found a few friends willing to remain as long to listen to his discourses. On one occasion, a respectable and thrifty farmer, and particular friend of his, Nathan Luffboro, Esq., of Georgetown, being present, Mr. Randolph and he commenced and continued for some hours, a most interesting and learned dialogue on farming. Mr. Monroe, in his last message, happened to inform the House, rather prematurely, as it appeared, that there was a surplus in the treasury of about five millions of dollars, and having no definite way to dispose of it, required of Congress to direct in what manner it should be expended. The President and Congress were soon spared that trouble, for before the end of the session, unsatisfied claims were presented to the treasury which completely exhausted that sum. Mr. Randolph, in his remarks on farming, passed a joke at the President's expense by seeing himself in a similar predicament, and commenced, by saying, that finding himself in possession of a large disposable force, "and nowhere to dispose it," he deemed it necessary to turn it upon reclaiming a large portion of his exhausted acres for want of a sufficient quantity of fresh or new soil. He then proceeded to show by what process he had raised a heavy crop of tobacco, with wheat and Indian corn, in a discourse of two hours' duration, which, if published, would compose one of the best treatises on agriculture extant. His judgment and opinions were confirmed by experience, and his farm of Roanoke, in Charlotte county, was a model farm. He rode much, and well, and generally travelled to Washington on horseback, with his servant, dogs, and gun. Once, however, during the non-intercourse, after reaching Stratford Old Court-house, as he informed us, he met the President's message, which smelt so strong of gunpowder, that he concluded to send his horses and boy back, not affording to keep them at board, at a time when produce would sustain a considerable fall, and he finished his journey in the stage. From the tenor of his conversation, as well as his habits, you would infer that he was poor; and so far from boasting of the steady improvement of his circumstances, and his advance to wealth and independence, he would descant gloomily on the hardness of the times and bad markets, and complained, while speaking on the judiciary bill, that he had liked to have been sued. In one of his trips to Congress, when he alighted at a tavern to dine, he was joined by another traveller, his body servant, Johnny, being in attendance at the table. In the course of their meal, the traveller took the liberty of calling on Johnny to help him to different dishes. Mr. Randolph bore this freedom till the third call, when he forbade John to answer it. The stranger repeated the command. Mr. Randolph, fixing his piercing eyes upon him, with a ferocious look, asked

him what he meant, and if he knew who he was. The stranger replied that he neither knew nor cared, for the servant should wait on him as long as he sat at the table. Randolph rising in a rage, told him he was John Randolph of Roanoke, and the boy belonged to him. The stranger arose at the same moment, and answered, "I am Henry Watkins (we are not certain as to the real name), of Mecklenburgh, Virginia, and I am determined the fellow shall do what I command." Mr. Randolph, after surveying the stranger from head to foot, who stood before him firm and decided, began to unbend his brow, and at length proffered his hand, said "I knew you must be a Virginian from your high spirit; I admire your resolution," and shaking hands, he bade Johnny to serve him as he desired, and took a glass of wine with him. Mr. Randolph was generally accompanied with one or two pointers, that proved no little troublesome to the members. As soon as he opened the door of the hall, they would rush in and thrust their noses among the members, in every direction, and even indulged in the freedom of the floor, or the privilege of members, while respectable strangers were excluded. The door-keeper did not like to incur the risk of turning them out. He was a good shot on the wing, and with Mr. Garnet took frequent excursions within the district, a little to the north of the Capitol, most excellent sporting grounds for quail and woodcock, from whence they generally returned in the evening with their bags well filled. He used to enter the House booted and spurred, with whip in hand, a few moments after it had come to order, and appeared to be desirous of attracting the attention of the members, by his loud salutation of some of his favored friends, to the fact of his presence. In the winter he was enveloped in a long lion-skin surtout, and on entering the hall his face was nearly buried in a fur cap. He would sometimes stop short in the middle aisle, and if he found any one up he did not care to listen to, he would abruptly turn on his heel and go out. The reporter of the *Intelligencer* in the winter of 1820, took a sketch of him in that uncouth and ludicrous figure, with nothing visible but his two legs protruding out below, with his mouth, nose, and eyes, and with head erect, as if reconnoitering. It was one of the best likenesses ever hit off. He had a vast number of them printed, and kept beside him in his seat, to dispose of to the members, and although he sold scores of them daily for the balance of the session, the fact was kept a secret from the original, while the members enjoyed the joke occasioned by this caricature.

His great failing was affectation. He had two kinds of address. One stiff and formal, with a long-running bow, and touch of the hat, and an artificial smile, for mere acquaintance, for those former friends towards whom he had grown cool, and a warm, cordial and long-continued shake of the hands for his few bosom friends. He has been seen to walk up to Mr. Macon, while the House was in session, in the most ostentatious manner, and seizing his hand, would shake it so long and forcibly, that the old gentleman would appear confused. On another occasion, upon the eve of adjournment, he went up to Mr. Quincy to take his farewell. While he shook his hand, he had his face in his handkerchief, and held his head aside as if in the act of shedding tears. Mr.

Quincy looked as if he did not know what to make of it; and if there were any tears spent, it must have been those of merriment at such a ludicrous scene, by the spectators. In passing out of the Hall with his friend Garnet, he encountered, near the door, a Lyon (Matthew, of Kentucky), and offered him his hand. Mr. Lyon drew back, and observed that he could not find it in his heart to shake hands with Mr. Randolph, because he had called him a "d—d old rascal." Mr. Randolph appealed to Mr. Garnet, who confirmed Mr. Lyon's statement, and Mr. Randolph replying, "it can't be helped," departed without exchanging the farewell with him.

Mr. Randolph's behavior to young members, whose maiden speeches were indicative of friendly feeling towards the administration, was very illiberal. He was sure to bear down on them with a supercilious and authoritative manner, and apply to them personal invective and bitter sarcasm. His conduct put us in mind of breaking in colts. As soon as they ventured to parade before the house, to display their parts, he would spring on their backs and apply the whip and spur, and the more they reared, and pitched, and plunged, and capered, the more he clung to them and gave them the lash, until having given them a thorough sweat, and taken off their wiry edge, he would dismount and leave them, to appearance, well broken political hacks. Sometimes, however, he would meet with his match, and some high mettled and blooded colts have proved unmanageable and threw the rider. Among them I may mention the name of Mr. McDuffie of South Carolina.

Though he seldom went to church, he was a firm believer in the truths of revelation. He kept himself entirely pure from contact with courtesans, and never having been married (though he was once in imminent danger of committing it), it was suspected that, from some cause, he was deficient in virility. The occasion on which he came near being bound in the silken chains of wedlock, occurred in Richmond, and not in the county, nor attended with the circumstances narrated by the Washington correspondent of the Tribune, in July last. The lady's name was Miss Eggleston, whose father, we believe, was a member of Congress in 1800 to 1804, and she afterwards became the wife of Mr. Randolph's cousin, Peyton Randolph, of Richmond. They had proceeded so far in the ceremony, that a license was obtained, a clergyman sent for, and the happy pair, hand in hand, were about to stand up to be joined together, when the mother handed Mr. Randolph a paper to read, and if he agreed, to sign. It was a deed of release or assignment of all the young lady's property for her exclusive benefit. Mr. Randolph asked the intended bride if it was a condition with her, or her will, that he should sign it. She answered in the affirmative, upon which Mr. Randolph, saying there was no farther use for the minister, took his leave and departed.

Mr. Randolph was a humane master and a kind neighbor. He saw, personally, into the wants and the complaints of his numerous slaves, administered to them as the occasion required, and studied their comfort in every particular. He used daily to ride over his fields, when they were at work; and when he approached, they would make their obeisance with a touch of the hat, which

he would return with a nod or bow. When any of his neighbors were a little behind in their crops, Mr. Randolph would send a force to help them to finish, and he has been known to send a gang of hands seven or eight miles for that purpose. This, and his free and easy manner, rendered him so very popular that they elected him, under all his faults and his growing infirmities, and, notwithstanding he did not attend his seat for whole sessions, till the day of his death. He was always spare, but his disease, dyspepsy and general debility, wasted him away to a mere skeleton. Such was he when he took up his final rest in Philadelphia, which he reached in May, 1833, in his old family carriage. His mind was so active, though his body was too weak to be capable of farther locomotion, that he appeared unconscious of his danger, or the approach of the king of terrors. Only the day before his death he wrote to a friend that he had found out the pedigree of a valuable horse. A clergyman, however, attended him and read portions of the scripture to him, while he lay in bed in an apparent doze or stupor. While thus occupied, he happened to lay the accent on the penultimate syllable of the words *omnipotent* God, when Mr. R., rising on his elbow and looking firmly at him, repeated *omnipotent* God, *omnipotent*. But the particulars of his death will be given, when we come to the solemn occasion.

CHAPTER IV.

DEBATES IN THE HOUSE OF REPRESENTATIVES.—MR. RANDOLPH'S SPEECH.

HE wished to submit a motion to the House, which would require, perhaps at least justify, some general observations. During his unavoidable absence from the House the present session, it had been some consolation to reflect, that if he had been unable to participate any way in the measures which the wisdom of the government might have devised to meet the necessity of the State, at least these measures were not any ways retarded or impeded by any opposition of his. True it is, that at the distance at which I was placed from the seat of government, and the medium through which I viewed its measures, it was impossible for me to discern anything like a system pursuing or about to be pursued by the government of this nation. But this, sir, I attribute to my own want of information, not to the want of decision or wisdom in the government. I flattered myself that when I should have reached the seat of government, when I should be on the spot, I should then at least be able to discern a regular system of policy pervading the great councils of the nation. But, sir, using all the means accessible to me during the time I have been here, I have been unable to detect anything like design, anything like concert, anything like a plan about to be pursued by this House in relation to our national concerns, I ought perhaps to say, until this moment. But I understand, sir, at length the budget has been opened; that a system has been brought forward for raising supplies by

loans and taxes. It is in relation to the system that the motion which I am about to make will stand. I had indeed supposed, sir, that when the government should get into operation this session, the first act would be (if indeed we could not build up) to pull down that which every one seemed to acknowledge was inefficient, ridiculous, and hurtful. I allude to the celebrated non-intercourse law; and I certainly should have felt it my duty to submit a motion on that subject as soon as I took my seat, if I had not been informed that a bill was in transitu between the two Houses to effect that object. Why, indeed, the nation should have tolerated this acknowledged evil, I have never been able to discover. I had supposed the first to have been to do away this confessed evil, by way of preparation for some substantial good. In this, however, I have been unfortunately mistaken. Whether the people of the United States were ever to retrieve that flourishing commerce which had been so childishly spoiled, it was not for me to determine. Commerce was a delicate and ticklish thing; and when it had formed to itself new channels, like the mighty water-course, it was difficult indeed to turn it back to the old. But if the commerce of the United States was ever to be regained, he would venture to say it would never be brought about by means of additional duties. The embargo and non-intercourse—he had almost forgotten to mention the non-importation act—had changed the habits and feelings of the mercantile class in this country, as foreseen and predicted; a system of smuggling and illegal trade, the most ruinous to the fair trade, the most injurious to the agricultural interests, and destructive to the revenue that could be conceived, had been organized. A man had nothing to do but go into the market and give a premium to have his cotton or tobacco placed in Liverpool or London, or to have an assorted cargo of prohibited goods placed in any street in Baltimore or Philadelphia. Whether these habits will ever be checked, it belongs not to me to predict, but they certainly never will be checked by high duties operating as a premium upon smuggling. But it may be said, the nation is in a situation that it may be necessary to act, to do something. I agree, sir, that it is, although I hold it not to be the least of the gratifications of a statesman to be apprised when it is necessary not to act. A proposition is now in substance, and I wish to bring it in form, submitted to this nation, whether they will encounter additional duties and loans, or whether they will make a reduction in unprofitable establishments. I think if I have not forgotten, that the secretary of the treasury, in his annual report, has stated, that by an adequate reduction in the army and navy, the necessitous state of the finances may be relieved. But perhaps, sir, it may be said, shall we, in the present undecided state as respects the belligerents of Europe, make any movement which shall indicate a disposition on our part to submit to those belligerents? Certainly not. But, sir, is there any one who hears me who seriously thought of war? or believed it a relation in which we could be placed? He for one did not. War with whom? war with France? carried on where? By us here and by France in old France; for she had no possessions in our neighborhood. War with England? carried on where? In the hospitals of New Orleans. Granting our situation with either of the belligerents was a hostile one,

and he for one would in that case still be ready to accede to his proposition. He saw no use in keeping up an establishment, a costly set of tools, which we could not, if we knew how to use. It is possible, however, that all this time I may be under a mistake. That there is a system, that there is a plan, a concert, and if indeed the old maxim be true, *ars est celare artem*, ours must be one of the most refined systems; it eludes not only the sight but the touch. It would elude even a chemical analysis. I would wish to ask the House, after all that has been said or can be said on the subject, whether we must not (we may make as many wry faces as we please) go back to that ground, if indeed it be possible to regain it, which we have so childishly and wantonly abandoned? We must. We may begin upon the system of loans and taxes, but the people of the United States will tell us to stop, and we must obey. Will the people consent to keep up an expensive military and naval establishment, of the very existence of which they are ignorant until they are made acquainted with them by burthensome taxes? A debt entailed upon their posterity for what? To what earthly end? If you cannot keep up your army in time of peace, I ask in the name of common sense, what will you do with it in time of war? Is there a man who hears me who feels an atom of additional security for his person or his property in the army of the United States? Has it been employed to protect the rights of persons and property? Has it ever been employed but in violation of the rights of persons and property? In the violation of the writ of habeas corpus, and as a new modern instrument of ejectment? Sir, go through the country and put to every freeholder in the land this question. Are you willing to pay one-third more of duty and 100 per cent. on that third upon sugar, coffee, &c., for the sake of the establishment of New Orleans? We may say what we please, sir, but that expedition which, until now, surpassed every other expedition ever undertaken—the famous expedition against Flushing—when they had an army as well as climate to contend with—that expedition, which even their own ministry dare not defend, but quarrel among themselves who shall have the blame of it, was surpassed in disaster by the mortality at New Orleans of the American army. And yet, sir, for this shadow, this skeleton—it is indeed a skeleton of an army—the people of the United States are to submit to loans and taxes. With respect to the navy, I say nothing of that. Its exploits are already registered upon our journals, and the fact of the frigate *Philadelphia* having run aground on the tail of the Horse-Shoe, is the only one in our naval annals for several years past. With respect to the war, we have, thank God, in the Atlantic, a fosse, wide and deep enough to keep off any immediate danger to our territory. The belligerents of Europe know, as well as we feel, that war is out of the question. No, sir. If your preparations were for battle, the state physicians have mistaken the case of the patient. We have been embargoed and non-intercoursed almost into a consumption; and this is not the time for battle. If indeed the State was about to undergo inoculation for the small-pox, this reduction would have been according to the best medical authority. He would therefore submit to the House, under these views—the best he had been enabled to take—two distinct propositions, in a single resolution, in

order that the House and the people of the United States might determine whether they would submit to encounter the European system of loans and taxes, or whether they would reduce establishments, which to say the best of them that could be said, were mere incumbrances. It was, he thought, about nine years since he had made a similar motion in this House, which was the precursor of the abolition of the internal taxes. He hoped the motion he was about to make would be the harbinger of protection against the system introduced into the House yesterday, that at least if it was not made the means of taking off taxation, it might provide an antidote against it. He then moved "that the military and naval establishments ought to be reduced." Not that he was at all opposed to the reduction in any other article of expense. He believed that many other and important reductions might be made in the expenses of the government. The spirit of reform had long slept in this House. He would go as far as any man in retrenching expenses; but he confessed his object now was to take the bull by the horns. He considered these two objects to be the great drains and sinks of the public treasure. "I do not profess a better acquaintance with the public sentiment than others, but I believe, if you were to propound the question to every man in the United States capable of judging, that not merely $\frac{1}{20}$ but $\frac{9}{100}$ of them, (always excepting those who draw emoluments from these establishments, and their immediate connexions, whether in this House or out of it, the good honest yeomanry of the United States, who never saw these things, whose only proof of their existence is in the money they call for), would say in God's name let us have none of them. If we are to have war, we know that we, the people of the United States, and not the invalids of the hospitals of the Mississippi, must fight the battles."

The House agreed to consider the resolution; and the question being stated on its passage, Mr. Eppes "presumed the gentleman did not ask of the House to decide the question at a moment's warning. He had no objection to refer the resolution to a committee of the whole House, and discuss it. If gentlemen on this floor, who voted in 1807 for an increase in the army and naval establishments, can find in the present position of affairs a sufficient ground to reduce them, and at the present moment, when perhaps the first gale may bring the news which may enable us to reduce them with honor;—if it is the intention of gentlemen thus to stamp themselves with folly in having originally increased them, I cannot coincide with them." Mr. Eppes made further objections, and among others, "that there was a bill before the House to increase the duties. It is reported in blank, and the rates will be fixed at the pleasure of the House. It is reported on the principle, which is fair, that they who incur the debt should pay. The deficit in the revenue should be supplied by those who incurred the expense that caused it. It is perfectly consistent for the gentleman from Virginia to vote for the repeal of the non-intercourse, because he voted against it when it passed. It is perfectly consistent in him to reprobate every measure taken for four or five years past, because he did so at the time. During the year 1809 our revenue was about ten millions; during this, it will probably be about eight. The reduction of the army will not do away the neces-

sity of additional revenue, because our exports are so much reduced that we cannot avoid this year, and perhaps some years to come, increasing the duties."

Mr. Randolph said, "he had no idea of provoking the discussion which had commenced. He was willing to submit his proposition to the same committee which had under consideration the gentleman's proposition for raising additional revenue, and let gentlemen take their choice. If Congress did mean to lay additional duties, it would be necessary to keep them on not only this year, but many more. He had not expected from the gentleman from Virginia, who is at the head of the Committee on Finance, such an opinion on the subject of indirect taxation as was to be gathered from his observations. What would be the effect of laying additional duties for one or two years? The effect would be, that the articles on which the duty was laid would not be imported, because they would have to compete in the market with those already imported at a less duty, and, moreover, would have to contend against the well grounded expectation that in a short time the duty would be taken off; so that, instead of getting revenue, you diminish it by additional duties, because the very articles which are to produce the revenue will cease to be imported. There is no clearer question in finance, or even in arithmetic, than this. His colleague had said, that the revenue having diminished, heavier duties must be imposed on certain articles. Why? Because the articles, forsooth, are imported under a disadvantage, owing to the increase of our domestic manufactures. If so, if, in order to get revenue, higher duties were to be laid on imported articles, not able to contend in the market under only the present duties, it was altogether a new plan to him. It must be of the new school of finance. It was altogether incomprehensible. With respect to the principle, that those who incur debts should pay them, he agreed with his colleague; and although he was not one of those who incurred the debt, he was willing to pay it. They would unquestionably, by this system of duties, destroy what revenue was left, arising from duties on imports and tonnage. He rather suspected his colleague had fallen into a small mistake when he spoke of ad valorem duties on goods imported. He ought to have said on articles dutied; for, under the present *régime*, they did not amount precisely to the same thing; and if we got back, which we did not know to be practicable, to the old system, we should find an increase of revenue, notwithstanding the rivalry of our own manufactures.

"One word more and I have done, at least for the day. One of the objects which induced me to submit the motion which is before you, and one which ought to weigh in its favor, is this, that this planting our soldiers in a swamp, like so much rice, which my colleague wishes to see brought to light, and in which I concur, has had one effect; it has given the *coup de grace* to the recruiting service, which never was a very flourishing branch of our home manufacture of a standing army. If it be true, as alleged, that dead men tell no tales, it is also true that they can draw no rations. But I can demonstrate, however true in common sense, that it is not true in the treasury; for there never has been an instance of one dollar refunded in the army or navy for persons not in place, although the estimate is always made on the calculation that the

complement of men is complete and full. The gentleman is mistaken. I have not reprobated every measure for four or five years past. I had the honor of proposing a measure,—that of arming the militia,—which was adopted, with what grace I will not say, the contract bill, and the alteration in the articles and rules of war.”

We have thus given these speeches of an early period, when Mr. Randolph's faculties were sound and strong, and while his judgment and experience were ripe, his imagination in full bloom. It will be seen by these examples, not particularly selected for their excellence, that he could confine himself to the questions under debate; a trait which he lost at a much later period, while he was in the Senate, as will appear on perusing his speech on the Panama resolution; and would also on that of the judiciary bill, had we inserted it. In the debate which arose between him and Mr. Montgomery, and which we shall give presently, on his motion to repeal the non-importation act, we enjoy Mr. Randolph's happiest vein. His irony and raillery are inimitable. He, however, maintained an imperturbable countenance of gravity throughout; and although it was enough to provoke him to have such a presumptuous amendment offered to his resolution, by a young member of little experience and consequence in the House, yet he maintained his temper, and was so artful in his address, that many members could not perceive any just reason for Mr. Montgomery to get angry, by inferring that Mr. Randolph's remarks concealed or conveyed a sarcasm against himself.

Mr. Randolph's resolution for reducing the army and navy was referred to the Committee of the Whole, to which was referred the bill for imposing additional duties. The question was afterwards divided. That under the head of the army was sent to some committee, but no reduction was agreed upon at that session. That in reference to the navy was sent to a select committee, of which Mr. Randolph was chairman. He reported a bill soon afterwards, recommending a reduction of the navy, with the exception of three frigates and three sloops of war, and that the gun-boats and other small vessels should be sold, except their guns. He supported the bill in a speech of two hours' duration. The bill encountered strong opposition. The friends of the navy rallied in its favor, and to their resolute succor that arm of our national defence is indebted for its salvation, and the opportunity it soon afterwards acquired of repaying its friends with a full meed of glory and fame for their discernment, patriotism, and forethought, while it fought itself into universal favor.

On the 31st of March, 1810, Mr. Randolph moved the following resolution:

“Resolved, That the act interdicting commercial intercourse ought to be repealed.”

Mr. Montgomery, of Maryland, offered an amendment, “that provision ought to be made by law for maintaining the rights, honor and independence of the United States against the edicts of France and England.” A motion was made to postpone the resolution. Mr. Randolph opposed it, and also the amendment. He said he considered the amendment a substitute for his resolution.

tion, and therefore not strictly in order. While his proposition was simple in its object and definite in its terms, this amendment dealt only in pompous and lofty generalities.

The Speaker observed that the House had not agreed to consider the amendment. "If the Speaker," continued Mr. R., "will give himself the trouble to attend for a few moments, he will see that the whole bearing of my observations will go to show the impropriety of postponing my motion, since it involves the very serious inconvenience and disadvantage of postponing also the weighty amendment of the gentleman from Maryland. I am willing to admit that my proposition is one of that unimportant description, which may, without any serious national injury, be indefinitely postponed; but I pray the House not to lose by such a measure, the precious project of the gentleman from Maryland, who is, no doubt, ready to submit it to a committee for asserting the rights, the honor and independence of the nation, against the two great belligerents of Europe. It would be matter of serious national calamity, if, after being near five months in session, after sanctioning a proposition in substance little differing from this of the gentleman, when no substitute has been hatched under the wings of the different committees—it would be a serious national loss, if this vast project, vast it must be, being circumscribed by no limits (the indefinite is a principal ingredient of the sublime)—if this vast project, now ready for delivery, should perish in this unfortunate way." The Speaker, Mr. Varnum, observed, that the question was to postpone till to-morrow, and not indefinitely. Mr. R. said, he had misapprehended the question, and wished the Speaker had corrected him sooner. "I hope, however, that the House will not agree to postpone this question even till to-morrow. I hope if the amendment of the gentleman from Maryland is to prevail,—and really, sir, I have a sort of longing to see what he is about to bring forth, if it prevail,—I hope we shall be speedily favored with the system he has devised for maintaining 'the rights, the honor, and the independence' of the nation against all assailants. At this late day it would be unfortunate indeed if the only project which there is the least chance of bringing to light should be smothered. The time is growing short. None seem to think we shall sit longer than May. How does the gentleman who made this motion know, but, that in my anxiety to get a glimpse of the project I shall agree to incorporate his amendment with my resolution and let the subject go to two different committees? I trust that the gentleman from Maryland will be at the head of one of the committees, on which I certainly have no desire to be placed; and should I be placed on the other, we shall each be acting in our respective provinces. I in mine, desiring to get at a specified object and in the most direct way; and he in his, supporting, Atlas-like, upon his shoulders the vast interests of the State." Mr. Montgomery said in reply, "that he moved the amendment with a view of the gentleman from Virginia being chairman of the committee to whom the whole subject would be referred, and that the talents which have been of so great a benefit to the nation for two or three years past, might be again exerted, and something devised by way of resistance to the decrees of France and Great Britain. That the gentleman might again have an

opportunity of astonishing the nation with the magnitude of his project. With respect to the sarcasm against the generality of my proposition, I disregard it. I acted from a sense of duty in proposing it, and shall continue to do so, regardless of the gentleman's sarcasms. If the resolution be committed, and I a member of the committee, I will exert my little talent to devise some means of resistance. I do not say that I am competent to the task; it is for the gentleman himself, with his vastly serviceable talents and extraordinary imagination, to devise some strong, energetic measure. I have not moved the amendment with the view of becoming the Atlas of our political world. I am no competitor of the gentleman; I am not to be driven out of my course; and if the gentleman expects to brow-beat me on this, or any other occasion, he will find that he has mistaken his man." Mr. Rhea, of Tennessee, expressed a wish, that if gentlemen were about to bring forth vast and grand projects, they would wait till the post-road bill should enable them to transmit them with more facility through the country.

After some remarks from Mr. Dana, about a trilateral, triangular, prismatic war, which had been recommended by a committee at the second Session of the tenth Congress, Mr. Randolph again took the floor. He said, "it was not at all surprising that any man who could once bring his mind to believe that the non-intercourse, as it was called and now practised, agreeably to the representation of the Secretary of the Treasury, now on your table, was resistance to the two great belligerents, could also believe that the repeal of the non-intercourse laws would be resistance to them. But what, in fact, is the nature of the proposition which it is moved to perform? It is proposed by me to do that immediately and beneficially for ourselves and for the public, openly, in a manly and direct way, which every one sees will be done in an indirect one, when Congress adjourns. And if it be more resistance to the belligerents to adjourn and sneak out of this non-intercourse, than to repeal it, be it so; but in the merit of that sort of resistance I am determined not to participate. With respect to any project which one so little acquainted with the course of public affairs as myself the present winter, might be supposed capable of bringing forward, in order to maintain our maritime rights against the European powers, I hope I may be permitted to observe, without any intentional disrespect to the Executive, that when he shall have done that which (I do not say he has not) the Constitution prescribes to him as an imperious duty, I shall do mine. And surely it is a sufficient stretch of presumption in me to propose to do away that which is allowed to be mischievous in its operation, instead of attempting to build up with materials utterly unfit for service, and on grounds with which, on account of my absence during the present Session, I may be presumed to be less acquainted than other members. When the President shall have done that which the Constitution prescribes as his duty, it will be time enough for me to do mine. The Constitution after having, in a preceding section, given to the President of the United States certain powers, in the execution of which we are to presume he is to be governed by a sound discretion, goes on to use this very strong and impressive language: 'He shall from time to time give to Congress information

of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient.' * * * If he on whom (do what you will) the execution of those measures must ultimately rest, has recommended no measures as necessary and expedient, it hardly behoves (I will not say a member of this House, but) me to 'step in where angels fear to tread;' and, until the President of the United States shall disclose his plan of operations to this House; until the efficient prime minister of this country, who has an almost omnipotent control over our foreign affairs, and nearly as great over our domestic," (how applicable to the present time!) "shall disclose his sentiments, it is idle and ridiculous for members of this House to be popping up in their seats, as the shreds and patches and disjointed members of a system that can never make a whole one. System supposes connection and sympathy of parts, and after giving as much credit as you please to the independence of the two Houses of Congress, I speak now of no undue influence, but of fair constitutional influence and duty too, the members of this House cannot make a system of foreign policy which shall seem good in the eyes of the President, and which he can exercise beneficially to the State, unless he be consulted in some way directly or indirectly as to the nature and extent of that system. It becomes a question whether the direct influence of the President shall not supersede one of a worse kind, if such there be. The President has a great duty to perform. I conclude that he is unable to devise any system that he thinks now necessary, or he would have before now submitted it. There is, then, no system. Far be it from me to attempt to make one, especially out of such discordant materials." * * * *

On the 11th of April, 1810, Mr. Randolph introduced a resolution, "That the members of this House go into mourning, by wearing crape on their left arms, as a token of respect for the memory of Lieut. Col. William Washington of the army of the Revolution."

The resolution was opposed by Mr. Smilie, of Pennsylvania, on the ground that no such respect had been shown to the memory of Generals Greene, Wayne, De Kalb, and others. Mr. Randolph said, it was far from his intention to lessen, by any amplification of his, the impression of that merit which the bare mention of the name of Gen. William Washington was calculated to make on the mind of every man who heard him:—"It is not the least unequivocal proof of that worth, that it was not extinguished by the effulgence of his great kinsman's glory, with which it was brought daily into comparison. The reputation which can stand such an ordeal as this, is beyond the praise or blame of an humble individual like me. If to the proposition an objection should be raised on the score of the rank which that officer bore in the late American army, permit me to suggest that it is a testimony to valor, not rank. It is not in rank to add to the infamy of an Arnold, or the glory of a Washington." The resolution was lost. Afterwards, in order that by the rejection of the resolution, it might not be inferred that the House intended any disrespect, or an intention to wound the feelings of the surviving relatives of the deceased, the House passed a resolution deprecating any such intention. Among some additional remarks of Mr. Ran-

dolph, on the occasion, he compared Col. Washington to the sword of Marcellus, and Gen. Washington to the shield of Fabius.

In the session of 1811, Mr. Randolph did not appear in his seat till the 23d of January. The House had then before it a bill to re-charter the Bank of the United States, which had undergone considerable discussion. With a view of bringing the debate to a close, the House had agreed to hold a night session. Several motions had been made to adjourn, without effect. Mr. Randolph then repeated the motion, giving as a reason that he was fatigued after his long journey, and felt himself unfitted to go through a night's sitting, and the House adjourned. The bill, however, was indefinitely postponed the next day by a vote of 65 to 64, Mr. Randolph voting against the postponement.

February 2d, 1811, the non-intercourse law was to go into operation. A bill was before the House concerning commercial intercourse, being a supplementary act; likewise a bill to admit to entry all vessels arriving from Great Britain after the 2d of February. As Mr. Randolph, the year before, had moved to repeal the non-importation act, so he now moved that the Committee on Foreign Relations be instructed to bring in a bill to repeal the act respecting commercial intercourse between the United States, Great Britain, and France. He was opposed by his old antagonist, Mr. Eppes. Mr. Randolph had offered some prefatory remarks in support of his motion, and in answer to Mr. Eppes, he observed, "It would give him pleasure to comply with the request of his colleague, to offer his resolution separately, and not as an amendment to Mr. Eppes' motion to refer the bill back to the Committee of Foreign Relations, were it not this non-importation law went into operation this day. The truth was, if there were to be any operation at all in point of fact; if the medicines were to work; if it were to have any practical effect, he would let it pass. But although, in point of fact, it would do the belligerents no harm, and unquestionably do us no good, it would be made an engine for sinking the value of the property of his constituents. He was opposed to this sort of legislative quackery. It impaired our own constitution to the injuring our health, without affecting our enemies. He thought the gentleman had stated there had been no case in which the Berlin and Milan decrees had applied to our property since the 1st of November. In the name of common sense, of what consequence is it to us, if we are plundered and robbed, whether it be under one decree or another? Will the gentleman say that there is no case in which our property has been robbed, and the proceeds put into the French treasury? It is of no matter or consequence to us whether we are murdered and robbed on the high way, or the rights of hospitality be disregarded, and we murdered in our beds, under the protection of the law. As relates to us the question is altogether immaterial. There is a deeper dye of depravity in one case than in the other, as relates to the offender; not a shade of difference as relates to the offended. It seems, sir, that we attend of late so much to mode, that if we were not robbed and plundered after this particular manner, we may be robbed and plundered to our heart's content after another fashion. The question with us is whether we are robbed and plundered. It may be matter at Paris whether there is so much in the mode, but as

to us old-fashioned people, it is no matter, so as we lose our money, how it is taken. * * * His colleague had justified the seizure of our property in French ports as a retaliation for the alleged seizure of French property in our ports, which he allowed not to have taken place. Was it of any consequence to the people of the United States, if they were plundered under false and stale pretences, what those pretences were? One word on the subject of the faith said to have been pledged by the Act of May last. It cannot have been so pledged. Pledged to whom? to Great Britain? Unquestionably not. To France? Unquestionably not. What is our law? A rule of action to whom? For ourselves. We have been aggrieved by the two great belligerents of Europe: we pass a law for the regulation of our own conduct, the operation of which is to depend upon certain contingencies. Is that a pledge of faith to either of these parties? Unquestionably not. But this it does not become me to prove. It behoves my colleague to show how it is a pledge of our faith. With regard to the anxiety of the President to maintain peace, he presumed there could be no doubt about it. He never doubted it. He submitted to the House whether the late occurrences did not afford an opportunity of getting rid of this wretched system of lame expedients, in which they have embarked since the abandonment of the embargo. It might be said that in a short time news might be received of the repeal of the Orders in Council, which would, in the opinion of some, render this motion unnecessary. The law is a rule of conduct for us, and no foreign nation has a right to know of its existence; and if news of the rescinding of the Orders in Council were to arrive this day, he should still be clearly of opinion that they ought to repeal this law. He looked upon the law as being mischievous; as having no operation on the Orders in Council and Bonaparte's decrees. If it had none, why retain it? Why keep it up here as a germ of difficulty? Let us have clear stays! Let us have a *tabula rasa*, and if we must fight, let us fight without parchment chains about our hands."

These speeches afford examples of beautiful declamation, and although they are not deep, profound, and statesmanlike, yet they are much more tolerable, pleasant and digestible, than many long, elaborate, documentary ones, delivered on these occasions, fertile, if in nothing else, in the generation of these monstrous and overgrown productions of the brain, which were mostly still-born in the labor-pains of parturition. To observe the anxiety and restlessness of members to get the floor, and catch the eye of the Speaker, in which struggle there would frequently be half-a-dozen up at a time, while some were in labor of their speeches, and others just beginning to conceive, was a most ludicrous scene. Mr. Randolph never entered into a contest of that sort, but if he saw an eagerness in members to give their views, he generally waited till the last one had concluded, and the question was ordered to be put. In the remarks of his, on his motion to reduce the army and repeal the non-importation act, we see that he is keenly sensitive on the subject of the monstrous wrongs inflicted on us by the hostile governments of Great Britain and France. He opposes these weak measures of non-intercourse and restrictions as totally inefficient, and unworthy the character of a proud and free people, and yet, strange as it may appear, when

war was proposed, he opposed that too with all his might. And at the conclusion of a long speech against the measure, he affected to be driven to tears, that two such enlightened and kindred nations, that equally worshipped the only true and living God, should imbrue their hands in each other's blood.

We may mention here, that the House having determined to come to a final decision, after a long discussion of the bill in relation to our foreign intercourse, had decided to hold an evening session on the 27th of February. They had hardly met, however, for that purpose, before Mr. Randolph entered, and immediately moved to postpone the bill till the morrow, alleging, as an excuse, that he was not prepared to vote, and was too much fatigued to sit it out. The *Intelligencer* states that much irritation was caused by the motion between him and Mr. Eppes, but does not give the particulars. It is probable that it was on this occasion that on Mr. Randolph charging Mr. Eppes with saying what was not true, in imputing to him as a motive that led him to make the motion, a wish to delay, embarrass, and finally defeat the bill, that the challenge passed from Mr. Eppes, mentioned some time before. Mr. Cheeves, of S. C., endeavored to make peace between them, and though a friend to both, said he felt obliged to rise (the first time in his life for such a purpose), to call the gentleman from Virginia, Mr. Randolph, to order. Mr. R. in reply, said he appreciated his motives, but could not find any other words than those he had used, that the gentleman from Virginia, Mr. E., had said that which was not true. Could he (said he) dive into his bosom and there discover the motives which actuated him? He must therefore repeat the words. I am afraid Mr. Randolph's temper was exasperated that night, and his irritability increased by another cause, besides the insufficient one furnished by Mr. Eppes' remarks.

On the 4th of November, 1811, Congress was convened in pursuance of a proclamation of the President. Mr. Clay was chosen Speaker, although he had for the first time appeared as a member in the House. When the message and accompanying documents were proposed to be referred to different standing and select committees, which is called dissecting the message, Mr. Randolph opposed it, on the ground that members would then have no opportunity of discussing its merits, or giving their opinions on the policy of the measures recommended by the President. He wanted more time for that purpose, and moved the committee to rise and report progress. The motion was opposed by Mr. Smilie and Mr. Findlay of Pennsylvania, on the ground of the delay it would occasion, and that every opportunity would be afforded to the gentleman from Virginia to discuss the propriety and the policy of the different measures recommended by the executive, when the committees made their reports. Mr. Randolph said, "He was not ready for the question. The memory of the worthy gentleman from Pennsylvania was not very good. It is not to be wondered at. Age brings its experience, and many valuable qualities, but it does not improve the memory. He himself felt the effects of it, and much more might the gentleman from Pennsylvania. He did not believe that the course now proposed to be taken with the message was the same that had always been pursued. He recollected that when he first had the honor of a seat in the House, the message of the

President was brought in a mass before the House to be fully and fairly debated. He would ask the gentleman from Pennsylvania by what magic or other power he has been able to dive into his bosom to know that he meant to make strictures on the message? The gentleman goes on to state that if I have any such observations to make, this is the accepted hour. Why this? Why more than any other hour this week? Why do gentlemen, just when we have got into a committee on the message, show such an aguish trepidation to get out of it? Is the message of so little importance that they will not give it attention? They will not say so. The gentleman from Pennsylvania says, that when these committees report, every gentleman will have an opportunity of expressing his opinions on the several parts into which it will be dissected. But the gentleman must know, that even in physics, much less in politics, all the parts are not always equal to the whole. That, however true it may be in mathematics, that all the parts are equal to the whole, it is not so in politics. Suppose one of these committees report, and the report comes under consideration, members would be excluded from touching upon other portions of the message. If this course be pursued, I give you warning (said he), that if some gentleman of this House, who has not signed the 39 Articles, shall rise to make his observations, and shall notice any part of the message not before the House, he will be called to order, and informed that that part of the message is yet sleeping with a select committee. But the gentleman asks, why not now go into the discussion?—when it is known the documents are with the printer, and not within reach of the House. The true course is the one which I have suggested, a course which will be acceptable to the nation. Why (said he) send out such reams of the *National Intelligencer* by mail but to inform the people? If no discussion is to take place on the message, through what channel are these committees to receive the opinion of this House? Are they to go to work blindfolded? On Spanish relations, for instance, what member possesses the faculty of looking into the heart, and of saying, what is the opinion of the House on that subject? Would it not be better (said he) to come to some resolution which should be directory to these committees? To act otherwise, was putting the cart before the horse. This course would avoid commitments and recommitments;—he hoped, therefore, the committee would rise and report progress.”

The motion after debate, and further remarks by Mr. Randolph, was modified by his accepting the amendment offered by Mr. Macon, his friend, to let the subject lie on the table till to-morrow. But the House refused the motion. He observed, among other things, that he wished to say one word in reply to a remark of the gentleman from Pennsylvania, which at the time he believed out of order. He had said, “if gentlemen can justify themselves in protracting the public business—well. He had no other views than the interests of his constituents.” An insinuation that other gentlemen have other views, and that other gentlemen can justify themselves for protracting public business. Mr. R. “made no profession of patriotism in that House. His property was in *terra firma*, and he was born in the State which he represented, and he loved it the better for it.*

* Mr. Smilie was poor, and was born in Ireland.

As to protracting the public business, we all know how it is protracted ; as his friend from North Carolina had said the other day, the public business will not be done till the roads are good in the spring. He hoped, however, that while the gentleman from Pennsylvania is satisfied with his own motives, he will allow other gentlemen to have as clear consciences as himself."

On the 21st of November, 1811, the Speaker, Mr. Clay, communicated to the House, a petition from Matthew Lyon, of Kentucky (formerly of Vermont), stating that he had been prosecuted and convicted under the sedition law, and that one part of his punishment had been a heavy fine (\$1000), which he prays may be refunded. One member moved it be referred to the committee of claims, while others preferred a select committee.

Mr. Randolph said he had no doubt it would be recollected that, at the first session of Congress under the administration of the present President, the session of May, 1809, a committee was raised to inquire whether any and what prosecutions had been instituted before the Courts of Common Law, and to report such provisions as in their opinion may be necessary for securing the freedom of speech and of the press. Congress adjourned, after a short session, in June. The chairman of that committee was directed to address letters to the clerks of the several courts in which such proceedings had commenced. These answers, received in the recess (all except one, which the chairman had found among his private papers during the present session), were transmitted to the clerk of this House, in whose possession it is presumed they **now** are. The chairman of that committee, at the two succeeding sessions, by the visitation of God, and from circumstances beyond his control, for the first time since he had the honor of a seat on this floor, was prevented from attending his duty till the session had considerably advanced, otherwise he would have felt it obligatory on him to have called the attention of Congress to this subject. It was his intention, at the present session, without knowing anything about this petition, to have called the attention of the House, among other things, to it, at an early day. He thought it behoved this House, as the guardian of the public purse and public weal, to take care that the stream of public justice be preserved pure and free from pollution : and whether persons have suffered by prosecutions under the Sedition Law, or under the Common Law of England, as modified by the laws of the United States, in their corporate capacity, he was for affording them relief. He wished to see if any of our citizens had received injury from prosecutions of this kind ; and, if they had, to redress the wrong by such a prospective measure as would prevent the occurrence of similar mischief. It seems idle, said Mr. R., for any man to undertake, by statute, to do that which the great charter of our confederation has endeavored to do in vain. It is, it appears, impossible to prevent men, heated by party and seeking only the gratification of their own passions, from trampling in the dust the charter which we have sworn to support. For, though our Constitution has said, in the broadest terms which our language knows, that the freedom of speech and of the press should not be abridged, men have been found, so lost to all sense of their country's good, as to pass the act commonly called the Sedition Act, and to send out our judges to dispense, not

law, but politics from the bench. It would seem idle to attempt to prevent, by statutory provisions, similar abuses. But though, formed as we are, we cannot attain perfection, we ought, in imitation of a divine example, to aspire to it, and endeavor to preserve, in purity, the great Magna Charta of our country. The subject might appear frivolous to others. Mankind has very little improved since this truth was promulgated. He knew that men, intent on worldly things, with their snouts grovelling in the mud, who hold everything but sordid pelf, and still more disgraceful office, as dross and dust, would not think it worth while to attend to things of this kind. Nor did he wish to set himself up for a political Pharisee, and thank God that he was not as other men. He then moved to amend the reference by adding to it, "With instructions to inquire what prosecutions have been instituted before the courts of the United States for libels under the Sedition Law, or Common Law, and by what authority; and to make such provision as they may deem necessary for securing the freedom of speech and of the press." He hoped this amendment would be agreed to. It is evident, when we came into power, when we succeeded to our predecessors, proper measures were not taken for purifying the violent temper of the day, for preventing the recurrence of prosecutions of this kind. He recollected having heard, at the close of the administration of the second President of the United States, one of the most beautiful pieces of declamation, from a gentleman from South Carolina, which he had ever heard, in which he conjured the House to re-enact the Sedition Law, because, said he, we are about to surrender the government into the hands of men in whom we have no confidence, and I wish to retain this law as our shelter, because, by this, if we are prosecuted for a libel, we can give the truth in evidence. He said he did not believe the gentleman believed a word of what he said. He did not suppose that a prosecution for a libel under the Common Law, could take place under a republican administration. He thought the gentleman was making the best apology he could for the Sedition Law, and that he was glad to find himself in a minority on his motion for continuing it. But, said he, experience teacheth. I find it possible even for the Pharisees themselves sometimes to slide—sometimes to fall. He thought it due to our country and to ourselves, that, whatever abuse existed, without stopping to inquire whether the sufferer was a Catholic or a Protestant, a Federalist, a Democrat, or a Monarchist, to redress the wrong. What would be said in a court of justice, in a case of murder? It would not be thought worth while to inquire what was the offender's politics, or whether honest or the contrary. He considered honest men as of right politics. It unfortunately happens, said he, that some men make up in zeal what they know themselves to be wanting in honor and honesty. The amendment was agreed to, and the petition referred. A bill was reported favorable to the petitioner. It met with much opposition, and did not pass; and, although similar ones have been frequently introduced since, I am not sure that that measure of redress has yet been offered to the sufferer or his representative.

Mr. Randolph had also given offence to his talented colleague, Philip P. Barbour, by a reply to some remarks of his against the position assumed by Mr. Randolph in some important debate. It happened that two other members

of diminutive stature, as well as Mr. Barbour, had joined with him in this attack on Mr. Randolph. When he got up to notice them in his rejoinder, he used the quotation from Lear, "The little dogs and all, Blanch, Tray, and Sweetheart, see, they bark at me," and pointed with his finger to each of the guilty members as he repeated the words. This called up Mr. Barbour, who demanded, in a passionate tone, whether he alluded to him by his expression of little dog. Mr. R., in explanation, deprecated any wish or intention of wounding the feelings or of having any dispute with his colleague, and there the matter ended. During one of our night sittings, of which we had many, Mr. Randolph moved the House to adjourn. It was late, much confusion prevailed, and while he was making some observations in support of his motion, one of his colleagues entered, and before he reached his seat, staggered about over the chairs and desks, in a state far short of sobriety. A member got up and begged Mr. R. to speak a little louder, as he could not understand what he said. Mr. R., looking at his colleague, as he reclined with his head on his desk, observed that he should be glad if the gentleman was the only one present to whom his remarks were unintelligible. Many of the members were worn out, and from having had a sleepy dose administered to them by the long-winded harangues of some of the opposition (one of whom had bored the House with a speech of three hours' duration), were overtaken with sleep. Mr. Randolph asked "What was the use of sitting here? The House is far from being wide awake to the important question before it." And leaving his place, went about among the dozing members, saying, here is one fast asleep! and shaking him, told him he had better be at home in bed. From him he proceeded to the rest in succession, till he had effectually aroused them and brought them to a rather shameful consciousness of their awkward situation, to the no small amusement of the rest.

In January, 1816, considerable discussion took place in both Houses, on the bill for carrying into effect the convention of commerce between Great Britain and the United States, entered into the 3d of July the year before, between Messrs. Gallatin, Clay, and J. Q. Adams with Messrs. Goulburn, Robinson, and William Adams, on the part of Great Britain. The debate principally turned, not so much upon the treaty, but the necessity of the passage of a law to carry it into effect, and also to modify or repeal some of the acts laying discriminating duties on goods imported from Great Britain. On the 25th of January, Mr. R. addressed the House the second time on the subject. When he took his seat yesterday, said he, "he had considered the bill then and now under discussion, as one of perhaps as trivial a nature as ever engaged the attention of this House, or of any legislative body. But of this bill, it might be said, *vires acquirit eundo*, and of this, perhaps, he was about to afford the House some proof, by adding his little rill to swell the torrent of debate to which the bill had given rise. He had no intention to utter one word on the subject till he had heard doctrines against which he felt himself bound to enter his solemn protest. He might say of this bill, as of some diseases, the danger arose from the mode of treatment; in the doctor, not in the disease. He hoped the gentle-

man from South Carolina (Mr. Calhoun) would pardon him. He had heard doctrines from him to-day, against which he felt it his duty to protest. * * * If he understood the gentleman, he had declared that a treaty, being in the nature of a compact, touching the interests of other nations than our own, it therefore followed that the treaty-making power, so long as it confined itself to its own sphere, that of contract, so long as it received equivalents for what it gave, whether real or nominal, according to the gentleman's doctrine, no matter, they are not to be ripped up, not to be examined. That inasmuch as the interests of two nations instead of one are concerned in all treaties, therefore the treaty-making power is paramount to the legislative power. * * * That treaties, being paramount, repealed the laws of the land, so far as they came in collision with any article of a treaty which was confined to the legitimate objects of a treaty, viz. to contracts with another nation. But the gentleman from South Carolina had, with peculiar infelicity of illustration, drawn examples from despotic governments. Would a treaty made by the Sultan of Constantinople, or the Emperor of France, go to repeal a law of Turkey or France? Certainly it would. For what are the laws of a despotic government but the breath of the sovereign, call him what you will? And was that an analogy on which to found a construction of our constitution, on which the gentleman had bestowed so high but not undeserved an eulogium? No. It was because a treaty made by a despotic power will repeal the law of the land there, that a treaty made by presidential authority will not repeal a law of the land here. To come to the gentleman's *experimenta crucis*, and try the strength of his argument, that a treaty is paramount to the law of the land. Suppose the treaty of peace had contained a provision for ceding the whole or a part of Canada as an equivalent for Jamaica, or for Ireland; would the gentleman consider such a stipulation, although in the nature of a contract, as amounting to a law of the land? But he might be told, that that which is paramount to the law of the land is not paramount to the constitution, and that the constitution prohibits the cession of a state or part of a state to a foreign power. It was unquestionably true, whatever might be his opinion, that such is not the universal opinion, although it might perhaps be proved by the event, that as the United States had acquired, heretofore, territory by treaty, we have also parted with territory by treaty. As in the instance of Moose Island, and it may be in the instance of the new boundary line to be run between us and Canada, that it may be so run as to take off a part of the territory which was a part of the United States, yes, a part of the good old thirteen United States.

“ But the gentleman had said something of the effect of a contract on an individual or an oath previously taken. What analogy (Mr. R. asked) was there between the absurd and preposterous conduct of an individual who attempts to tie himself up by an oath from imprudence, from the gambling-table, from the bottle, from squandering his estate, and the acts of government, especially as those acts are affected by the acts of two branches of the government farthest removed from the people, who do not speak their sense as much as we do. He adverted to the observation of the gentleman from South Carolina, that the Pre-

sident and Senate have an unquestionable right to put an end to the calamities of war by making a treaty of peace, over which this House could have no control. He agreed with that gentleman, that the power of putting an end to the calamities of war by making a treaty of peace, was the most important ever granted by a free people except the exercise of the power to declare war. He agreed with him also, that after Congress had declared war, the President and the Senate might restore peace; but he could not agree with him that a treaty, although it should confine itself to what the gentleman called a contract, was tantamount to law, and competent to repeal a law. Suppose that the treaty of peace had been a treaty of alliance, and had stipulated that the United States should levy an army of 100,000 men, that they should be sent to the Continent to aid the British, Russian, Prussian, and Austrian army at the Battle of Waterloo. Would this House have been bound to raise the men? Would Congress have been bound to provide the means for maintaining them? Certainly not. * * * In the declaration of war, it had been urged by the gentleman from South Carolina, that the House had acted in a judicial capacity. In a judicial capacity! He had heard it asked, he said, in and out of this House, whether the House had acted *judiciously* in declaring war, but he never heard it before agitated whether the House had acted *judicially* on the occasion. He had never before heard it doubted, whether the Congress in passing an act had acted judicially or legislatively." (Here Mr. Calhoun made a brief explanation and statement of the extent of his position.) Mr. Randolph thanked the gentleman for having stated his argument exactly as he understood it. He would put it to this House, to the nation, to every man, woman and child in the nation. Suppose the treaty of London had been unsuspended by the truce of Amiens, would the declaration of war with Great Britain have put an end to that treaty? It would: and would that act have been a judicial act, when the consent of the President and Senate was necessary to our acting at all? Did the gentleman mean to say, that when the treaty with France was repealed by an act making war during Mr. Adams' Administration, it was repealed by a judicial act? Was it possible? Was there a man wide awake who could advance such an opinion? This House, he said, acted judicially when it decided on the qualifications of a member; the Senate, when it tried an impeachment. "But how could that be a judicial act which begins, 'Be it enacted by the Senate and House of Representatives?' Go to the Secretary of State's office, if the rolls be still in existence, and see in what that act differs from any other. The title is as plain, the parchment as smooth. This act, which repealed an existing treaty, which treaty could not be revived after peace, unless renewed and again ratified, differs in no respect or form or solemnity from the simplest law ever made for the relief of a petitioner before this House. It does not differ from any other legislative act, and you have no judicial power, so far as my recollection now supplies me, beyond the right to try the title to a member's seat, and the right to expel a refractory and disorderly member."

Mr. R. said he did not mean to enter into the comparison between the constitution of Great Britain and that of the United States, considering it irrelevant.

He agreed that our constitution was to be found in the charter, and the practice under it, whether legislative or judicial, provided the precedents are taken from good constitutional times. For he would never take precedents under any administration during times of great turbulence or excitement, when the best of us are under temptations, to which most of us yield, of carrying our passions and prejudices into public life. With all due submission to the gentleman from South Carolina, and to this House, he did declare that the President and Senate did not and never had possessed the power, by any contract with a foreign power, of repealing any law of the land or enacting any law in its stead. This is too dangerous a power to be given to the President and the Senate under such a sweeping clause. If this bill had passed the house *sub silentio*, if it had been carried or rejected, he never should have thought much of it, for it would never have assumed to him that aspect which it had done since this morning—since the gentleman had asserted that so long as they confined themselves to the legitimate sphere of contract, the President and Senate might exercise a power superior to all law whatever. Mr. R. said he was happy that the gentleman had dissipated in a degree the horrid phantom which had so much alarmed, not his imagination, but his judgment. The gentleman had admitted that there was a certain influence, a certain constitutional check on the President and Senate of the United States. For example, impeachment as regards the President, and public opinion as regards the Senate; and that the spirit of the Constitution would at all times meliorate the power, which, in the gentleman's opinion, the President and Senate possessed of violating any law of the land. He granted that was the case, and that the first reflection on it had caused him to depreciate this bill below its actual importance. For he really had thought the House was making a great deal out of nothing, swelling a mole-hill into a mountain, until he heard the debate, when he became convinced, that so far as the power of the House of Representatives was important in the Constitution of the United States, so far as it behooves the House to hold the power which had been conferred on them by the nation for the nation's good; that so far, this was a question of importance. That the time would ever come when the President of the United States should dare to negotiate a treaty which should meet with the decided reprobation of the people, was another question. That the time would come when the House of Representatives should have the incivility to refuse to pass laws to carry into effect such a treaty, was also another question. "I do not believe," said he, "that either of these periods will happen in my lifetime, or in yours, because I believe, sir—I hope I am not mistaken—that the good sense of the people of the United States, if it please God to permit us to remain in peace—that their good sense, in spite of all the efforts to swell up great standing armies, mighty navies, heavy taxes, and to advance the glory (as it is called) of the government under which I live, in the blood and misery of the people; that they will put an end, as they have once before put an end, to such projects—the same in kind, but differing in degree. * * * * *

Suppose that a part of the contract by this treaty had been, that each party should burn and destroy, or dismantle an equal number of ships of the line and

frigates—that proposition would require no appropriation ; it would have been within the legitimate sphere of contracts, it would have been a bargain, it would have even reciprocity ; it would have kept the word of promise to the ear, but broke it to the hope. But then comes in the power of impeachment. The great remedy ! I have no idea of it. It has been tried and found wanting—in the case of a member of the other House, and in the case of a high judicial officer. The power of impeachment appeared to him not the daily bread, but the extreme medicine of the Constitution. He had no faith in it. He had no faith in a course of mercury to restore health and vigor to that constitution which was broken down and destroyed by disease. Impeachment may be a terrible punishment to the young and aspiring ; but to those who are retiring from the political theatre amidst the plaudits of a great part of the nation over which they preside, such a punishment had no terrors.”

Mr. Randolph took an active part on the revenue bills, as the one for continuing the present rates of duties, or what were called the double duties, as well as the bill to continue in force the acts laying a duty on bank notes and notes discounted, and that laying a duty on sugar refined in the United States ; and although they severally encountered his opposition, they all passed by considerable majorities. On the 26th of the month, on the revenue bill, Mr. Randolph occupied the whole day in delivering his speech on the state of the nation, and as he had not concluded when the committee rose, he spent the greater part of the next day in the same manner. He spoke afterwards at great length in reply to Mr. Pinckney of Maryland, on the British commercial treaty, but having already given his sentiments on the subject, we do not deem it necessary to add his second attempt, though it fully equalled, if not surpassed, the first in power of argument and happy illustration.

On Friday, the 9th of February, Mr. Randolph offered some remarks in support of his resolution of inquiry into the constitutionality of the appointment of P. B. Porter, as commissioner under the late treaty of Ghent. “The House would recollect,” he said, “that at the time he had submitted notice of his motion, he had distinctly stated that it was not for him to pronounce whether the office in question was or was not created during the time for which the late members of this House had been elected to serve. Some very obliging friend had been kind enough to hint to him that perhaps he had not pondered on the subject so well as he ought, before bringing it before the House ; that this office under the authority of the United States, being created by the treaty, was called into existence, although it remained vacant until lately, at the moment when the exchange of ratifications took place. This might or might not be ; for what was this argument but to assume (he would say, to beg) the very question concerning the treaty-making power, which this House had already decided in the negative, viz. that a treaty, without the intervention or instrumentality of this House, is, *ipso facto*, the law of the land. He should be extremely ashamed ever to venture so crude a motion before this House as this would have been, if he had not taken into consideration, with deep and mature consideration too, the point which some were obliging enough to suppose he had overlooked, and

civil enough to put him right in respect to it. If he understood the doctrines which he had heard, he did not say, uttered on this floor, in respect to the treaty-making power, this case of the honorable member from New York, who had recently vacated his seat in this House, came fully under the purview of the article of the Constitution; and he would go farther, as special pleading was the order of the day, and say, if it did not come within its purview, in this view of the subject, it nevertheless would in another. It did not follow that, because the appointment in question did not come within the purview of this section, for particular reasons, it might not, for some other very substantial reason, which was not disclosed, but about which he had no concealment, as he had not, nor never would have, about public men or measures."

He then read the clause of the 6th article of the Constitution, in these words; "No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time." Mr. Forsyth thought the terms of this motion did not embrace the question which he understood it was the gentleman's desire to place before the House; the acceptance of a civil office not being an offence against any provision of the Constitution. He should be pleased to see it modified so as to place the question entirely before the House.

Mr. Randolph had no objection to any modification which should attain his object. Had not the gentleman vacated his seat in this House? Was he amenable to the order of the Speaker, as a member? How did his seat become vacated?—By his acceptance of a civil office under the United States, which the gentleman from Georgia had said was no offence against the Constitution. "No," said Mr. R., "it is neither an offence against the Constitution, nor *contra bonos mores*, that I know; but there is a modification of the proposition which may make it contrary to the Constitution. The committee is to try that question. Is there not an issue made up?" Mr. R. said, he had no more doubt that this appointment was a breach of the Constitution, than the acceptance of another office by a late member of this House; the office having been created and the salary fixed a few days before his term of service expired, was an evasion of the provision of the Constitution he had just read.

Mr. Forsyth, having modified the resolution, said he should still vote against it. The appointment of a committee he thought unnecessary. The gentleman from Virginia supposed the office had been created during the time for which the gentleman had been elected. But the person named in the resolve had been elected to serve from the 4th of March, 1815, to the 4th of March, 1817. The office he had accepted had existed prior to the 4th of March, 1815, or it is not yet created. Either it has no existence, or it has existed from the day on which the ratifications of the treaty of peace were exchanged—the 18th of February, 1815.

Mr. Randolph said, "the gentleman's dilemma, which he had so triumphantly presented to this House, carried on its horns no terrors for him. The gentleman ought to be obliged to him, by giving him timely notice of this motion, to enable

him to sharpen the horns of his dilemma. They reminded him of a circumstance attending a bull-fight of the Portuguese, in their ancient and better days. The horns of the animal turned out were covered with leather—they threatened, but wounded not; and that is the case with the horns with which the gentleman makes full butt at me. The gentleman says that the office to which the late member from New York was appointed, was in existence from the 18th of February, 1815; or, because the House has not definitely acted on the treaty, the office itself is in embryo, ready to be called, but not yet springing into existence. Would the gentleman tell the House—would he tell the nation—that to appoint to an office not in existence, and to accept an office that has no existence, is no offence? On the contrary, if the office was not in existence, the indecent hurry of rewarding a political partisan with some of the fruits of the war, which was concocted under his auspices, called for the decisive interference and correction of this House. So much for that horn of the dilemma—that horn, he thought, was sawed off. The other will not remain on much longer. But this office was created by the treaty. Does it therefore follow that it does not come within the purview of part of the provision of the Constitution which I have read? There was not an instant of time, from the creation of the office, be it created when it will, that the acceptor of the office was not a member of this House. The precise time when a new Congress commences, mathematically, is at midnight of the 3d of March; politically, at the moment when the index of the clock of this hall, set backwards or forwards to suit purposes, pointed to 12.”

Mr. R. proceeded some time longer, in the same strain; but, as the process of sawing off horns may appear rather tedious, we shall not exhaust the reader's patience by giving a more particular report of it.

Mr. Forsyth, in reply, said he regretted the gentleman from Virginia supposed he had come to the House with his horns sharpened to wound him. Whilst he continued a member of the House, with the gentleman, all he hoped for was to be able to escape his horns. After some further debate, the resolution was agreed to—70 to 55 votes.

Mr. Randolph watched, with much interest, the Bank Bill, as it slowly progressed through the House, and which he opposed on every opportunity. He spoke repeatedly on it, both on some of its provisions, as well as on the general merits and powers of the measure at large. On the clause which limits the choice of directors to citizens of the United States, he moved to add “native,” which was agreed to. He also advocated the bill for changing the mode of compensation to members of Congress, from a per diem allowance of six dollars, to a salary one of fifteen hundred dollars a session, which passed on the 8th of March, 1816, by a majority of 81 to 67. Though the act became very unpopular, and cost many members of the majority their seats, and, among others, enabled the humble writer of this sketch to recover his; yet, Mr. Randolph stood too strong in the confidence of his constituents to be in the least disturbed on account of it. This was a very important session. Among the stirring questions that agitated the members, in and out of the House, that of the presidency was none of the least. On the 16th of March, a caucus was held of the Re-

publican members, in the chamber of the House of Representatives, for the purpose of nominating candidates for the offices of President and Vice President, at which General Samuel Smith, of Maryland, presided. Mr. Clay submitted a resolution against the expediency of a caucus recommendation; but, it being voted down, and the canvass eventuating in the nomination of James Monroe, by sixty-five votes, and W. H. Crawford, fifty-four, for the presidency, Mr. Clay submitted the resolution, which was concurred in without opposition, recommending James Monroe to the people of the United States, as a suitable person for President, and D. D. Tompkins as Vice President, for the term of four years, commencing on the 4th of March next. Mr. Randolph, being an opponent, on political grounds, of the two candidates, as well as of the principle of the caucus system of nomination, would not attend the meeting, though it was to eventuate so highly honorably to his native State. On the 8th of April, the bill for chartering a Bank of the United States came back from the Senate, with several amendments, when Mr. Randolph took occasion to move an indefinite postponement of the bill and amendments, and sustained his motion by a few remarks, and also answered the objections of other members, particularly of Mr. Calhoun, the great champion and father of the bill. His motion was lost by 91 noes to 67 ayes, which indicated the fate of the bill, and it accordingly became a law a few days afterwards. He spoke three hours, on the 6th of April, against the passage of the Tariff Bill, or, as it was called, the bill for regulating the duties on imports and tonnage, which passed by 88 ayes to 54 noes.

We may be permitted here to remark, that the session commencing December, 1815, and ending the last of April, 1816, was one of the most important, in relation to the character of the country (which was fully vindicated), and in the amount and magnitude of the business transacted, as great as that of any previous one. This first session of the 18th Congress has been considered an era in our national legislation. It extended a ministering hand to heal the wounds which had been inflicted by the late war. It provided for the numerous claims for services and losses during that period, establishing the currency, which had become very much disordered, on a specie basis; the creation of a National Bank, for equal exchanges and facilitating the fiscal operations of the government; providing permanent and substantial means for the increase and maintenance of the navy; for the payment of the militia that had been called into service; providing pensions for the widows and orphans of militia killed or who died in the service; granting bounties in land to certain Canadian volunteers; for improving the navy pension fund; and other measures in relation to the revenues, internal and external. We are happy to add that the prosperity of the country was such, that the revenues yielded enough to meet all these extraordinary expenses, and to enable the government of Mr. Monroe to commence the grateful task of liquidating the national debt, which had accumulated to about one hundred and fifty millions, and which was ultimately most honorably discharged in the administration of General Jackson. Although Mr. Randolph was confined at home by indisposition, and did not attend till some time in January, yet he amply made up for lost time, entered into the discussion of every

prominent measure with his usual vigor and brilliancy, and spoke more (and perhaps as much to the purpose) than he had done at any previous session. His main speech, on the Internal Taxes, lasted for three hours, and he spoke as long on the National Bank; in fact, the whole of his speeches, on the various subjects which were discussed during the session, if collected, would fill a tolerable volume. It will also be perceived, how well he supported those propositions which he himself introduced; and he seemed to rise with the opposition which they encountered, and appeared determined not to yield the palm of victory to any competitor or combination of talent, and seldom failed in his readiness of rejoinder and powers of extemporaneous oratory, to carry his point. He had been out of his seat since April, 1813, when he was supplanted by Mr. Eppes, but he seemed to have gained strength and new vigor by his two years' rustication.

The Compensation Act of the last session had excited much opposition throughout the country. Many of those members who voted for it, felt the security of their seats rather frail. Many had to give way to the popular torrent, and none but the most powerful, such as Mr. Clay, Colonel Johnson, and Mr. Randolph, were able to breast it. The House introduced a bill, early in January, 1817, with a view of modifying or repealing it. Mr. Randolph openly and manfully justified his vote. He said, the auction of popularity differed in one respect from all others—the first bidder standing in the same relation to the transaction as the last bidder does at other auctions. Hence, it could be no cause of surprise that, at all times when any measure within the scope of public contemplation, should be peculiarly odious, a great anxiety is manifested as to who shall be foremost in the repeal; or, otherwise, if the measure was entirely desirable, the same struggle should take place in the race who should be first to reach the goal. He, for one, had been extremely glad that the House had, on this occasion, so far, at least, not been wanting in a sense of decent self-respect. He hoped the committee would not understand him to intend to enter into the merits of the bill, or to commit himself for the support of it, on its final passage; but he had no hesitation in saying, if it was to pass, it ought not to pass in the shape in which it had been offered by the committee. “What urgency was there in this case? Would any member show him that there was a great urgency that the act of the last session should be repealed as to the remaining part of this session, and that the law should be further modified by an increase of the compensation, 33 and 1-3 per cent. This body ought not to act on every frivolous impulse. It ought not to act on any temporary excitement. The people of the United States are the sovereigns of the United States. The government is theirs, because the soil is theirs. The country is theirs. They have a right to be heard. But what have we heard from the public on this subject, except a solitary petition this morning, from some part of Pennsylvania, for a repeal of the law? Now, with all due respect for public opinion, where is the necessity for the passage of the bill on your table? If this House is to act on this subject—if it is to undo or patch up the act of the last session—if this House is to offer something like a tub to the great leviathan of popularity—

what ought they to do?—to undo all they had done, or do nothing? In what situation otherwise shall we stand? In what predicament shall we present ourselves to our constituents, going on the principle that these constituents are hostile to the law? Thank God, mine have said nothing to me about it. No, sir. I do not think mine will say anything to me on that score. What will we say to the people who have been clamoring about it, when they are told that we have repealed the act, and taken the difference of 33 and 1-3 more than we should have had if we had never passed it. I would not wish to stand in a more pitiable, I would add pitiful, condition before the people than with this bill in my hand, as amendatory of the act of the last session. Without now giving an opinion on the merits of the bill, reserving himself till the bill be more fully before the House, he said he rose to offer an amendment, which he believed would supersede the amendment of the gentleman from Kentucky. He said he should not pledge himself to vote for the bill, even if his amendment was agreed to. He did not wish to entrap the House, but to show what he thought ought to be done, if we moved in this business at all. He proposed to strike out the whole bill, and, in lieu thereof, insert a clause to repeal entirely the law of last session, and require a deduction from the amount of pay of the members, as shall, during the past and present sessions, make the amount of pay equal to six dollars a day. The act of the last session was retrospective and retroactive in its operation; and if the House touched the law of the last session, they ought to take up the matter where they did at the last session, and any law now passed should be retrospective in the same manner. He thought each Congress ought to take upon itself the responsibility of assessing its own pay. That to do so was a duty devolving on it, from which he thought it had no right to shrink. If, now, they had assessed it too high in their own opinion, they ought to refund the excess.” Mr. R. spoke two or three times more on the subject. He stated that, from the proceedings of the Legislature of his own State, he gathered an auspicious judgment in favor of his own course upon this question. Some member in his Legislature, had lately introduced a resolution, hoping to make political capital out of it, condemning the act of the last session in most reproachful terms. But, after reaching the Senate, it was thrown on the table, where it still lies, like bad money, nailed to the counter. He thought the nation, after seeing such lavish expenditures in support of the army and navy, and after the usual allowances to Commodores Hull, Decatur, and Bainbridge, in order that they might live like gentlemen, could not begrudge to their watch-dogs the moderate compensation which the act of the last session allowed them. The bill was finally amended so as to repeal the act of the last session, leaving the compensation to be fixed by the next Congress, and, in that state, passed by a great majority. At the next session, the question was again agitated, and the daily compensation was fixed at eight dollars, and the same sum for every twenty miles travelling to and from the seat of government. It was for his vote on the act of the previous session, that Mr. Clay encountered a most formidable opposition in the person of John Pope. The public is, no doubt, well acquainted with the touching anecdote of the rifle, by which Mr.

Clay regained his popularity and rode, on the returning wave of popular favor, into his seat again. Mr. Randolph was too firmly seated to encourage any candidate in the attempt to remove him; while the successor of the writer, apprehensive of an impending danger of his re-election, or from some other cause, prudently retired, and left the post open to his ready occupancy. Colonel R. M. Johnson saved his election, like Coriolanus, by showing his scars, and saying, like him, "These are my wounds, which are yours in private."

Mr. Randolph did not attend during the session of 1818, being detained at home by indisposition. A half brother of his, however, Henry St. George Tucker, took his seat in the House, as a representative from the Winchester district. He was but little inferior to Mr. Randolph as a debater, and took the lead in the discussion of a bill he introduced, as one of the Committee on Roads and Canals, in which he spoke in favor of internal improvements generally. He differed therein, as well as on many other points of policy, from his brother, and there appeared no such evident marks of familiar affection and attachment between them, during the time they served together, as we were led to expect from their near relationship. Mr. Tucker's disposition was most unlike his brother's. He was extremely amiable, modest, polite and conciliating, and was never known to lose his temper during the whole period of his public service. He was, at the end of four years, promoted to a seat on the bench of the High Court of Appeals, in his native State, which both his disposition and talents enabled him to fill with justice and honor.

Mr. Randolph was called up, on the Navy Appropriation Bill, on the 28th of December, 1819, on account of what he considered a very great irregularity which had grown up in the Treasury Department, of transferring the unexpended balance of appropriations from one head to another branch of expenditure, on the responsibility of the Secretary of the Treasury, provided the deficient branch happened to be of a consonant character. Mr. Randolph said, it was no part of his business to enter into the merits or demerits of the question now before the House; but to state a fact, which every member would bear in mind through the whole of this discussion, that the abuse which had been so eloquently exposed to the House (by Mr. Clay) had not extended as far back as the administration of Mr. Jefferson, during the whole of which, no such practice had obtained at the Treasury, or elsewhere. The practice, he said, grew out of that celebrated law of March the 3d, 1809—that famous, or, to speak freely but correctly, infamous law—which, without fear of correction from any side of the House, he pronounced to be the offspring of a dirty intrigue. During the administration of Thomas Jefferson, there had been no occasion to resort to any such law—no such practice had prevailed as had grown out of that act. During the greater part of that administration, such had been his access to the Treasury Department, and such the duties imposed upon him by this House, he spoke of his own knowledge and fearlessly, in saying the expenditures had been generally within the appropriation. No sum appropriated to one object had been devoted to another; but, at the end of every two years, every appropriation, for reasons found in the Constitution, did, by the act of 1799, cease and determine.

Whatever censure gentlemen might throw on the financial administration of the nation, he hoped they would except that period—a period in which the nation had made one of its most expensive acquisitions—the purchase of Louisiana. If his memory did not much deceive him, the Secretary of War then contrived, without any of this hocus-pocus legerdemain of transfers of appropriations, to take possession of the country, without any additional expenditure in the military department. At that time, we maintained about three thousand men, at an expense of about nine hundred thousand dollars per annum. Compare the expenditures at that time with those of the present, and, making every allowance for the advance in the price of articles of subsistence, or, in other words, for the depreciation of our miserable paper money, a large amount might be carried to the credit of the administration of which he spoke. He also made some remarks in answer to Mr. Lowndy, who had followed him in the debate. He said (after replying to Mr. Lowndy), that gentlemen entirely mistook him, if they supposed that, knight-errant like, he came tilting here, to break a spear with powers and principahties. Nothing was farther from his intention. He said there were certain signs in the political horizon, which he hailed with some degree of pleasure. He had some hope that the term of twenty years is the sum of our political cycle, and that we are coming back to the good old times of responsibility and specification; and he concluded by denying that provisions and the great staples of the country, as had been alleged, were higher than in the years 1802 to 1804. He took part in the debate on several subjects of minor importance, among others, in opposition to Mr. Cuthbert's resolution to inquire into the expediency of establishing a registry of slaves, with a view more effectually to prevent their importation. He agreed with the mover that the United States possessed the power of putting an end to the slave-trade, but he could not go with him so far as to admit that they had the power to select the means. He never refused an inquiry, when asked; but he could not help thinking that this may end in another shape—a question which has been, unfortunately, too often agitated, and might again agitate this body: He meant the definitiveness of the powers of this government. He denied that the government could, under the plea of means, do that which they could not, under that of ends. It was by this hocus-pocus the government found itself enabled to create a great bank, the happy consequences of which we are now reaping. Where was the use, he asked, of any limitations at all? When we want to do anything, we have only to call it means necessary for authorized purposes.

On Mr. Strothers' resolution, proposing to publish, at the expense of the House, a certain number of copies of the secret Journal of the old Congress of the Federation, Mr. Randolph, though not opposed to the object of the mover, proposed to refer it to a select committee to inquire into its expediency. Among other observations, he quoted a remarkable saying of the most remarkable man, "that we should wash our dirty linen at home." The resolution afterwards passed. On the 22d of February, Mr. Randolph introduced the following resolution:

"Resolved, That provision be made by law for the support of the family of

the late Oliver H. Perry of the U. S. Navy, and for the education of his children."

Mr. Randolph's remarks not having been distinctly heard by the reporter of the National Intelligencer, and he being dissatisfied with the form in which they appeared, thought proper to give them as corrected by himself, in a note to the editors, of the 24th. He said he rose to offer a motion. He believed it was difficult for any member of this House, certainly it was not possible for him, to keep pace with the honorable gentleman from South Carolina (Mr. Lowndes) in the race of honor and public utility. That gentleman, in the motion which had just been adopted, anticipated him in part in a proposition which he (Mr. R.) had intended on this particular day, for reasons which would suggest themselves to the mind of every one, to offer to the House. When he had this morning heard the Tower guns announcing the return of the birth-day of Washington, the thought had come across his mind, in reference to certain proceedings in this House and elsewhere, "This people draw nigh unto me with their lips, and honor me with their mouth, but their hearts are far from me." His purpose was, he said, to make a motion in relation to the wife and children of the late Oliver Hazard Perry, of the United States Navy. It was his opinion, whether correct or not, that the country owed more to that man, in its late contest with Great Britain, than to any other, always excepting Isaac Hull,—that man who had first broken the *prestige*, the cuirass of British invincibility. He had frequently, he said, heard persons of that country speak in terms of admiration of the achievement of Captain Hull, in his escape from a fleet of the enemy in the Constitution frigate, of the admirable seamanship which he had displayed, of his professional skill; but he had never heard any of them speak in cordial applause of his achievement with the *Guerrière*, that proud frigate of the first class, which had carried her name, in defiance, emblazoned in large letters on her foretop-sail, that the American picaroons might beware of his majesty's ship, and make no mistakes. That was an event on which they were generally silent, or their praise very faint. He believed that old England would consent that forty Packenham's, with all their legions, should have been buried on the alluvial lands of the Mississippi, to take back the single action of the *Guerrière*; because that action had done more than any other to open the eyes of Europe, and dispel the illusion of British supremacy on the ocean. Next in glory to the victory over the *Guerrière*, is that on Lake Erie by the gallant Perry. And this, Mr. R. said, is not inferior in lustre to any event in the naval history of England, from that of La Hogue under Admiral Russell. One, said he, has shown us the way to victory in single ships, the other in fleets. Shall we suffer his family to melt up the plate that was given him by his countrymen, by corporations, and by legislative bodies, in compliment to his gallantry, to buy bread? He would say no more, but at once offer the resolution, which was unanimously adopted.

Although the Missouri question was agitated at the session of 1820, and Mr. Randolph, on the 3d of February, delivered his views upon it at length, yet as it was again more fully debated at the succeeding session, when he entered

more deeply into the consideration of it, in order to fill up the interval between the two periods, and to give a connected series throughout, it is thought best to defer the presentation of his views on the subject for the present, to afford an opportunity of giving his observations on other subjects during the interval, particularly on a motion he made on the 20th of February, in the following form :

“ Ordered, That the clerk do prepare, and lay before this House, a statement of the annual amount of the contingent expenses thereof, from the commencement of the present Government to the 30th of November last ; distinguishing the expense of stationery, printing, fuel, lights, furniture, and attendants, with a statement of the nature and amount of the perquisites of each.”

Mr. Randolph rose to make a motion, which, he said, he should prefer to have been made by any other member than himself, but which he felt it his duty to bring forward. He trusted that, whatever others might think, or however others might act, he should never feel a disposition to shrink from a discharge of his duty. It was impossible, he said, for any man to see what was going on here, abuse heaped upon abuse, like Pelion upon Ossa, until it was impossible to tell where it would end ;—it threatened to reach the skies. The House, he said, was emphatically entrusted with the purse-strings of the nation. He hoped it would not prove to be the case, that the people had, according to a well known maxim, trusted the lamb to the custody of the wolf. It behooves the House, as the grand inquest of the nation, also to inquire into abuses of every description, but first to pluck the beam out of its own eye, before it attempted to take out the mote from its brother's eye. It had been his misfortune, especially since the agitation of this Missouri question, not to be able to sleep of nights, and he consequently often arose before daybreak. These early risings had been the means of putting him on the scent, he was not sure of the true game, but of something like speculation or abuses, in a very small way, in the contingent expenses of this House. It behooves us, said he, as the guardians of this *imperium in imperio*, if we are arraigned at the public bar, much more if we arraign others, that we appear with clean hands, that there be no blot or stain on them. “ In the course of my lucubrations, I have sometimes started a question which, although we may approximate to the truth, is as impossible to be ascertained as the quadrature of the circle, and will no doubt be discovered with the solution of that opprobrium of geometry, the philosopher's stone, the perpetual motion, or the grand arcanum, the elixir vitæ, when men shall quaff immortality and joy, or rather misery ;—for death, sir, with all its terrors, is our best friend, if we knew how to use life, and comes to deliver us from the vexation and strife of this trumpery world. I have,” said Mr. R., “ endeavored to ascertain the pay of a member of Congress, but, with all the means I could employ, it has eluded my search, and will continue to do so, I have no doubt, to the end. Those who write circular letters and keep up a voluminous correspondence, and those who received more letters than others, receive, through the privilege of franking and stationery, a greater compensation than others. He would mention one fact to show how it is in the nature of abuse to grow on

what it feeds; and it may be ominous—it may cut love. They had made him, for the first time in twenty years, a present, at this session, of a knife; and he believed he should carry it home as a *spolia opima*, and hand it down as a trophy of his public service, of some twenty years, nearly fourteen of which,—just double the time that Jacob served for Rachel,—had been spent in opposition to what is called Government, for he commenced his political apprenticeship in the ranks of opposition; and could he add fourteen more to them, he supposed some political Laban would double his servitude and condemn him to toil in the barren field of opposition, for he despaired of seeing any man elected President whose conduct he could entirely approve. He should never be in favor at court, for he had, somehow or other, as great an alacrity at getting into a minority as Sir John Falstaff had at sinking. It was perhaps the place he was best fitted for, as he had not strength to encounter the drudgery and detail of business. Habit had rendered it familiar to him, and, after all, it was not without its sweets as well as its bitters, since it involved the glorious privilege of finding fault,—one very dear to the depraved condition of poor humanity. In relation to the contingent fund of this House, he said that when he had the honor of being on the Committee of Ways and Means, they were so incessantly pestered with accounts for candles, and wood, and molasses, and water, and what not, that at last, at his suggestion, a committee was raised to audit and settle the account of the contingent expenses of this House. People were constantly coming to that committee and complaining that they could not get paid, although the clerk showed their receipts in full. They were asked, how was this? and were answered, they were obliged to give receipts in full to the clerk before they could get their contracts, and then he would not pay them, it being a personal engagement of his own. They were told by the committee that it was an affair between them and the clerk; that they had bought the contracts by letting the clerk have the use of their money, and that if their sweet turned out a sour, they must make the best of a bargain creditable to neither party, and made at our, as well as their expense. Whether they ever got paid Mr. R. did not know. He knew that the clerk was a public defaulter, and he was not sure the balance due by him was ever paid. He cast no imputation on the present clerk. The abuse of which he complained was not under his control.” Mr. Randolph then read his resolution, and concluded by wishing the accounts of the two houses kept separate; they would, he thought, constitute a curiosity. His resolution was adopted.

SPEECH OF MR. RANDOLPH ON THE MISSOURI QUESTION.

That most exciting question, the admission of Missouri into the Union, was again agitated in Congress, in the Session of 1821. It arose from the circumstance of her having inserted a clause, the 4th, in the 26th article of the Constitution, which her late convention had adopted, prohibiting any free persons of color, or mulattoes, from entering or settling within the State. The great difficulty seemed to arise from the friends, as well as foes, of Missouri equally

voting against the numerous propositions for her admission into the Union, upon the condition that she should, by an act of her legislature, sitting as a convention in that regard, repeal that obnoxious clause; the friends of slavery wishing to admit her without any restrictions, and the opponents refusing it except upon the terms offered. Among the former was Mr. Randolph. During the recess, the election of President had taken place, and Mr. Monroe had been re-elected by an almost unanimous vote, having received 218 votes. In taking the necessary measures to meet the Senate in the official canvass in the House, on the 14th day of February, Mr. Clay, as chairman of the committee, reported two resolutions, the second one providing, that if any objection be made to the counting of the votes of Missouri, by the President of the Senate, he should state it then; were the votes of Missouri to be counted the result would be this,—for James Monroe 231 votes, if not counted, 218; but in either event James Monroe is elected President of the United States. The question being stated on this, the second resolution, Mr. Randolph said, “That he could not consent to this special verdict, as it had been called, in the case of Missouri. He could not recognize in this House, or the other, singly or conjointly, the power to decide on the votes of any State. Suppose you strike out Missouri and insert South Carolina, which has also a provision in its constitution repugnant to the Constitution of the United States; or Virginia, or Massachusetts, which had a test, he believed, in its constitution; was there any less power to decide on their votes, than on those of Missouri? He maintained that the electoral college was as independent of Congress as Congress was of them; and we have no right to judge of their proceedings. He would rather see an interregnum, or have no votes counted, than see a principle adopted which went to the very foundation on which the presidential office rested. Suppose a case in which some gentleman of one House or the other should choose to object to the vote of some State, and say that if it be thus, such a person is elected, if it be otherwise, another person is elected, did anybody ever see the absurdity of such a proposition? He deemed the resolution erroneous, and in a vital part, on the ascertainment of the person who had been elected by the people, chief magistrate of the United States, the most important officer under the constitution—the monarch—for whoever in any country commands the army and navy, collects and distributes the revenue, is a king, call him what you will. The time of the House was precious, and he would not say all he felt and thought on the subject.” The Senate being present, and their president having counted the votes of all the other States, opened the package containing the vote of the State of Missouri, and handed it to the tellers to be counted. Mr. Livermore of New Hampshire objected, because Missouri was not a State of this Union. The Senate, on motion, then withdrew. Mr. Floyd of Virginia then submitted the following:

“Resolved, That Missouri is one of the States of this Union, and her vote ought to be received and counted.”

Mr. Floyd supported his resolution by a few observations. Mr. Archer of Maryland moved to postpone it indefinitely. Mr. Randolph said that “it was not without reluctance that he offered himself to the attention of the House at this

time, but he submitted to the worthy gentleman from Maryland, whether the object which he had in view could, according to his own views of propriety, be effected by the course which he had recommended to this House. It was no part of his nature nor his purpose, to inflate to a greater magnitude this exaggerated question of the admission of Missouri into the Union. But the question had now assumed that aspect, which, had it depended on him, it should have taken at an earlier period of the session. It was not only congenial with the principles and practices of our free government, but unless he was deceived, with the principles and practice of that country from which we have adopted, and wisely adopted, our manly institutions, that on any occasion when any person presents himself to a representative body, with credentials of a title to a seat, he shall take his seat and perform the functions of a member until a prior and a better claim shall be preferred and established. It was seen that, but the day before yesterday, the committee of elections came forward with a report stating that the qualifications and returns of certain members were perfect, who have been acting and legislating, and on whose votes the laws of the land have depended for the last three months. Just so it ought to have been with regard to the representation from the State of Missouri. She has now presented herself for the first time in a visible and tangible shape. She comes into this House, not *in formâ pauperis*, but claiming to be one of the co-sovereignty of this confederated government, and presents to you her vote, by receiving or rejecting which, the election of your chief magistrate will be lawful or unlawful. He did not mean by the vote of Missouri, but by the votes of all the States.

“Now comes the question, whether we will not merely repel her, but repel her with scorn and contumely. *Cui bono?* she might add, *quo warranto?* He should like to hear from the gentleman from New Hampshire (Mr. Livermore), where this House gets its authority. He should like to hear some of the learned (or unlearned) sages of the law, with which this House, as well as all our legislative bodies, abounds, show their authority for refusing to receive the votes of the State of Missouri. He went back to first principles. The Electoral Colleges are as independent of this House as we are of them. They had as good a right to pronounce on their qualifications as this House has of its members. Your office, in regard to the electoral votes, is merely ministerial, to count the votes—and you undertake to reject votes! To what will this lead? Do you ever expect to see the time when there shall be in the presidential chair, a creature so poor, so imbecile,* not only not worthy of being at the head of the nation, but not worthy of being at the head of a petty corporation. Do you ever expect to see in that office an animal so poor as not to have in this House retainers enough to reject the votes of any State, which, being counted, might prevent his continuance, and their continuance, and that of their friends, in office? He spoke not of the present incumbent. He was not so wanting in common decency and decorum. He spoke in reference not only to what was past, but to that which was prospective, and which every man who looks the

* Prophetic of later times.

least into the future, must know will happen, and in all probability, will very shortly happen. He undertook to say that if this House, by an indefinite postponement, should—for the form was immaterial—or in any other way, and it would be observed, in the first instance, in the person of Missouri, of this much injured, long-insulted, and trampled-upon member of this confederacy, was this example to be set,—if you do, for the first time, now refuse to receive the votes of a State, it will be created into precedent, and that in the lifetime of some of those who hear me, for the manufacture of precedents by this House. The wisest men may make constitutions on paper, as they please. What was the theory of this constitution? It is that this House, except upon a certain contingency, has nothing to do with the appointment of president and vice-president of the United States, and when it does act, must act by States, and by States only can it act on this subject, unless it transcend the limits of the constitution. What was to be the practice of the constitution as now proposed? That an informal meeting of this and the other House is to usurp the initiative, the nominative power, with regard to the two first officers of the government; that they are to wrest from the people their indefeasible right of telling us whom they wish to exercise the functions of the government, in despite and contempt of their decision. Is there to be no limit to the power of Congress? No mound or barrier to stay their usurpation? Why were the electoral bodies established? The constitution has wisely provided that they shall assemble, each by itself, and not by one great assembly. By this means, assuredly, that system of intrigue which was matured into a science, or rather into an art here, was guarded against. But he ventured to say, the electoral college of this much despised Missouri, acting conformably to law and to the genius and nature of our institutions, if it were composed of but one man, was as independent of this House as the House was of it. If, however, *per fas aut nefas*, the point is to be carried, if the tocsin is to be sounded, if the troops are to be rallied and Missouri is to be expelled with scorn from our august presence—how august, Mr. Speaker, I leave it with you to decide—there are those who will be willing to take her to their arms. And in point of mere expediency, he would ask of gentlemen—he put the suggestion in that shape, because he believed they were inaccessible to any other consideration—in point of expediency, he asked them, what were they now doing but riveting those ties by which Missouri would, he trusted, for ever be bound to that section of the country by which, with whatever reason, her rights have been supported on this floor? I do look with a sentiment I cannot express, I look with a sentiment of pity—and that has been said to be nearly allied to love, as I know it to be allied to a very different emotion—I look with pity on those who believe that, by their feeble efforts in this House, governed by forms and technicalities—your sergeant-at-arms and committees of attendance and mummeries, such as belong to other countries where I have never travelled, and trust in God I never shall—they can stop the growth of the rising empire of the west. Let gentlemen lay a resolution on the table: let it be engrossed in a fair hand, and do you, sir, Mr. Speaker, sign it, that the waves of the Mississippi shall not seek the ocean, and then send your sergeant-at-arms

to carry it into execution, and see whether you can enforce it with all the force, physical or moral, under your control." Mr. Archer, of Virginia, opposed the resolution in a few remarks. And Mr. Randolph again addressed the House. "Supposing he had been misunderstood, he wished to explain. His position had been misunderstood. It had been said, and pertinently said, that Missouri might be admitted into the Union in more ways than one. His position then was, that this is the first instance in which Missouri has knocked at the door and demanded her rights. It is now for us, by permitting her to come in, or rather by refraining from extruding her from this hall, to determine whether she shall now be one of this commonwealth, or as the fashion is to call it, of our empire. He said he had no doubt that Congress might drive Missouri into the wilderness, like another son of Hagar. If we do, we drive her at our own peril. If either the worthy member or senators from Missouri, whose long forbearance had excited surprise in no man's breast more than his own; he did not mean to blame them for pursuing the counsels of cooler heads than his—had presented themselves here, would you (addressing the Speaker) have felt yourself bound to exclude them from the communion, with more than papal power—not only from the cup of wine, but from the bread of life itself. Let me tell my friend before me (Mr. Archer), we have not the power which he thinks we possess: and if there be a *casus omissus* in the constitution, I want to know where we are to supply the defect. You may keep Missouri out of the Union by violence, but here the issue is joined and she comes forward in the persons of her electors, instead of representative, and she was thus presented in a shape as unquestionable as that of New York or Pennsylvania, or the proudest and oldest State in the Union. Will you deny them admittance? Will you thrust her electors and her's only from this hall? I made no objection to the vote of New Hampshire. I had as good a right to object to the vote of New Hampshire, as the gentleman from New Hampshire has to object to the vote of Missouri. The electors of Missouri were as much the *homines probi et legales* as those of New Hampshire. This was no skirmish, as the gentleman from Virginia had called it. This was the battle where Greek meets Greek. Let us buckle on our armor, let us put aside all this flummery, these metaphysical distinctions, these unprofitable drawings of distinctions without differences; let us say now, as we have on another occasion, we will assert, maintain, and vindicate our rights, or put to every hazard, what you pretend to hold in such high estimation." Mr. R. then alluded to the election of Jefferson and Burr, when they were told as now, they must withdraw their opposition: that a dissolution of the Union was threatened, that volcanoes began to play, that earthquakes yawned beneath us. "We would not give way. We appealed to the good sense of the nation, and I now appeal to this nation, whether this pretended sympathy for the rights of a few free negroes is to supersede the rights of the free white population of ten times their whole number." He went on in the same strain some minutes longer, but as enough has been said on this subject we will bring it to a close. It is well known that every effort to admit Missouri into the Union was defeated. The times looked portentous. Every patriot felt alarmed, and

among others Mr. Jefferson, at the danger which threatened the peace and the stability of the Union. A preserver appeared in the person of Mr. Clay. He poured oil on the agitated waters, and calmed the troubled seas. By a resolution introduced by him to appoint a select committee of twenty-three, by ballot, in union with one appointed by the Senate, a compromise was effected, and a resolution reported almost unanimously by the committee, of whom he was chairman, which restricted the State of Missouri from passing any act, pursuant to the 4th clause of the 26th article of her constitution, prohibiting the citizens of either of the States of this Union from enjoying the privileges and immunities to which such citizen is entitled under the constitution of the United States, and that the said State shall declare their assent to this provision, as a fundamental condition, and transmit the same to the President by the 4th of November next: whereupon the President, by proclamation, shall announce the fact, and the said State, without any further proceedings, shall be admitted into the Union. On the 26th of February, 1821, the resolution was taken up, the previous question was ordered: and the main question was put and carried in the affirmative, and the resolution passed by a vote of 87 to 81. During the whole period of this exciting debate, there were enough votes of the slaveholding States and their allies to decide the question in favor of the admission of Missouri. And yet these unreasonable members obstinately held out, and jeopardized the safety of the Union, by joining with the enemies of slavery in keeping Missouri out of the pale of the Union. And for what? The enemies of slavery acted from principle, the false friends of Missouri from a blind and obstinate pride of opinion, which they would wilfully maintain even at the risk of a dissolution of the Union. And what, after all, was the peace-offering that Mr. Clay so fortunately held out? Nothing but a simple guaranty by that State, to the citizens of the United States, the privileges and immunities which they enjoy in every other State! In the terms of the compromise, even the delicacy of the friends of Missouri is not offended, for the words "free persons of color and mulattoes" are not once mentioned; and yet it had the effect of magic in healing all the differences that had arisen between the respective parties.

There is ten years' interval between the delivery of these speeches and the first, and yet we find no falling off in the mental faculties of Mr. Randolph. He is still distinguished as a debater and a powerful extemporaneous speaker. So far, there does not appear any foundation for the charge of the Washington correspondent of the New York Tribune, that Mr. Randolph was deranged as early as 1800!

About the 22d of March, 1820, the meeting between Commodore Decatur and Barron took place at Bladensburg, where Decatur fell, and, what appears rather anomalous, Barron's large size saved him. Both shots took about the same level of direction, but Barron being two or three inches taller than his antagonist, received his ball in the hip joint, within one inch of the cavity of the abdomen, while his ball penetrated the body of Decatur about half an inch above. Randolph constituted himself undertaker and chief mourner at the funeral, and acted as marshal of the day, probably from the old Grecian maxim,

that in times of confusion and difficulty, superior abilities will, by general consent, naturally assume their appropriate station at the head of affairs. He was much busied, from the time the funeral procession left the residence of the deceased, in riding up and down the ranks and keeping off intruders and maintaining order and regularity. The next morning, as soon as the Journal was read, he moved the House to adjourn, as a token of respect for the memory of his friend. The motion was opposed by Mr. Speaker Taylor, of New York, on the ground that the deceased had fallen in violation of the laws of God and man. Mr. Randolph, in reply, quoted the answer of our Saviour, "Render unto Cæsar the things that are Cæsar's," and unto Maryland the right she possessed of visiting every infraction of her laws upon the party offending. If his friend had violated the laws of God, he stood at his bar to receive his sentence. "In violating the laws of God and man!" said he. "The lion was dead that thus received the kick." And Mr. Taylor looked as if he felt the application. The House refused the motion.

On the 24th, in consequence of the failure of his previous motion, that the House should adjourn over to attend the funeral of the Commodore, he then moved that it should then adjourn, for the purpose of enabling such members as felt so disposed, to attend at four o'clock that afternoon, the hour appointed. To obviate the appearance of any opposition to so reasonable a request, Mr. Holmes moved the House do now adjourn, and the motion prevailed. It appeared that the report of Mr. Randolph's speech on his first motion, gave him such high displeasure, that he was induced on the 28th to offer a resolution for the exclusion of Gales and Seaton from the hall of the House as reporters. The resolution was not urged at the time, in order to afford them an opportunity to furnish Mr. Randolph, according to his expressed wish, the name of the person who gave the editors the information as the groundwork of his speech. The explanation they offered in answer to Mr. Randolph's request, was to the effect that the report to which he alluded was derived from sources entitled to credit, particular care being taken not to impute to him (Mr. R.) any language which may be subject to misrepresentation. They added that his speech on the subsequent day was reported, and would be submitted to him for revision. They alleged also that business caused both their reporters to be absent at the time Mr. Randolph addressed the House, and that they obtained their information from some of the members on the adjournment of the House. Mr. Randolph was not satisfied with this apology, but put his resolution to the vote. It found but little favor with the House, only eight voting for it, while 140 voted against it.

SPEECH OF JOHN RANDOLPH ON APPROPRIATIONS FOR THE INDIAN
DEPARTMENT, JANUARY 4, 1822.

Mr. Randolph moved to recommit the bill to a committee of the whole House, to bring into mature discussion and review the undefined appropriation asked for by the Secretary of War. "Unreasonable jealousy of the executive government often led to the opposite extreme, a blind confidence in the governing power.

From this jealousy and confidence he felt himself to be equally free. He believed that this House also was as free from unreasonable jealousy as any reasonable body ought to be. In fact, jealousy in public life was like that same 'green-eyed monster' in the domestic circle, which poisoned the source of all social happiness. It was extraordinary and yet apparent that the case had occurred in which confidence had lost its true character, and taken another which he would not name in this House. It was remarkable as well on the other side of the Atlantic as this, that a general suspicion had gone abroad, that the department which emphatically holds the purse-strings of the nation, was more remiss than any other in guarding against the expenditure of its subordinate agents. If it should be generally and unanswerably understood that the body whose duty it is to guard the public treasure from wasteful expenditure, had abandoned their trust to a blind confidence in the dispensers of public patronage, they must immediately and justly lose all the confidence of the community. He had heard yesterday with astonishment a proposition to surrender inquiry to a confidence in the integrity and ability in the officer who had made the requisition. When this House should be disposed to become a mere chamber in which to register the edicts, not of the President, but of the heads of departments, it would be unimportant whether the members of this House professed to represent 35,000 freemen, or collectively the single borough of Sarum. This proceeding was to him unprecedented. He had himself once been personally acquainted with the proceedings of the Committee of Ways and Means, and he had brought in many bills to make partial appropriations—no, not many of them, for the business in those days had been so conducted as not to leave much room for them—but he had brought in such bills, and supported them too, and he would again support such bills when they were necessary. He would give to the government his confidence when it was necessary, and he would not give it to the government, nor to any man further than that, unless to his bosom friend. But there was a wide difference between voting for an advance for the service of the current year, and voting for the same sum to cover a deficiency of the past year, under cover of an advance for the present year. He wished this bill to be recommitted, that the appropriation might be put on its proper footing. While I am up, said he, I will make one remark; that by the best estimate I am able to make, and that estimate has been fortified by the remarks that have fallen from others, these Indians cost us on the system of civilisation and conciliation, rather more than if they were black, and our property, and working on our estates for our benefit. And this without reciprocity; for though the master be bound for the whole expense of food and raiment for his servant, he is entitled to the benefit of his services in return. The United States ought not to be expected wholly to clothe and feed these people; they ought at least to do some little for themselves. It was astonishing what a fondness the people of the frontiers had for having their throats cut. A gentleman had yesterday told the House that this money for the Indian department was to prevent these people from having their throats cut. But what did the representatives of the frontier people in this House say? Why, that they had

rather not have the revenue applied for their relief ; they deprecate your protection, and care nothing for your defence." The bill was recommitted. During the year 1821 the returns of the late census had been made, and in January, 1822, a ratio of representation was proposed to be fixed upon. With this view, on the 7th of the month, Mr. Campbell, as chairman of the subject, reported a resolution fixing the ratio at 40,000, based upon the total amount of numbers, 9,625,734. As Virginia had increased very little in her population, and other States had gained large accessions to their numbers, the adoption of the proposed ratio would cause Virginia to lose a member in the House, and thus the sceptre would be transferred from Judah. This thought roused all Mr. Randolph's State pride. He could not bear the idea of his State being thus degraded to a second, and even a third rank, in point of population. When the apportionment bill was taken up on the 19th of January, various rates were proposed as best suited the views of members of those States who desired to save the smallest fractions, from 35,000 up to 75,000, Mr. Tucker of Virginia proposing 38,000 as the most convenient for Virginia, by leaving to her its present delegation, and saving the legislature the trouble of making new arrangements of the districts. The Committee of the Whole had agreed upon 42,000, which would give the House 200 members.

After Mr. Saunders of North Carolina had addressed the House, in a maiden speech of one hour's duration, in favor of that ratio, Mr. Randolph arose. He said, "it required a very great share of legislative intrepidity for any man, and more than he possessed, to attempt to debate any question in regard to which there is a moral assurance the majority is decidedly against you. The few words he had to say on this unpromising subject, would be on a question wherein he trusted from present appearances and some other indications he should be in the majority ; and that was the question in concurring with the Committee of the Whole in their amendment of this bill. He must be permitted to state, altogether unimportant as the fact was, that although he had been one of the committee to bring in this bill, he had not yet tried any ratio, either in the State, one of whose representatives he was, nor in the district which he represented, nor in any one county of which the district was composed. It would indeed be exceedingly disingenuous in him not to say, that in glancing his eye over the table of calculation, he had perceived that one number, he believed it was 38,000, would eminently conduce to the advantage of the State of Virginia, and that some of the numbers would be extremely injurious to her relative weight in this body and in the presidential elections, and consequently in her influence on the government of the United States. But while I make this declaration, I know it to be as unimportant as the individual who addresses you. I cannot enter into the reasoning which goes to show that 200 members, or this ratio of 42,000, or what not, is to serve some great political purpose, whilst one member more or less, or 1000 in the ratio more or less, would produce a calamitous effect. To such prescience which could discover such important effects from such causes he had no claim ; but this he would say, it was made an objection to the constitution by some of the greatest men this country

ever produced, and perhaps as great as it ever would produce ; it was, in itself, a vital objection to George Mason's putting his hand to the constitution, that the representation in Congress was limited, not to exceed one member for every 30,000 souls ; whilst on the other hand a most unbounded discretion was given over the increase of the ratio. It was an objection to the constitution, on the part of some of the wisest men this country ever produced. It was an objection on the part of Patrick Henry, whose doubts, I need not ask you, Mr. Speaker, to recur to—I fear you have been too familiar with them in the shape of verified predictions—whose doubts experience has proved to be prophetic. On a question of this sort, shall we be told of the expense of compensating a few additional members of this body ? He knew we had, in a civil point of view, perhaps the most expensive government under the sun. We had, taking one gentleman's declaration, an army of legislators. There was a time, and he wished he might live to see it again, when the legislators of the country outnumbered the rank and file of the army, and the officers to boot. I wish I may see it again. Did any man ever hear of a country ruined by the expense of its legislation ? Yes, as the sheep are ruined by so much as is required for the nourishment of the dogs. As to the civil list, to pay a host of legislators, is it their pay that has run up the national debt ? Is it their pay that produces defalcations of the revenue ? Did mortal man ever hear of a country that was ruined by the expense of its civil list, and more especially by the legislative branch of it ? He was no believer in actual or modern magic. He gave no credit to Sir Kenelm Digby's sympathetic power, or to Plato's visions of the importance of the number 10. To go by any rule of that sort, some might prefer an odd number ; three, because it was the number of the Graces ; nine, because it was that of the Muses : and those miserable dupes who adventure in lotteries, generally endeavor to hit on an odd number. He could not conceive how it happened that, in a former Congress, they had been so blind to the magic of numbers as to overlook the number 100, notwithstanding which one of that body signed himself *centumvir*, as one of the number of whom that council was composed. After all the wire-drawn speculations on this subject, however, we must come down to the suitability—if I may use the word—to the fitness of things, as the great philosopher Bacon would have said. We must take a number that is convenient for business, and at the same time sufficiently great to represent the interests of this great empire. This empire, he was obliged to say, for the term republic had gone out of fashion. He would warn, not this House, for they stood in no need of it, but the good, easy, susceptible people of this country, against the empiricism in politics, against the delusion that because a Government is representative, equally representative, if you will, it must therefore be free. Government, to be safe and to be free, must consist of representatives having a common interest and a common feeling with the represented. But, as he believed he would be better understood by an example, he would put it. I put a case of the United States entering into a joint-partnership with the Emperor of China, of a political kind, and that they were to allow us a representative for every 30,000 souls, claiming for themselves a representative for every 100,000 souls. Would a legislature so constituted be

fit to govern us? Certainly not, if the Chinese yet had, as in such a case they would have, a majority of the whole number of members. When I hear of settlements at the Council Bluffs, and of bills for taking possession of the mouth of the Columbia River, I turn, not a deaf ear, but an ear of a different sort to the sad vaticination of what is to happen in the length of time: believing, as I do, that no Government extending from the Atlantic to the Pacific can be fit to govern me, or those whom I represent. There is death in the pot, compound it how you will. No such government can exist, because it must want the common feeling and common interest with the governed, which is indispensable to its existence. Whilst the gentleman from North Carolina was entertaining the House, he confessed very much to his satisfaction, he had made a few cursory notes, to which, with the leave of the House, he would recur. In answer to the argument, that the first House of Representatives consisted of but sixty-five members, Mr. Randolph said he well remembered that House. He saw it often, and that very fact was, he said, to him a serious objection to too small a representation on this floor. The truth is, said he, we came out of the old constitution in a chrysalis state, under unhappy auspices. The members of the body that framed the constitution were second to none in respectability. But they had been so long without power,—they had so long seen the evils of a government without power, that it begot in them a general disposition to have king Stork substituted for king Log. They organized a Congress to consist of a small number of members, and what was the consequence? Every one, in the slightest degree conversant with the subject, must know, that on the first step in any government depends, in a great degree, the character and complexion of that government. What, I repeat, was the consequence of the then limited number of the representative body? Many, very many, indeed all that could be called fundamental laws were passed by a majority, which, in the aggregate, hardly exceeded in number the committee which was the other day appointed to bring in the bill now on your table; and thereby, said he, hangs (not a tale, but) very serious ones, which it is improper to open here and now. Among the other blessings which we have received from past legislation, we should not have been sitting at this place if there had been a different representation. Those who administered the government were in a hurry to go into the business of legislation before they were ready—and here I must advert to what had been said with regard to the redundancy of debate. For my part, said he, I wish we could have done nothing but talk, unless, indeed, we had gone to sleep for many years past; and coinciding in the sentiment which had fallen from the gentleman from New York, give me fifty speeches, I care not how dull or how stupid, rather than one law on the statute book; and if I could once see a Congress meet and adjourn without passing any act whatever, I should hail it as one of the most acceptable omens. I once held this opinion, with the exception of the appropriation laws. But as they have of late been executed, which the powers that be are not bound to respect, I find we may dispense with them as well as with any others.” Mr. Randolph then noticed another view which had been taken, that the higher numbers were favorable to the smaller States, not only as

regards their relative influence here, but especially as regards their influence on the elections of President; he would say nothing of the Vice-President of the United States, because the first was the object to which the eye of the public was generally turned, and of the minor object he had not yet heard spoken. On this argument, Mr. Randolph made some remarks, importing that he did not allow it much weight. "Another member had said that a particular number was the best, because it was perfectly fair with regard to Rhode Island. But it was not equally so for Delaware, nor perhaps for any other State. What an idea of fairness was this! It was like the address of the blind man upon colors, who said that the sound of the trumpet was red, because it sounded whenever the soldiers marched along, and he had heard they wore red coats. But it seemed, according to the argument of another member, unless we have large and prosperous districts, there would not be sufficient room to select from each district a potent, grave and reverend seigneur to take his seat on this floor. This is like saying that unless you create high salaries, you cannot get men to take offices; and yet, make the salaries what you will—I will say no more. It seemed, too, that any analogy taken from the British House of Commons—which he had not heard urged in the only manner in which it could be urged, except that the numbers were not too great to admit of the due exercise of legislative powers—was not applicable to the present subject, because that body is composed in a great measure of placemen and pensioners. He would not say that he was on this occasion reminded of the fable of the fox and the flies, but this he would say, that the placeman, snug and warm in his place, or the pensioner secure of receiving his quarterly supply, or any one of the number who by indirection arrive at the same object, the plunder of the people, was to his view, in everywise as fit, proper, and if he might use the word which he had lately heard on this floor for the first time, as *reliable* a representative as the man who is in search of a place or pension. But his worthy friend would tell the House that this was a description of persons whom, when once the people have ascertained their character, they withdraw their confidence from. He hoped it might be so hereafter, but there was one misfortune about it, which was that the mischief is done before the people find out the true character of their men, and that it is in doing this very mischief that their character develops itself. The people can shut the stable-door, to be sure, and lock it too, but it is after the steed is gone. After all, he feared little impression was to be made by the terrible array of figures before the House, which he had not eyes or brains to encounter by representations of this kind. One thing, however, was certain, that if 187 members were not too many ten years ago, 200 were not too many now. He did not pretend to lay down any rule by which an arithmetician, any more than a geometrician, could work this problem. It depended on things which are infinitely variable, on combinations infinitely diversified, and must be settled at least by a good plain common sense, and by no flourishes of the pen or of rhetoric.

"The case of a State wisely governed by its legislature, that of Connecticut, for example," he argued, "would be preposterously applied to this government, representing as it does more than a million of square miles, and more than

twenty millions of people—for such would ere long be the amount of our population. To say that 200 shall be the amount of our representation, and then to proportion that number among the States, would be putting the cart before the horse, or making a suit of clothes for a man and then taking his measure. The number of representatives ought to be sufficient to enable the constituent to maintain with the representative that relation without which representative government was as great a cheat as—transubstantiation, he was going to say—as any in priestcraft, kingcraft, or in another craft which, great as the Diana of the Ephesians, he would not name. When I hear it proposed elsewhere to limit the numbers of the representatives of the people on this floor, I feel disposed to return the answer of Agesilaus when the Spartans were asked for their arms: ‘Come and take them!’ (Quere—Was it not Leonidas, at Thermopylæ, on whom this demand was made by Xerxes?) If you step out of your threshold on matters that do not concern you, we have got a Roland for your Oliver; we will increase your number, apportioning it somewhat more to the population and wealth of the members of this community. And as the legislatures are, as we are told, nearly all in session at this time, and the election can be readily made, we will reduce your term of service to one year. It appeared to be the opinion of some gentlemen, who seemed to think that He who made the world should have consulted them about it, that our population would go on increasing till it exceeded the limits of the theory of our representative government. He remembered a case in which it had been seriously proposed, and by a learned gentleman too, that inasmuch as one of his brethren was increasing his property in a certain ratio, in the course of time it would amount by progressive increase to the value of the whole world, and this man would thus become master of the world. These calculations would serve as charades, conundrums, and such matters, calculated to amuse the respectable class (much interested in such matters) of old maids and old bachelors, of which Mr. R. said he was a most unfortunate member. To this objection, that the number of the house would soon become too great, to this bugbear, it was sufficient to reply, that when the case occurred it would be time to provide for it. We will not take the physic before we are sick, remembering the old Italian epitaph, ‘I was well, I would be better, I took physic, and here I am.’ He would not have arisen, but from the apparent inconsistency of the vote he was about to give with that which he gave on a like occasion ten years ago. At that time, he said, there was no prospect of any such overreaching, aggrandizing spirit on the part of the General Government which our wisest men now say they apprehend, and he thought not without reason, and he was no alarmist. On the occasion now referred to, he had voted, as well as he recollected, for a ratio of 37,000, and was willing now to go so far as to make the future representation bear the same proportion to the present as the present bears to the past. He would add one other remark: he would get rid of no difficulty which his past political life might put upon him by subterfuge or evasion. He did not call on those who had not sinned, to throw the first stone. He called upon those who had passed through three-and-twenty years of political life with no greater in-

consistency, to throw it; and, said he, pelt on, I can endure it!" The debate was continued, upon different proposed ratios, for several days longer.

On the 1st of February, Mr. Randolph again spoke, and proposed a ratio, though he admitted without any prospect of success, of 30,000. I shall content myself with making a few extracts, or culling some of the beauties of the speech, and then, with the decision of the House on the final question, dismiss the subject.

"He was in favor of making the House as numerous as the Constitution would permit, always keeping within such a number as would not be inconvenient to the House for the transaction of business. For in that respect the legislature of a little Greek or Swiss republic might be as numerous as that of the Kingdom of Great Britain. The only limit was the capacity to do business in one chamber, and it was desirable to have as great a number as would keep on this side of a mob. One of the most profound female writers of the present age, and perhaps he might amend by striking out the word female, had pointed out the superiority of the legislative body of England over that of France, from the circumstance that, of the British Parliament, no man is permitted to read a speech, but is obliged to pronounce it extempore; while, in the French Legislative Assembly, the rage for making speeches was excited by the usage that any member who could manufacture one, or get some one else to do it for him, ascended the tribune and delivered, and afterwards published it,—and hence their notion that an Assembly of more than 100, if composed of Newtons, might be called a mob. The practice in England naturally forced out the abilities of the House. The speaker was obliged to draw on his own intellectual resources, and upon those talents with which Heaven had endowed him. Talents descend from heaven—they are the gift of God. No patent of nobility can confer them; and he who had the right, beyond a monarch's power to grant, did conduct the public affairs of the country. By the contrary practice, according to Madame de Staël, the French nation was cheated, and men passed for more than they were worth. We have been told of corruptions, and of the *dicta* of Sir Robert Walpole. That statesman had been slandered as much as any man of modern times. This saying had been ascribed to him, he (Sir Robert) always disavowed, although it had served to pull him down, for it was easy to put a falsehood into circulation, but difficult to recall it: He said, 'those men (alluding to particular persons) had their prices;' not all men—and it was understood that he always excepted William Shippen from it. A gentleman from Georgia had feared a large ratio would introduce an oligarchy. But it would be recollected that our Government, in its head, was monarchical. It was useless to quarrel about words, for such is the fact; and, as some writers* say, not the best form of monarchy, the elective; but on this he would express no opinion. There was another body that was oligarchical, the senate, and an oligarchy of the worst sort, for the representatives of the State sovereignties

* The celebrated Godwin, who, in speaking of the Presidency of the United States, remarks, "Still monarchy has one refuge left!" See his Enquirer.

were not revocable by them. What would become of the House of Representatives if the whole rays of Executive influence were to be concentrated upon it? It would be consumed, or, like a diamond under a lens, would evaporate. Nevertheless, there were dull speeches delivered in the Houses of Parliament as well as here. Witness those of Mr. Fuller, or of Mr. Drake. This was one of those cases in which the maxim, *de mortuis nil nisi bonum*, did not hold. He complained of the growth of the contingent expenses of the House, which had been incurred for the accommodation of the members, in a profusion of stationery, easy arm-chairs, and a mass of printed documents that nobody reads! These accommodations, like those at banks, did no good to those who made use of them. He believed that an increased ratio would be one of the means of getting rid of these incumbrances."

The ratio was fixed at 40,000, and on the 6th of February, that powerful lever of legislation, the previous question, was put and carried. The bill was read a third time, and on the main question—Shall the bill pass?—it was carried in the affirmative, by 100 ayes to 55 noes—Mr. Randolph among the latter. I had omitted to add, that two days previous to the final passage of the bill, Mr. Randolph spoke the third time on it, and it was on that occasion that he spoke so sensitively of the departing greatness of his native State, by fixing the ratio at 40,000, and the rapid strides of New York and Pennsylvania in population. After proceeding some time, he observed: "I confess that I have (and I am not ashamed to own it) an hereditary attachment to the State which gave me birth. I shall act upon it as long as I act upon this floor, or anywhere else. I shall feel it when I am no longer capable of action anywhere. But I beg gentlemen to bear in mind, if we feel the throes and agonies which they impute to us at the sight of our departing power, there is something in fallen greatness, though it be in the person of a despot, something to enlist the passions and feelings of men even against their reason—Bonaparte himself believed he had those who sympathized with him. But if such be our condition, if we are really so extremely sensitive on this subject, do not gentlemen recollect the application of another received maxim in regard to sudden, I will not say upstart elevation, that some who are once set on horseback know not, nor care not, which way they ride? He was a man of peace. With Bishop Hall, I take no shame to myself for making overtures of pacification, when I have unwittingly offended. But, sir, I cannot permit, whatever liberties may be taken with me, I cannot permit any that may be taken with the State of Virginia to pass unnoticed on this floor. I hope the notice which I shall always take of them will be such as not only becomes a member of this House, but the dignity of that ancient State."

On Monday, the 25th of February, Mr. Randolph got himself into an awkward situation, by announcing prematurely the death of William Pinckney, a senator from Maryland, and a distinguished jurist and orator. He had, it seemed, obtained the information from one of the judges of the Supreme Court, who came in while the House was in session, and gave the information to Mr. Randolph as coming from a gentleman of the bar, who told him he had seen the corpse. After delivering a handsome eulogium upon Mr. Pinckney, on his mo-

tion the House adjourned, out of respect for the supposed deceased. As soon as the journal was read the next morning, Mr. Randolph got up and apologized to the House for having led them into the error, and moved that the entry referred to on the journal be expunged, which, by unanimous consent, was agreed to. Mr. Pinckney, however, died the same night, and both Houses adopted the usual resolutions of wearing crape and attending his funeral. Mr. Randolph's address, being entirely extemporaneous and sudden, was so eloquent and happy that I cannot avoid inserting it here.

He arose to announce to the House the death of a man who filled the first place in public estimation, in the first profession in that estimation, in this or any other country. "We have been talking of General Jackson, and a greater man than he is not here, but gone for ever! I allude, sir, to the boast of Maryland, and the pride of the United States—the pride of us all, and particularly the pride and ornament of that profession of which you, Mr. Speaker (Stephenson), are a member, and an eminent one. He was a man with whom I lived when a member of this House, and a new one too—and ever since he left it for the other—I speak it with pride, in habits, not merely negatively friendly, but of kindness and cordiality. The last time I saw him was on Saturday, the last Saturday but one, in the pride of life and full possession and vigor of all his faculties, in that lobby. He is now gone to his account (for as the tree falls so it must lie), where we must all go; where I must soon go, and by the same road too,—the course of nature, and where all of us, put off the evil day as long as we may, must also soon go. For what is the past but as a span, and which of us can look forward to as many years as we have lived? The last act of intercourse between us was an act, the recollection of which I would not now be without for all the offices that all the men of the United States have filled or ever shall fill. He had, indeed, his faults, his foibles; I should rather say, sins. Who is without them? Let such, and such only, cast the first stone. And these foibles, faults if you will, which everybody could see, because everybody is clear-sighted with regard to the faults and foibles of others, he, I have no doubt, would have been the first to acknowledge on a proper representation of them. Everything now is hidden to us—not, God forbid!—that utter darkness rests upon the grave, which, hideous as it is, is lighted, cheered, and warmed with light from Heaven; not the impious fire fabled to be stolen from heaven by the heathen, but by the Spirit of the living God, whom we all profess to worship, and whom I hope we shall spend the remainder of the day in worshipping, not with mouth honor, but in our hearts, in spirit and in truth; that it may not be said of us also, 'This people draweth nigh unto me with their mouth, and honoreth me with their lips, but their heart is far from me.' Yes, it is just so, he is gone. I will not say that our loss is irreparable, because such a man as has existed may exist again. There has been a Homer, there has been a Shakspeare; there has been a Milton, there has been a Newton. There may be another Pinckney, but there is none now. And it was to announce this event that I have risen. I am (said Mr. Randolph) almost inclined to believe in presentiments. I have been all along as well assured of the fatal termination of that

disease with which he was afflicted as I am now, and I have dragged my weary limbs before sun-rise to the door of his sick chamber (for I would not intrude upon the sacred grief of the family) almost every morning since his illness. From the first I had almost no hope."

Mr. Randolph concluded by moving that the House now adjourn, which motion was unanimously agreed to. Mr. Randolph was not only premature in announcing this event, but in occupying the place of some member from Maryland. The mournful lot should, by courtesy, have fallen to John Nelson, as the youngest member. He betrays also some portion of his prevalent failing or foible, affectation, in stopping in the majestic march of his grief to show his learning by telling us about Promethean fire being stolen from heaven, when he and his audience should have been in the melting mood, could his feelings have been strong enough to have burst open his fountain of tears. *Si vis me flere, dolendum est primum ipsi tibi*. He assumes the novel and unusual character of preacher, quotes texts of Scripture, exhorts his honorable congregation in the Apostolic precept, to worship God in spirit and in truth, to which exhortation the members paid about as much obedience as if it came from the pulpit. 'Tis more to the manner we object than to the matter of the address, which, upon the whole, is worthy the orator or his subject; one portion of it, indeed, challenges our admiration and praise, where he speaks of a Homer, a Shakspeare, a Milton, a Newton, that have once appeared, and concludes that there may be another Pinckney, "but there is none now." We have here a most beautiful climax, ending in a sublime burst of sorrow.

The Supreme Court also entered into the spirit of grief for the death of Mr. Pinckney, and on motion of Mr. Harper of Baltimore, formerly a member of Congress from South Carolina, adjourned for the purpose of paying their last tribute to his remains, by attending them from the place of his death. The Bar also, on the motion of Mr. Clay, agreed to attend his funeral and wear crape on the left arm as a token of their respect for his memory.

We may be here excused for recurring to the cause of Mr. Pinckney's death, which has been of such frequent occurrence among leading professional gentlemen of the bar, as to deserve the investigation of learned pathologists in general. At the conclusion of a long and very powerful argument, he fell, apparently lifeless, as if by an apoplectic stroke, was carried to his quarters insensible, and never spoke intelligibly afterwards. Mr. Harper followed soon after in a similar way, at the Baltimore Bar, and General Winder also, a distinguished advocate at the same Bar, fell suddenly and expired in the midst of an argument. We have had some instances in this city, in the persons of Thomas Addis Emmett and James Wells, of a sudden termination of their mortal career in the midst of their loftiest forensic efforts. I have witnessed at a Court in my native State the ablest pleader fall dead at the conclusion of an animated and powerful argument. Whether these sudden deaths are caused by the flow of blood to the arteries of the brain by being stimulated with high excitement of the cerebral organs, so as to cause rupture, from collapse of the heart or lungs, or from exhaustion, we leave to the determination of the faculty, merely relating a fact in

pathology too remarkable to omit. Another fact nearly as remarkable, we never hear of such sudden disasters among the clergy, although their mental and physical powers are equally tasked. Having asked the cause of this exemption of a worthy divine, he said he presumed it was only a fulfilment of the Scriptures that "the wicked shall fall and the righteous shall stand," applying his biblical solution of the phenomenon, no doubt, to the whole class of the legal profession, and not to these bright ornaments in particular.

HIS ELECTION TO THE SENATE OF THE UNITED STATES.

Mr. Randolph was elected senator in Congress, on December 17, 1825. Among the candidates nominated, was Judge Henry St. George Tucker, his half-brother, by the mother's side; William B. Giles, and Dr. John Floyd were recommended, and each had his advocates in the legislative body. On the first ballot, the vote stood, Tucker 65, Randolph 63, Giles 58, Floyd 40. According to the rule of the House Mr. Floyd was dropt, and the second ballot stood, Tucker 87, Randolph 79, Giles 60. Mr. Giles being likewise dropt under the rules, and the members having prepared and deposited their ballots in the boxes, Mr. Jackson, on the part of the friends of Mr. Tucker, rose and stated to the House, that it was the desire of Mr. Tucker in no event to be placed in competition with Mr. Randolph. Considering that Mr. R. had no chance of being elected, they had, on their own responsibility, put Mr. Tucker in nomination. But as the collision was now between these two gentlemen, they thought it due to Mr. Tucker's request and feelings to withdraw his name. Some conversation then ensued, in which it was suggested that the ballot boxes ought to be emptied and the ballots again collected. Mr. Jackson declared he did not know the ballots had been put in the boxes, or he should have withdrawn Mr. Tucker sooner. One gentleman remarked, that the person who had been last dropt, ought, under these circumstances, to be again before the House. But the chair decided, that as the ballots had all been deposited in the boxes, and there being no mistake or irregularity, they must be counted under the rule of the House. This was accordingly done, and the ballots stood, Randolph 104, Tucker 80. Mr. Randolph having a majority, was declared duly elected. Had not the friends of Mr. Tucker withdrawn him, it appears from this proceeding he would have been elected, because 42, who voted on the first ballot, did not vote on the last, and Mr. R.'s majority being only 24, while all his friends voted. As he retained his seat in the Senate only two years, he must have been elected to supply the place of a Senator who had resigned or died, for the balance of his term. Having given some of his speeches while in that body, as likewise others of a convivial nature during his visit to England while a Senator, we may here give the final termination of his senatorial career, to round off this short period of his legislative course. By his indiscriminate abuse of the administration, his personalities, and his extravagant behavior on the floor of the Senate, he lessened in no small degree the dignity of that body, and rendered himself unpopular in his own State, particularly to his political

creators, the members of the legislature. At their session of January the 18th, 1827, a committee of five members, Linn Banks at the head of it, wrote the following note to the governor, John Tyler.

“Sir: We understand that the friends of the administration and others will support you for the Senate in opposition to Mr. Randolph. We desire to understand distinctly whether they have your consent or not: and if not, will you be pleased to say, whether you will abandon the chair of state at this time to accept a seat in the Senate.”

To which Mr. Tyler replied by note as follows:—

“Gentlemen: Your note handed to me last night by Mr. Goode, in which you say, ‘understanding that the friends of the administration and others will support you for the Senate in opposition to Mr. Randolph, you desire to understand distinctly whether they have my consent, or not; and if not, request me to say whether I will not abandon the chair of state at this time, to accept a seat in the Senate,’ deserves and shall have a candid reply. Let me premise that I am unacquainted with the political preferences of those disposed to sustain me for the Senate. Suffice it to say, that my political opinions on the fundamental principles of the government are the same with those espoused by Mr. Randolph, and I admire him most highly for his undeviating attachment to the constitution, manifested at all times, and through all the events of a long political life; and if any man votes for me under a different persuasion, he most grievously deceives himself. You ask me whether I have yielded my consent to oppose him. On the contrary, I have constantly opposed myself to all solicitations. I desire most earnestly to be left at peace. There is no motive which could induce me to seek to change my present situation for a seat in the Senate at this time. I cannot admit that to be one in a body of forty-eight members is to occupy a more elevated station than that presented in the chief magistracy of Virginia. My private interests, intimately connected with the good of my family, are more highly sustained by remaining where I am, than by the talked-of change. There is then no consideration, public or private, which could lead me to desire it. From the first to the last, everywhere and to all with whom I have conversed, this has been my uniform language. Your last inquiry is one, which, urged by those who felt disposed to sustain me, I have constantly declined answering. Propriety and a due regard to consistency of deportment require me to decline an answer now. Should the office, in opposition to my wishes (a result which I cannot anticipate), be conferred upon me, I shall then give to the expression of the legislative will such reflection and pronounce such decision as my sense of what is due to it may seem to require. These explanations might have been had by each and all of you, gentlemen, verbally if you had sought to have attained them in that way, which might possibly have discovered a greater degree of confidence in me. But as they are now given, you are at liberty to use them in any mode you please, reserving to myself a similar privilege.

“With sentiments of proper respect,

“Your obedient servant,

“To Messrs. Banks and others.”

(Signed), “JOHN TYLER.”

Mr. Tyler was elected by a majority of ten votes over Mr. Randolph, and upon being notified of the result by the clerks of the two Houses, he signified his acceptance of the office in a letter under date the 18th of January.

George W. Crump, being then in his seat in Congress as the representative of the district, immediately on receiving the news, wrote a letter to his constituents, withdrawing his own name from the list of candidates for the ensuing election, in April, 1828, and joining with Mr. Randolph's other friends in bringing forward their old and favorite representative. Mr. R. was accordingly elected without opposition.

JOHN RANDOLPH'S SPEECH AT A DINNER GIVEN TO HIM IN RICHMOND, 10TH MARCH, 1827.

On his arrival at Richmond from Washington on the 8th, several members of the Legislature and the citizens felt desirous of manifesting their respect by giving him a public dinner. They addressed to him the following letter :—

“ SIR : We take great pleasure in complying with the wishes of a number of the members of the Legislature and citizens of Richmond, to ask the favor of your company to a dinner at the Eagle Hotel, to-morrow, at 5 o'clock, as the best mode they can adopt to evince the high sense they entertain of your distinguished public services, and firmness in maintaining the principles of the Constitution, and resisting the mischievous measures of an infatuated administration.

“ With great respect, your obedient servants,

(Signed),

“ GEORGE LOYAL,

“ G. C. DROMGOOLE, and others.”

To which Mr. Randolph returned the following answer :—

“ GENTLEMEN : The feebleness of my health admonishes me of the imprudence I commit in accepting your very kind and flattering invitation, but I am unable to practise the self-denial which prudence would impose. I have only to offer my profound acknowledgments for an honor to which I am sensible of no claim on my part except the singleness of purpose with which I have endeavored to uphold our common principles, never more insidiously and vigorously assailed than now, and never more resolutely defended and asserted.

“ I am, gentlemen, your obedient and faithful servant,

(Signed),

“ JOHN RANDOLPH, of Roanoke.

“ To George Loyal, and others.”

About one hundred sat down to the table. Lynn Banks officiated as president, B. W. Leigh as vice-president, and the utmost harmony prevailed. After the regular toasts were drunk, the following toast was given :—

“ John Randolph of Roanoke, the constant defender of the principles of the Constitution, the fearless opponent of a mischievous administration.”

Mr. Randolph arose and said, that he had only his poor thanks to offer for the honor, as distinguished as unmerited, which had been conferred upon him. He knew that of late years it had become a practice, that the person thus selected as the object of distinction and hospitality, should make his acknowledgments in a set speech. But as a plain and old-fashioned Virginian, it was, he must be permitted to say, a custom more honored in the breach than the observance. He felt assured that no declaration of his principles was called for on the occasion. It would, indeed, be too severe a tax upon the courtesy of that intelligent auditory, for him to attempt to gloss over what he had done or omitted to do. He did not expect them to judge of those principles from any declarations that he might see fit to make, instead of inferring them from the acts of his public life, which had commenced in the last century and had terminated but a few days ago. He concluded by drinking the health of the company, and wishing to the members of the Assembly a safe and happy return to their families, their friends and their constituents.

On the 15th of April, Mr. Randolph received an invitation from the citizens of Prince Edward County, to a dinner to be given at the Court House, among whom were Doctor G. W. Cruess, the late member of Congress; to which Mr. Randolph sent the following answer:—

“ROANOKE, 10th April, 1827.

“GENTLEMEN: Your very kind and flattering invitation found me confined by a painful and distressing disease, which only leaves me power to express my sense of the honor done me, and my regret at being unable to partake of the hospitality and festivity of my Prince Edward friends, to whom I am bound by every tie that can unite me to the kindest and most indulgent constituents that ever man had.

“I am, gentlemen, your faithful servant,

“JOHN RANDOLPH, of Roanoke.”

Mr. Randolph was re-elected without opposition, but scarcely attended at all the two or three succeeding sessions. In that of 1829 his health was very infirm, though he attended at the seat of government, and took up his old quarters at Dowson's, No. 2. He rode out almost daily on horseback, and the only time I noticed him in his seat was toward the close of the session, upon the passage of the Cumberland Road bill, which authorised the erection of toll-gates and the collection of tolls by officers appointed by the United States. He arose to speak on its final passage, but being informed the previous question had been taken, he sat down, and contented himself with publishing what he meant to say, and which, though short, was characteristic, and concluded by declaring the clause in relation to the toll-gates a nuisance, and calling upon his State to abate it. She was not driven to that dangerous extremity, however, as the act did not pass the Senate.

In 1830 Mr. Randolph was appointed by General Jackson, Minister to Russia. When the news of this appointment was first circulated among the members of Congress in May, they felt disposed to receive it with incredulity

and ridicule, and it required stronger evidence than the declaration of the first informers, though classed among the honorable, to enlist their assent.* In June he arrived at Norfolk for the purpose of embarking for Liverpool in the U. S. ship Concord. While at Norfolk, he received an invitation to a public dinner, at which, his health being proposed, he made a speech, in which he deprecated the idea of receiving the people's money without rendering an equivalent in service, and assured the audience that the pocketing the mere pittance of the outfit was no inducement to his accepting the trust. That *re infectâ aut factâ*, as he was sent on a special mission, and not as minister resident, home he should return.

On the 28th he sailed from Norfolk, arrived at Liverpool on the 20th of July, and proceeded to London with his Secretary of Legation, John Randolph Clay, the son of his old friend, the honorable Joseph Clay of Philadelphia, who was a member of Congress in the sessions of 1804 to 1808. He visited his place of destination, St. Petersburg, the September following, and was presented to the Emperor and Empress by M. Poletica, who was an old acquaintance from having resided at Washington as minister. He produced his credentials, but, in the course of a week or so, he demanded his passports, and on the plea of infirmity and the apprehended severity of the climate, started for England, leaving Mr. Clay, a youth of only twenty years, as Chargé d'Affaires. It appeared afterwards, upon his exhibiting his correspondence with the government, that he had stipulated for the privilege of visiting the South of France, and his original instructions authorized him to leave the court of the Emperor should his health require it, and the affairs of the mission admit of his temporary absence. During his short stay at St. Petersburg he was thought to be insane, which his speedy flight, or *hegira*, seemed to confirm. His presentation to the Emperor and his royal consort is described as furnishing ridiculous scenes, from his strange appearance, and that the latter could not restrain her risible propensities. He is said to have shown his private papers, his correspondence with the President and Secretary of State, urging him to accept the appointment. That appointment, indeed, surprised his very friends, as well as those who knew that it was not in his disposition to confine himself to the serious business of the post. Upon his return to England, he despatched his servant Juba to Boston, in the ship Fame, who arrived there in November with thirteen packages of his mas-

* The contradiction between his professions and his acts never appeared more glaring than in his acceptance of this appointment. In one of his previous speeches he asks, "Was it office? What, sir! to drudge in the laboratories of the departments, or to be at the tail of the corps diplomatique in Europe! Alas, sir, in my condition a cup of cold water would be more acceptable. I shall retire upon my resources. I will go back to the bosom of my constituents, and shall I give them up for this—and for what? For the heartless amusement and vapid pleasures and tarnished honors of this abode of splendid misery, or shabby splendor, for a clerkship in the war office, or a foreign mission, to dance attendance abroad instead of at home."

ter's private effects. He jocosely himself recited his interview with the Empress, with all its laughable circumstances, and informed Captain Turner of the Concord, that he had abandoned the Russian mission, and should return home in the fall. He laid his last commands upon Juba before he left Liverpool, to have him buried under an old oak tree on his farm of Roanoke, with his face looking westward; for should he die in England or on his return, he would have his corpse preserved in spirits and sent home for that purpose.

He showed his correspondence in London, the first letter being from General Jackson, inquiring whether he would accept the mission to Russia. The second is the reply of Mr. Randolph, that he would accept it only on condition that he should stay in Russia no longer than he might find it convenient; the other portion of time to be spent in the South of Europe. The third letter was from Mr. Van Buren, written immediately after, confirming the appointment on the terms proposed, and placing a sloop of war at his disposal, to transport him wherever he should direct. He returned home within the diplomatic year, settled his accounts at the seat of government, received all the arrears of his salary (the outfit he had already pocketed), which took every cent of the appropriation—returned home, and was announced for Congress at the succeeding election of April, 1831.*

We did not insert the whole of his speech on the Panama question in the Senate, in 1826, on account of its great length; but one passage in it, we think, deserves a place here, on account of its wit. After talking around the question for hours, he remarked that "England had laid duties by way of bounty on the produce of her slave population in Jamaica, and the West Indies generally, to the amount of eight or ten millions of dollars a year, that their masters may not *run away from their slaves or starve with them.*"

The same speech, on the Panama question, which was delivered on the 1st of March, denounced the South American States, among other transgressions, for their folly in abolishing slavery. The speech was published the May following in the Alvarado Mercury of Mexico. The editor says, "Mr. Randolph, will obtain the highest encomiums at Madrid, abusing the privileges nobly and wisely granted by free nations to their representatives. He insults, quite at his ease, and in the most slanderous and malignant manner, the new republics of America, whose sacrifices and zeal merit applause and respect. Let the North Americans who reside among us speak to the confusion of this man, and tell whether we are 'lunatics and fools.' Fools and great fools must we be, when we shall appoint a John Randolph a senator."

In May, 1826, after delivering two or three speeches, he passed through Bal-

* "The question of his accounts and allowances was brought before Congress on the 12th of January, when the House by a vote of 95 to 91 refused the call for a detailed statement of the claims and payments made to John Randolph as minister for Russia, but resident in England. The belief was, that while in England he charged the difference in exchange on the drafts he made on the Treasury, with some other extravagant items."—NILES'S REG., vol. vii., p. 74.

timore on his way—somewhere as the wind blows—perhaps to England, where it was proposed to send Hamlet, and for the same reason, for he could tell a hawk from a handsaw, and probably could see as deep into a mill-stone as his prototype, and there was as much method in his madness. Before he left Washington, he found himself involved in a quarrel with Mr. Clay, as another ill consequence of that unfortunate Panama speech, which provoked the enmity equally of nations and individuals. The meeting took place the 8th of April, across the Potomac, at half past four in the afternoon; and as we have previously given an account, though a brief and imperfect one of it, we will now merely add one incident, which did not then occur to us, that while the parties were at their appointed stations, and the pistol of Mr. Randolph was hanging by his side (being a hair trigger, the use of which he had objected to), it went off. It was soon perceived to be an accident, and so pronounced by Mr. Clay. After exchanging shots, and receiving Mr. Clay's second fire, without injury, Mr. Randolph fired his in the air, declaring that he would not fire at Mr. Clay; they simultaneously approached each other, shook hands, and the affair then honorably and happily closed.

Mr. Randolph arrived at Liverpool in July following, where he excited considerable attention. His person, his dress, and his conversation, were carefully dilated to satisfy public curiosity concerning him. At a public dinner given by the corporation of Liverpool to Mr. Huskisson, and to which Mr. Randolph was invited. Mr. H., after complimenting the mayor on the presence of one who had been the ardent and efficient advocate of all that was morally and politically good in his own country, and who entertained the most friendly feelings towards England, proposed the health of Mr. Randolph." Mr. R., on rising to return thanks, said, "that those who had experienced the sensations of a man suffering from a protracted and uneasy voyage, and the privations incidental, on his arrival at the wished-for shore, might form a small estimate of his, when he saw the British land. But they could not appreciate his feelings, on the change from all that is uncomfortable and cheerless to the animated and social reception he had met with since his arrival in Liverpool." Mr. R., in a chaste and appropriate manner, expatiated on the blessings we here enjoy, and which are fostered and protected by the ablest ministers this country ever had. He said he could never distinguish between the interests of America and England. Whatever was beneficial to Liverpool could not but be highly useful to New York. The interests of the cotton planter and the cotton spinner were one and the same. The tobacco planter in America and the merchant and manufacturer in England who converted that plant into a source of industry and wealth, had but a common interest. After assuring the company that he felt proud of having English blood in his veins, in concluding, he proposed the Town and trade of Liverpool. Mr. Randolph also gave the following toast:—England and America, the mother and daughter. He afterwards attended Mr. Huskisson in an aquatic excursion in one of the steam packets. His health was again proposed by Mr. Huskisson, no doubt to gratify the persons present by hearing him make a speech, which he did, lauding the parent country and its institutions, and con-

stitution, and promising to hold in grateful remembrance the kindness shown to him—all which were duly applauded. In conclusion, he gave by their leave, as a toast—"their own Liverpool ; not the town of which they were so justly proud—not its trade, to which they daily toasted its prosperity—not its distinguished and talented representative (Mr. H.) whose recent election did honor to their choice,—but their noble Earl, the great and gifted man at the head of the administration." (Great applause.)

The papers say that he talked incessantly, and instructed as well as delighted the company. Among others of his sayings, were these. On one occasion he was cheered, and he said, "gentlemen, Old England and Young America, united for ever ! Who shall divide them ?" Loud cheers followed, and the band struck up "Yankee Doodle." An Irishman asked Mr. Randolph what would be the best cure for the miseries of Ireland. I will give it you in the words of the Bible—"Muzzle not the ox that treadeth out the corn." The Irish peasant is deprived of his due share of the fruits of the earth. Another gentleman observed, that he did not think Mr. Cobbett qualified to sit in the House of Commons.—"Cobbett not qualified to sit in the House of Commons ? Why, he has qualified himself for a seat in that House, as a lady of easy virtue qualifies herself for the Magdalen Asylum, by a life of prostitution to all parties, and faithful to none." Speaking of man, Mr. R. said, "he was naturally ignorant, and all your contrivances of Church and State are, that A may be idle, while B works. Talking of property, the sage said, 'society cannot exist without property.' If in political revolutions property be divorced from power, power will soon go in search of property. A reaction then ensues. Property then goes in search of power, and they become once more united. In all State revolutions (said he), endeavor to keep down the dregs of society. You can easily blow away the froth, but once you let the dregs get uppermost, depend upon it, that the draught will be, not blue, but 'black ruin.'" A gentleman was inquiring about the State of Virginia. "Why (said Mr. R.) we vote for representatives *virâ voce*, on freehold suffrage, and we Virginians would as soon have our noses taken off, as change the mode of voting by ballot." "Then, sir, your mode of voting is the same with England." "Aye, to be sure," said Mr. R. "Have we not been steering upon the same course ever since we left you ? without tacking or taking in sail, only we have thrown the King overboard,—God bless him !" He went on longer in this style, and his conversation is represented as so fascinating, that he could with difficulty escape the crowd that accompanied him. His dress is described also, consisting of a blue coat, yellow silk neckcloth, and blue trousers. The Liverpool paper terms him a Senator from the sister kingdom. He had taken his passage to Liverpool from Philadelphia, in the ship Alexander, Captain G. Baldwin, with whom he had a falling out, which accounts for his voyage being so disagreeable. The cause of the quarrel is said to have arisen from Mr. R.'s holding a conversation, late at night, with the mate, while the Captain was below, on the 5th of June. Mr. Randolph wrote a letter to a friend in New York, describing his treatment by the Captain on that occasion, which he characterized as an abrupt and rude reprimand, for daring to violate

the discipline of the ship by speaking to the officer on watch. Mr. Randolph threatened to hold the Captain responsible, when they arrived at Liverpool, but qualified the expression as meant to the owners, and not personally to himself. The Captain threatened in turn to hold Mr. Randolph personally responsible, as soon as they got on shore, to which Mr. R. replied, that barking dogs never bite. Mr. Randolph's letter was published in the National Gazette, which meeting the eye of the Captain, drew from him a long answer, in very angry terms. He commenced by complaining of Mr. R.'s irritable temper from the time of his stepping on board the ship at Newcastle, till the explosion took place. He charges Mr. R. with having refused to pay his fare on board the steamboat from Philadelphia, giving as an excuse that he was taken to the city against his will, and that the owners were bound to place him on board, free of expense; and further, the Captain states, rather than be detained, on account of this dispute, the passengers paid the money. There is also a good deal said about the dog and the duel, the particulars of which are not given, and which the Captain said was not fully correct, though it is true, that in the affair of the dog, between himself and a passenger, Mr. R. did ask his permission to take the animal with him, and he consented. As to the duel, that Mr. R. did display his pistols on deck with a view of intimidation, the offender being a passenger in the garb of a Quaker. The Captain's letter is full of recrimination, but is too long to give entire. Some of his charges were, that Mr. Randolph was full of murmuring and fault-finding, vulgar, abusive, and so obscene, that two of the passengers who had families on board, desired to have a separate table. The Captain assured them that if he did not mend his manners, he should have another apartment and table to himself, but that upon Mr. R.'s obtaining some hint of the Captain's determination, he changed his conduct, and became more orderly the rest of the voyage. He concludes by ascribing Mr. R.'s conduct to insanity or the use of drink. I do not vouch for the truth of all the Captain's statement, as from his great provocation, and the bias of his feelings, he may have given to it too high a coloring. But from Mr. R.'s irritable disposition, and his dispute with a passenger on another occasion, an honest Dutch captain, whom he wished to have thrown overboard, we may conclude that it was in the main not far from the truth. Mr. R. remained in England till the November following, and he returned to New York early in December, and took his departure for Washington to attend his seat in the Senate. It was during this session, "he was in the vein," and was seized with the *cacoethes loquendi*, during which he occupied so disproportionate a term of the session.

We may be permitted to mention here, though not in the order of time, that during the recess, in July, 1829, he was elected one of the members of the convention that met soon afterwards at Richmond to form a new constitution. In a speech to the electors on the day of their meeting, he declared that he had drawn the sword and thrown away the scabbard; that all changes were not improvements, and that it never was known that the people ever improved their government by change! On the right of suffrage, he said the non-freeholders talked about physical force: but before he would consent to extend to them the right to tax his

land and slaves, he would give them a fight. He was opposed, as it appeared, to the introduction of every clause in the new constitution (but which were inserted nevertheless) based upon true republican principles, and many of his constituents, upon more mature reflection, expressed regret at his election to the convention. He was there a silent observer of their proceedings, and only spoke once, in answer to Chapman Johnson, in which he compared his puny attack upon the positions taken by Judge Marshall to an attempt to capture Gibraltar with a pistol. In an address to the people of the same county some years before, about 1822, he stated that the election of General Jackson to the presidency need not be dreaded, as it could, in no event, possibly occur. "The people of the United States have not become so corrupt as to choose a man of military talents to govern the national councils in opposition to Mr. Crawford, or, indeed, to any other good man in the country." In the Senate in 1826, on the judiciary bill, he said, "I shall vote for General Jackson at the next election, whoever else shall be nominated. He is the first military man in the country." In April, 1833, he attended the Newmarket races at Petersburg, where, in an address to the party at the Jockey Club dinner, we discover another backward somerset, and he is again found in the ranks of the enemies of his late friend the General, notwithstanding the signal official favor he had conferred on him, and for which the President had suffered no small share of contumely and reproach. The papers stated that he trod the wine-press of wrath, and, ranging through society from the highest to the lowest, he struck down moral and political offenders on the right and left, even as Achilles the flying squadrons of Troy. He might have been more fitly compared to Ajax in the midst of the flock of sheep, which he, in one of his mad fits, took for his enemies, and committed dreadful havoc among. He condemned General Jackson for issuing his bloody Proclamation against South Carolina, and promised to call on him at Washington, on his way to Philadelphia, and rectify all that was amiss. In the February before, he attended a meeting at Rockingham Court-House, well supplied with resolutions, and foreboding a wordy war. He talked for several hours about everything. The Richmond Whig published an extract of a letter giving an account of the proceedings. The writer says:—"I can with truth say that I did not go there with the fashion so blindly as to swallow the infernal doctrines of the Proclamation, as the people of this county were about doing. Since the last Charlotte court the opinions of the Republican party have assumed a totally different aspect. John of Roanoke has completely revolutionized them. He spoke till near dark. As usual, he talked upon everything. Negro education! He told the ladies that those of them who sheeted their best beds and uncorked their best wines for a negro preacher (the Rev. Mr. Erskine) were not far from having mulatto children. It seemed about 800 persons were present, all of whom but three voted for his resolutions (damnatory of General Jackson). But due allowance must be granted for this ebullition of passion, as he was then on his last pilgrimage on earth, his health being so feeble that he had to address the company from the chair on which he sat. He arrived in Baltimore (as the American informs us)

some days afterwards, and is said to have been much offended on account of the crowd. But the singularity of his equipage and proceeding were justifiable causes for curiosity. Many wished to see what sort of a being was in the vehicle, an old-fashioned English coach of revolutionary times, drawn by four horses, with a postillion on one of the leaders, and Juba on the box. The editor says he would have been more vexed if he had not created a sensation. Such a number of spectators crowded around the public door of the tavern, that he had to be carried in the arms of Juba through a private entrance.

On the 13th of January, 1831, when the appropriation bill came up for consideration, a long and very warm discussion arose on the item of \$9,000 for one year's salary of Mr. Randolph as minister to Russia. It was moved to strike it out, and Mr. Burgess, of Rhode Island, spoke at length and with much bitterness against the absent minister. He did not spare Mr. Van Buren in his long course of erimination. He charged him with having created the mission for the express purpose of serving Mr. Randolph. "His mission," said he, "will hereafter be regarded as an era in our foreign relations, and the residence of Randolph at the court of Russia will be long talked of as a phenomenon in diplomacy. For this we must give him the \$9,000 demanded by the Secretary. During his nine days' residence, what service did he render the American people? The Secretary is satisfied, and we surely ought not to be anxious about this great affair. We are told it is a matter exclusively within the competency of the Executive, and therefore it is, I presume, that the representatives of the people have no other vocation but to vote the promised and required compensation. He certainly succeeded in that short time in rendering himself very distinguished at the court of Russia, and therefore it may be said, in giving equal celebrity to his country. He certainly gave voice to every tongue of rumor in both hemispheres. * * * * With a perfect knowledge of the man," said he, "the Secretary of State could not have contrived this mission with any view to the public service. This man was sent out, not to benefit the people abroad, but to relieve the administration at home. The crafty Secretary had witnessed the political movements of this eccentric man. He feared the comet might return again and visit his political hemisphere. He had seen it blaze in perihelion, with 'fear of change perplexing men in power.' Was it not prudent to remove the star of malign influence to another sky? What could such a man do for his country in the character of foreign minister? Just what he has done; which was very much like what each man in the nation, of all parties, who knew him, expected he would do. Genius he certainly has, for he is original and unlike other men. If you please, he is eloquent; but, if so, it is like himself, *sui generis*. These have enabled him to perform what he has done. Could they qualify him for the services of a great diplomatic minister? Do not these require sound judgment, deep and extensive and regular thinking, laborious perseverance in business, and, above all, prudence and circumspection? In his thirty years of public service, where are his monuments of political wisdom and labors of patriotism? They are all of a piece, of one uniform character, and this Russian residence will neither give the blush nor

the palm to any other public transactions of this remarkable man, throughout his political life." In this attack upon the absent orator, on the very theatre of his prowess, Mr. Burgess displayed more spirit than Marius upon entering the city of Rome, during the detention of his rival Sylla in Greece, when a voice seemed to be continually sounding in his ears, "dreadful is the den of even the distant lion." But Mr. Randolph had a host of friends, able and ready enough to defend him. The first that arose in his cause was his talented countryman John S. Barbour. "It was said," he commenced, "on a former and appropriate occasion by Mr. Randolph, that his feet had never been soiled by the dust of the ante-chamber. He had been the light and ornament of the House and the Senate, in times when friends and foes guided the destinies of this country. He had never bent his knee where his heart owed no respect. We are arrogantly called on by the gentleman from Rhode Island to point to the monuments of the past services of Mr. Randolph that he has left behind him. Sir, it was once said of a patriot, a soldier and a statesman, whose deeds of renown are beyond the reach of praise or dispraise, that his monument was erected in the hearts of his countrymen. Profiting by this figure, I beg leave to say, that Mr. Randolph has left among us one monument of his great services. It rests in the heart of the gentleman from Rhode Island, rising out of it to full view in this debate; it is now seen sparkling in the glitter of his fancy, now casting its malignant shadow over those services which justice and history have already consecrated to patriotism and glory. Mr. Randolph's great exertions, united with as devoted a band of patriots as ever combined to resist oppression in the Senate, or withstand it in the field, overthrew the party to which the gentleman from Rhode Island belonged. In that great struggle between liberty and power, Mr. R. was true to the people. His matchless genius was exerted in favor of the people, and this is his crime." * * * Mr. Burgess, some days afterwards, replied at much length and with great severity, and was answered by Mr. Cambreleng, among many others.

At the conclusion of a speech of a half hour's duration, he observed, "My task is finished. I engaged in this debate from a hard necessity; but, sir, it is a duty I shall never shrink from, when called upon to discharge the obligations of friendship. I have only to regret the absence of the gentleman calumniated, who would have defended himself with infinitely greater ability. I now resign, sir, all the honors of the ring, most cheerfully—all the vulgar triumph of the fancy—to those who habitually indulge that exalted ambition. When humble ambition, sir, is driven by hard necessity, to quit the 'even tenor of its way,' to grapple with a Cribb or a Molyneux, the severity of the punishment should correspond with the enormity of the sacrifice. In rebuking calumny, sir, to the best of my poor ability, I have not ruffled a feather of the imperial eagle, towering in his pride of place. No, sir. Withered be the arm that would harm the bold bird that sports and revels in the purple cloud of war, and lights with a triumphant wing, on the standard of liberty. No, sir. The arrow was aimed at an ill-omened follower of the camp—at the sable bird that hovers over and lights upon the field, when the battle is lost and won, and claws on

the grave of the brave for its dreadful food. The vulture winged, the true sportsman pursues such game no further. He leaves his victim to rot upon the plain, to the kind care of his dusky mourners, with none to chaunt its requiem but myriads of cawing crows and croaking ravens."

We have not room to pursue the discussion further, which was kept up for more than three weeks. Although it was on a subject of minor importance, the nation was gratified with at least the worth of the sum in dispute, in genuine eloquence; and the opposing champions seemed to emulate each other, both in the acrimony of their vituperation and the graces of oratory. The motion to strike out the \$9,000 salary was lost by a large majority; but the people were more fully satisfied with the propriety of the appropriation.

DEATH OF MR. RANDOLPH.

Mr. Randolph reached Philadelphia in May, 1833, on his way to New York, from whence it was his wish to embark again for Europe—it being, as he stated, the last throw of the die. He was very low when he arrived, and continued to sink, gradually, to the end. The lamp of life flickered in the socket, and even its occasional flashes informed those around his bedside of the near approach of death. He possessed the power and brilliancy of his intellect to a late hour. One account states that, only two hours before his death, he talked and said he felt as well as ever; in fact, that his health had recovered—and he wrote to Virginia for the pedigree of a horse. "I am going," said he to a gentleman, "to England.—It is the last throw of the die." It was but the last flickering of the flame, that blazed up for a moment to go out for ever. The evening before his death, his physician, with a laudable frankness, announced to him his approaching end. He received the awful tidings without surprise or alarm; spoke of his life as a protracted illness, and that it was time the scene of suffering should close. He gave directions that his body should be conveyed to his late home, Roanoke, and buried under a particular tree. A clergyman being in attendance, read a portion of Scripture, during which he laid the accent on the word omnipotent, on the penultimate syllable, when Mr. Randolph rose up, and supporting himself on his elbow, repeated, twice, "Omnipotent—omnipotent," laying the accent on the second syllable, fell back and expired, on Friday, the 20th of May, 1833. A meeting of the citizens was convened, at 1 o'clock, at the court room, to take some measure with regard to Mr. Randolph's death. Judge Hopkinson, formerly a member of the House, was called to the chair. Mr. Sargeant (also a member) made a forcible and eloquent address on the character and abilities of the deceased, and a committee was appointed to confer with the personal friends of Mr. Randolph, with a view of entering into arrangements for offering a public tribute of respect to his memory. Owing to the warmth of the weather and the inconvenience of the necessary delay a compliance with the request would occasion, Mr. John S. Barbour, on the part of Mr. R.'s friends, on the 25th of May, declined the committee's invitation, in a most respectful note, and the remains of Mr. Randolph were removed on board a vessel, to be taken to

his native State, to be deposited with those of his ancestors. The coffin arrived at Richmond on the 28th, when the funeral service of the Episcopal Church was read over it by the Rev. Mr. Lee—this being all the ceremony the deceased desired, in a wish uttered a few weeks before. An immense procession followed the corpse as far as Mayo's bridge; minute guns were fired by a detachment of artillery, as a token of respect. Lieutenant Robert B. Randolph, a relation, who had rendered himself famous by bearding the lion in his den—or, pulling President Jackson's nose, on the 5th of the month—arrived in time to join the procession. Johnny and Juba, whose names have become classical, and, as the account states, will go down to posterity in union with that of their master, formed a conspicuous part of it. Public sympathy was excited by the silent and unostentatious grief of these faithful servants, particularly the former, at the sight of the tears which trickled down his cheeks, while they assisted in placing the remains of their master in the hearse.

WILL OF MR. RANDOLPH.

In July, 1834, at the term of the General Court held at Richmond, a paper, purporting to be the last will and testament of John Randolph, was offered for probate on behalf of John Randolph Bryan, an infant and principal devisee, by his next friend and grandfather, Judge Coalter. A motion was submitted on behalf of Johnny, Juba and Essex, to permit them, for themselves and the other slaves, to appear, as parties, and oppose the probate of the will, and to offer another paper, as the last will, by which they and the other slaves were liberated. The motion on behalf of the slaves was overruled by the court, on the ground that, while in the condition of slaves, they could not legally be admitted as parties to any proceedings other than a suit *in formâ pauperis*, or bill in equity, for the recovery of their freedom. Upon this decision being announced, the same motions were submitted in behalf of the Rev. Bishop Meade, one of the trustees mentioned in the last paper, which were allowed, and he was made a party on the record. The parties not being prepared, a *subpœna duces tecum* was awarded to the clerk of the Court of Charlotte County, commanding him to bring up the paper last offered, and commissions granted the parties to take depositions of witnesses residing in London and Philadelphia, and the cause continued till next term.

The will above offered for probate, was dated January, 1832, and contained no clause for the manumission of his slaves. In fact, the will of 1822, being his first one, in which their liberation was provided, was said to have been revoked, or cancelled, by the erasure of his signature. The will of 1832 contains this clause: "I do hereby appoint my friend, William Leigh, of Halifax, and my brother, Henry St. George Tucker, President of the Court of Appeals, executors of this my last will and testament, requiring them to sell all the slaves and other personal property, and vest the proceeds in bank stock of the Bank of the United States; and, in defect of there being such bank (which may God grant for the sake of our liberties), in the three per cent. consols; and, in case

of there being no such stock (which may God also grant for the salvation of England), then in the United States three per cent. stock ; or, in defect of such stock, in mortgage of land in England." The General Court, on the 15th of July, 1836, affirmed the validity of the various wills and codicils of John Randolph, through the years 1819 and 1831. The most important feature established is the emancipation of his slaves, now numbering about five hundred. They settle the bulk of his estate on the Hon. William Leigh, Judge of the General Court; but, he having renounced all benefit, in order to qualify himself as a witness against the last will of 1832, the effect will be intestacy as to what was bequeathed to him, amounting to one hundred and fifty thousand dollars!—which will go to Mr. R.'s heirs at law. Eleven judges composed the court, and all concurred in their opinions, except one. An appeal was taken to the High Court of Appeals, which would sit in November. The following is the original will of Mr. Randolph, and one of the codicils. Other codicils were made, but have not been published in the Richmond papers :

" In the name of God—amen. I, John Randolph, of Roanoke, in the county of Charlotte, do ordain this writing, written with my own hand, this 4th of May, 1819, to be my last will and testament, hereby revoking all others whatever. I give my slaves their freedom, to which my conscience tells me they are justly entitled. It has a long time been a matter of the deepest regret to me, that the circumstances under which I inherited them, and the obstacles thrown in the way by the laws of the land, have prevented my manumitting them in my lifetime, which is my full intention to do, in case I can accomplish it. All the residue of my estate (with the exceptions herein made), whether real or personal, I bequeath to William Leigh, Esquire, of Halifax, attorney at law, to the Rev. William Meade, of Frederick, and to Francis S. Key, Esquire, of Georgetown, in trust for the following uses and purposes, viz. 1. To provide one or more tracts of land, in any of the States or Territories, not exceeding in the whole, four thousand acres, nor less than two thousand, to be partitioned and apportioned by them in such manner as may seem best, among said slaves. 2d. To pay the expense of their removal and of furnishing them with the necessary cabins, clothes and utensils. 3d. To pay the expense, not to exceed four hundred dollars per annum, of the education of John Randolph Clay, until he shall arrive at the age of twenty-three, leaving him my injunction to scorn to eat the bread of idleness or dependence. 4th. To pay to Theodoric Bland Dudley ten thousand dollars. 5th. With the residue of said estate to found a college, to be called Roanoke College. I give to Theodore B. Dudley all my books, plate, household and kitchen furniture, and all my liquors; also my guns and pistols, and the choice of six of my horses or brood mares, and my single chaise, with my best riding saddle and valise. It is my wish and desire that my executors give no bond or security for the trust reposed in them. In witness whereof, &c., &c.

(Signed),

" JOHN RANDOLPH, of Roanoke."

" CODICIL.—It is my will and desire that my old servants, Essex, and Hetty

his wife, be made quite comfortable. It is my intention that my revolutionary claims on Mr. Blodget's and Mrs. Randolph's estates should pass by the devisee to the executors, who shall sell any portion, or the whole of my said estate, of whatever nature it may be, the specified devises only excepted."

Among the testimony adduced, was the following, which strongly illustrates the eccentricity of the character of the deceased. Doctor Brockenbrough, on being questioned about Mr. R.'s religion, in 1819, said he was enthusiastic on that subject, but he spoke and wrote on other subjects like a man of sense, and witness did not think his religious enthusiasm went to the length of derangement. At any rate, there are many who went as far on that subject, that are not considered deranged. Witness thought Mr. Randolph under this strong religious bias from 1818 to 1822. Thinks he did not use profane language during that period—that he was really pious, and that his conduct was unusually mild and forbearing. Witness was further examined as to various incidents in Mr. Randolph's life, and certain extravagancies of conduct during his visit to Richmond, in the years 1819 and 1826, and the intermediate years. Questioned whether he thought Mr. R. deranged in 1826. Witness said he differed from other persons who thought Mr. R.'s extravagancies arose from insanity. Witness never saw him, where money was concerned, in which he was not perfectly collected. If he had a bargain to make, he could be as cool as any man. In 1826, Mr. R. behaved wildly, and dressed in a strange manner; but he occasionally conversed as rationally as ever. Mr. J. A. Chevallier said he was well acquainted with John Randolph for thirty years preceding his death. He met with him on board a steamboat, coming up from Norfolk to Richmond, the 14th of April, 1820. Mr. Randolph had arrived there the day before, from Washington. When he first saw him on board, Mr. Randolph appeared to be very much excited by something that happened the day before. He stated that a Frenchman, who was servant of M. Hyde de Neuville, the French minister, and who had stood behind the chair of the minister while at dinner, had the audacity and the impudence to sit down at his side at table, the day before, on board the boat. That he had resented his insolence, and threatened to shoot him with his double-barrelled gun, which he had with him (and which witness saw), if he did not quit the table. Mr. Randolph abused the Frenchman very much, and said he called him to his face, coquin and pollison. After breakfast, Mr. Randolph came where the witness was sitting, took a seat by him, treated him with politeness, and engaged in a conversation with him about French literature, the etymology of French words, &c., which conversation he conducted with much ability and learning, proving himself master of the subject. When they arrived at City Point, Mr. Randolph's carriage and horses were got out on the wharf, to enable him to proceed (witness understood) to Petersburg. Witness was then in the cabin, and a servant came and told him Mr. Randolph wished to see him. When he went on the deck, Mr. Randolph was standing on the wharf, and as soon as he saw the witness, he saluted him, waved his hat over his head, and cried out, three times, "Vive le Roi," in a loud voice.

During the day, Mr. Randolph had drunk a great quantity of porter. (Questioned of Mr. Randolph's state of mind), says that Mr. R. was so variable in his conduct and conversation, that he hardly knew what to think of his state of mind. When he first saw Mr. R. on board the boat, and heard his statement of the meeting with the Frenchman, he thought it very strange, and that Mr. Randolph talked wildly about it. That afterwards, in their conversation on French literature and other subjects, he seemed to be composed and rational. That when he took leave of him, he acted like a madman, which might have been occasioned by the quantity of porter he drank.

Mr. B. W. Leigh was questioned as to Mr. Randolph's attachment to a young lady who was married about 1806. Says he thinks the lady's marriage took place in 1807. Thinks Mr. Randolph's attachment to her a very strong one. Should not say the effect upon his feelings was very obvious, but it had a strong impression upon him. It was well known to witness that he was attached to her, and that he felt the disappointment deeply; but he never spoke upon the subject irrationally. He never attributed the defeat of his matrimonial connection to the intrigues of others. He said if he and the lady had been left quite alone, he believed their union would not have been prevented. There were interferences, he said, neither intended to break off nor to urge on the match, but which had an inauspicious effect. He never spoke disrespectfully of the lady's relatives, and one of them (Major Eggleston) he always mentioned with respect and kindness. He did not ascribe his disappointment to the interference of his own relatives. Witness thought the attachment an enduring one, and that Mr. Randolph retained it after the lady's marriage, and dwelt upon it more than he should have done. Mr. Randolph spoke often to witness on the subject, but witness never said anything in relation to it, as he thought it a matter which ought not to be talked about. Has heard of his speaking on the subject to a number of persons.

Did Mr. Randolph survive the lady?—Yes.

What impression did her death make upon him?—A painful one.

The lady was remarkable for the charms of her person and manners. In reference to the Russian Mission, Mr. Leigh says,

“Mr. Randolph asked witness his opinion of the propriety of his accepting the appointment. Witness endeavored to avoid expressing his opinion, but Mr. Randolph insisted upon having it, and witness gave it in strong terms.”

Did not this conversation indicate that Mr. Randolph was not in his right mind?—No. It was his going about and exhibiting the correspondence between the department of State and himself on the subject of his mission. It was not strange that he should show it to his friends, but it was strange that he should show it to persons with whom he had little or no intercourse, and in whom he had no confidence. Witness believes his mind was highly excited on the question of the acceptance of this mission, and the conversation with witness served to aggravate it. Witness therefore regretted that Mr. Randolph had forced him to give his opinion upon it. Mr. Randolph gave as a reason for his exhibiting the

correspondence that he wished to place himself *rectus in curiâ*. That he had not solicited the mission, but it was forced upon him. He demanded from witness his opinion of the propriety of his course, insisting that he had a right to know it.

Was not Mr. Randolph remarkable all his life for irritability?—He was. He seemed sometimes like a man without a skin; but this sensitiveness varied with the state of his health, and his health was bad all his life. When in pain he was irritable in the extreme. It was difficult to describe the effect of passion upon him. When in a public body he would sometimes be highly irritated, but he appeared perfectly cool, and it was this control over his feelings that enabled him to make those severe retorts for which he was distinguished. When he was angry, he was very angry. He was quick to take offence, and he never proportioned the measure of retaliation to the measure of the offence."

The case, as we stated, was carried up to the High Court of Appeals, and argued the 17th December, 1836, but the Court did not deliver their opinions, nor can I find any further trace of it.

In reading this Will, we must express our admiration at the magnanimity and liberality of Judge Leigh in making a voluntary sacrifice of such a fortune to become a legal witness in favor of the Will of 1819, that of 1832, if established, doing great injustice to the heirs, as well as entailing slavery upon a numerous body of faithful family servants, the value of whose labor had enriched him and to whom he had promised their freedom. Such an act of disinterested humanity would be thought most extraordinary in these times. We might say, it was almost worthy the disinheritorship of one's heirs for such a friend. We have also another rare instance of generosity on the part of his half brother, Henry St. George Tucker, who, rather than be his competitor in the election of United States Senator, though his most ardent ambition might have been gratified, yielded all to the ties of fraternal affection.

Soon after Mr. Randolph's death, a friend of his, an Irish gentleman as he informed us, published some notes of him in the New York American, extending to four or five numbers. Their acquaintance commenced on the first voyage which Mr. Randolph took to England, March 16, 1822, in the ship *Amity*, when the gentleman accompanied him, and spent some time with him in London. He declares that he never travelled with so entertaining a companion, and never met with his equal in diversity of knowledge. He relates many anecdotes and remarkable sayings of Mr. Randolph, and thinks if his memory were as good as Mr. Randolph's, he could write a large volume, under the several heads of politics, history, classics, biography, and theology. Finding he was an Irishman, Mr. Randolph, soon after their introduction, went up to him and expressed the pleasure he felt at his acquaintance, as he loved the country and admired her sons—and daughters too, as Miss Edgeworth was his favorite. He said he knew her works almost by heart, and asked the gentleman to solve a difficulty which had puzzled him in the geography of Ireland. Why is it, sir, asked Mr. Randolph, that in every map of Ireland Ballinasloe is placed on the wrong side of the river Suck? The gentleman confessed his ignorance at once

as to there being any such river in Ireland, and on asking Mr. Randolph how he came to know the localities of Ireland so minutely, he answered by books, conversation, and the blessing of a memory which never forgot anything. The gentleman soon discovered that Mr. Randolph was intimately acquainted with every part of England and Scotland also, not only as to cities and towns, but gentlemen's country-seats; and he knew the history of every celebrated horse-race, and of every race-horse in England. On the eve of sailing the gentleman obtained a Washington paper which gave the news of the defeat of the bankrupt bill. Upon communicating it to Mr. Randolph he thanked God for all his mercies, and added that he was delighted to think that he had helped to give that hateful bill a kick. This day week, said he, "I spoke for three hours against it, and my friends, who forced me to make the effort, were good enough to say I never had made a more successful speech. It must have had some merit," continued he, "for I assure you that whilst I was speaking, although the Northern Mail was announced, not a single member left his seat to look for letters, a circumstance which had not occurred before during the session."

One of the company was an excellent chess player, and upon challenging Mr. Randolph to play with him, Mr. Randolph replied that he had not played a game of chess for seventeen years, and could not recur to the last game he played but with unpleasant feelings, as it lost him a friend for ever. It was no less an antagonist than Mr. Jefferson, who, according to Mr. Randolph, valued himself more upon his skill at chess than in anything else. Very few could beat him, and he could not bear defeat. He was aware of that, and constantly declined playing with him because he knew he was his match. But one unfortunate evening Mr. Jefferson touched his Virginia pride in so pointed a way that he could not refuse, and they sat down at the game. Mr. Randolph soon cried "checkmate," and Mr. Jefferson never forgave him afterwards.

He carried a large box of books with him to have bound in England. He was asked why he had not had them done in Philadelphia or New York. He answered that he did not feel disposed to patronise his Yankee task-masters, who had imposed such a duty on foreign books. He declared he would no longer wear what they made, nor eat what they raised, so long as his purse enabled him to purchase supplies from Old England; and until he could have his books bound south of Mason and Dixon's line, he would employ John Bull. He refused to eat cod-fish because it came from New England. On Sundays he used to read a chapter in the Bible, or a part of the Church Service, and once made an extempore prayer, and he never would permit a reflection to be cast upon religion without a very pointed rebuke. He had been corrupted for many years, he confessed, by the infidelity which prevailed among the leading politicians at Washington. In the year 1816, during a severe fit of sickness, he had a remarkable vision which completely dispelled the delusions under which he had surrendered his faith, since when he had been a firm believer in Christianity. He had preserved a copy of the letter he had written to a friend immediately after this vision, in which he even gave the words which were uttered in his ears by this invisible monitor, but which words, unfortunately, the gentle-

man has omitted to give. He persisted in the truth of the statement enclosed in the letter, and declared that it would make him miserable for any one to doubt it. He vouched for the firm faith of the late Mr. Pinckney in the truths of revealed religion, as he obtained them from his own lips a few days before his death. But as to that of Mr. Jefferson he entertained a very different opinion.

CHAPTER V.

VOYAGE TO ENGLAND, HIS RECEPTION, VIEWS, ETC.

In one of his voyages to England, as his Bozzy, the Irish correspondent of the *Mirror* informs us, he was accompanied by a Yorkshire manufacturer who had been in New York on the business of his agency for the sale of his goods. He took a liking to the Yorkshireman, principally because his ancestors came from there. He entered into the minutæ of his business as if he had served a long apprenticeship in it. He commended the west riding of Yorkshire especially. He took side with the weavers against the whole world. To be sure, sir, said he, your operatives are not so well off as our Virginia slaves; but they are white, and hence your philanthropists do not feel bound in conscience to look after their misery. But that's their affair, not mine. So long, says he, as John Bull is willing to work forces, I am for giving him the monopoly of all the evils of the system. I never want to see our boys and girls, much less our men, turned into spinning-jennies—mere machines, sir, mere machines. No, sir. Every nation to its taste. England chooses the workshop, America ought to prefer the open fields and agricultural pursuits, and there should be no jealousy about the mere question of exchange. This modern "balance of trade" is puzzling the brains of our would-be statesmen. He gave a graphic though humorous description of the shipping trade that was carried on when he was a boy. The ship was called the London Trader, and her departure from Virginia was an affair of no small consequence to the neighborhood, equal to a presidential election nowadays. In his father's family, the whole household was called together. First his mother (God bless her) put down a list of the articles she wanted from London, next the children according to their ages, then the overseer, and finally the domestic servants, his *Mammy* at the head of them, down to the young ones. Not a single individual was omitted. Then after the ship was gone, the weeks and days, and finally the hours were counted, until she returned, and the joyful signal of her arrival in James River was celebrated as a jubilee. Our Egyptian taskmasters, added he, only wish to leave us the recollection of past times, and they insist upon our purchasing their vile, domestic stuffs; but it wont do, no wooden nutmegs for old Virginia. The Virginians would hold fast to the west riding and will still trust to its workmen for

their supplies. In the month of June, the Irish gentleman who went over with Mr. Randolph to England, after a short visit to his native country, went to London accompanied by his father. The day after their arrival, they called on Mr. Randolph, who was so delighted to see him, that he agreed at once to remove to their hotel. He had prepared his father for an introduction to his eccentric friend, and yet when he did introduce him he could scarcely refrain from smiling. Mr. Randolph said he was proud to make the acquaintance of the son of that man who received the thanks of Congress for his kindness to his poor countrymen, upon their fleeing to Ireland, during the revolutionary war. After informing the old gentleman that he had promised his son to send him a copy of Waite's State papers, and that he hoped he had received the letter he had written to that effect, he suddenly arose from his seat, and in his earnest manner thus addressed them. "Mr. H., two days ago, I saw the greatest curiosity in London, or England either,—compared to which, Westminster Abbey, the Tower, Somerset-House, the British Museum, nay, Parliament itself, sink into insignificance! I have seen, sir, Elizabeth Fry, in Newgate, and I have witnessed there the miraculous effects of true Christianity upon the most depraved of human beings. Bad women, sir, who are worse, if possible, than the devil himself: and yet the wretched outcasts have been tamed and subdued by the Christian eloquence of Mrs. Fry. I have seen them weep repentant tears while she addressed them. I have heard their groans of despair, sir. Nothing but *religion* could effect this miracle—for what can be a greater miracle than the conversion of a degraded, sinful woman, taken from the very dregs of society. Oh, sir, believe me, it was a sight worthy the attention of angels. You must also see this wonder, sir, and by the by, this is one of her visiting days; let us go at once, we shall just be in time. She has given me permission to bring any of my friends with me. I shall introduce you with pleasure." They ordered a coach, but on calling at Mrs. Fry's, unfortunately she was not in town that day.

They went to Newgate, however, on the next visiting day, and no longer wondered at Mr. Randolph's description of her and the scene of her pious exertions. The female convicts were all present—some of them under sentence of death, others of transportation, others waiting their trial, but charged with murder, robbery of every grade—the very worst collection of females that the streets of London could furnish. Yet, the moment Mrs. Fry commenced reading a chapter in the Bible, all was still as death—every eye was fixed on her benignant countenance—every bosom heaved with emotion. By and by the tears began to flow, and subdued sighs and sobbings were heard. When she had finished reading the chapter, she closed the book, and after a solemn pause of a few moments, she addressed the wretched criminals in language of the most affectionate entreaty, to "turn from their wickedness and live." Whilst she was speaking, a violent thunder-storm burst over us, and one very vivid flash suddenly illuminated the dark hall. Shrieks and cries of mercy broke out from among the criminals. After silence was restored, Mrs. Fry continued—"Why should this exhibition of Almighty power disturb you? A clear conscience is not so quickly alarmed. Alas! my hearers, it is the knowledge of your past

crimes, which the inward monitor now reveals, that overpowers you, at a moment when, but for the mercy of God, the thunderbolt would have struck you dead, and summoned your immortal spirits to the last dread account." Her audience, as she proceeded, were subdued, were humbled to the dust and deeply contrite. She has done much in reforming a class, who, before her charitable labors, were utterly depraved. Mrs. Fry invited Mr. Randolph to dine with her, and in her note, apologised for naming so unfashionable an hour as 4 o'clock, as knowing at the West End, he never dined till eight. In declining the invitation, from a prior engagement, he observed that no apology was necessary for the early hour mentioned in her note, as it was two hours later than he was accustomed to dine in Virginia, and he had not yet learned to turn night into day, and *vice versa*. He complained to his friend of the late hours of the aristocracy, and said he could submit to all but late dinners—they were killing him, and he must quickly run away from London, or cut his noble acquaintance.

Mr. Randolph, in his society, aimed at the highest quarry. His company was sought after by the nobility and gentry, and we have seen one instance in which royalty itself condescended to admit him within the same tent. A certain Lord L——, on meeting him one night under the gallery of the House of Commons, introduced himself, and they became very intimate. His lordship said to the narrator (the Irish gentleman to whom we are indebted for the foregoing account of the meeting with Mrs. Fry, one day afterwards), that he had never met with so thoroughly well-informed a gentleman as his friend, Mr. Randolph, no matter what was the subject, history, belles-lettres, biography—but the most astonishing part of all was, he possessed a minute local knowledge of England and Ireland. "He thought he himself knew them well, but he was obliged to yield the palm to Mr. Randolph. He had purposely tried to confound or puzzle him, but all in vain. His conversational powers are most dazzling even in London, where we pride ourselves on good talking. I never have been so much struck with any stranger, and although a high Tory, I always forgot he was a republican: by the way, not a very bigoted one. I never heard him abuse the aristocracy. I was so much pleased with him, on our first interview, I determined to pay him a mark of respect, which I was sure would gratify his Virginia pride. I obtained permission from the Lord Chancellor, to introduce Mr. Randolph, as a distinguished American, into the House of Lords, by a private entrance near the throne, instead of obliging him to force his way with the crowd at the common entrance. Having obtained his lordship's consent, I introduced Mr. Randolph to the doorkeeper, and desired him to admit him whenever he presented himself, without requiring him to exhibit any special order. His figure and whole appearance were such, I saw no risk of having any counterfeit Randolphs. When I told him of his privilege, I saw at once that I had won my way to his heart, and amply has he repaid me by the richness of his conversation whenever we have met." Mr. Randolph entered accordingly, by the private door, as a gentleman commoner, where the House of Commons were convened that night on some special occasion, and filled the space around the throne. He walked in most leisurely, to the envy of some Lords who had to

squeeze in through the public entrance, and in all his glory, alongside of Canning, Castlereagh, Sir Robert Peel, and many other distinguished members of the House of Commons. Some of these gentlemen even selected for him a prominent position, where he could see and hear perfectly. The debate was a most interesting one, and brought out the whole strength of the House. Lords Grey, Erskine, Grenville, Lansdown, Holland, Eldon, Liverpool and Grosvenor, were the principal speakers. Lord Grey, as the spectator gazed upon his noble figure, appeared the finest specimen of aristocracy personified in the entire assembly. He spoke with dignity and eloquence, but wanted animation. Lord Holland kept the House in a roar of laughter, by an ironical appeal to the bench of bishops. In reply to some noble lord, who had expressed his fears that "our holy religion would be endangered by the passage of the bill"—the Roman Catholic Peers Bill—he said, "I have no fears, so long as our holy religion remains under the guardianship of that right reverend bench yonder. It is to their distinguished piety and good works—to their bright examples, to their self-denying lives, to their daily fasts and nightly vigils; to their pure, practical preaching, that we must owe our safety from all heresy, false doctrine and schism. Take my advice, my lords, and rest your dependence on these true pillars of the Church, and not on musty acts of Parliament." Lord Eldon was equally severe upon Mr. Canning, whom he disliked, though a fellow-member of the Cabinet. In the course of his speech, he used these bitter remarks:—"My lords, if I had not been told that this bill was the product of so much talent and so much modesty, I would have said, from my perusal of it, that it was the greatest collection of trash and nonsense I had ever yet seen presented to your lordships' attention. To the respectable gentleman who introduced this bill into the other House, I wish well, to whatever part of the world he may be going." Mr. Canning had been appointed Governor General of India, but remained at home in consequence of the death of Lord Castlereagh. A few nights afterwards, in the House of Commons, Mr. Canning paid back the debt with compound interest, and Lord Eldon never forgave him. Mr. Randolph, from the nature of his disposition, must have been highly delighted with this debate. The keen encounter of legislative wit was a most entertaining exhibition. It was "*caviare* to the general." It was the very arena on which he displayed such unrivalled powers at home, and the ironical allusion to the bench of bishops, by Lord Holland, must have touched "a chord of consonation" in the breast of the Virginian.

Mr. Randolph had carried with him a box of books, among which were some marked with the name of a lady, which he intended to have bound in London. In looking over them his friend observed the superscription, and asked, "How is this? some fair lady seems to have enchained you." "Ah," said he, "the sweetest girl in the Old Dominion—if you only knew her—a particular favorite of mine, and I shall have all these books beautifully bound, to grace her centre table on my return." In looking them over, the gentleman found a volume of old plays, which he thought too lascivious for the lady's eyes, and so stated to Mr. Randolph. He immediately ran his eye over the title page,

took the book and immediately endorsed on the back, "Not fit for Bet:" and turning to the gentleman, told him he had done him an essential service—that he would not for the world do aught to sully that girl's purity of mind. He had forgotten those books, or they should not have had a place in his box. He said he abominated that vile style of writing which is intended to lessen our abhorrence of vice, and to throw ridicule on virtuous conduct. They then, at Mr. Randolph's request, went through the whole catalogue to see if there was any other obnoxious volume, but they found no other worthy of the flames. Being in the "giving vein," Mr. Randolph presented his friend with several books as keepsakes, and even offered more than the gentleman's modesty would allow him to accept. While in London, he and his Irish friend were invited to dine at a large party, at the house of a distinguished philanthropist, who was the intimate friend and correspondent of the Emperor Alexander of Russia. During the dinner, a gentleman related an anecdote of the Emperor. Mr. Randolph, who had formed a bad opinion of the Emperor's character, immediately said, addressing the host, that he was astonished and disgusted to find, that this mighty autocrat of a semi-barbarous nation had so completely gulled the good people of London. Believe me, said he, he is a humbug, a spurious philanthropist, who cares for naught beyond the extension of his own power. Why, sir, said Mr. Randolph, he is the chief robber of these modern Goths and Vandals, who, having just tasted the good things of civilized life, want to overrun, if they dare, the fertile plains of the South, like a cloud of locusts. Look at Poland, verily the tender mercies of the wicked are cruel; aye, and if you be wise, look in time to France and to England. Beware of his friendship. I trust him not. *Timeo Danaos, dona ferentes.* He preaches Christianity, to be sure—but it is all lip-service. On their way home, the gentleman informed him of the blunder he had made, as the worthy host was the friend and correspondent of the Emperor. Mr. Randolph felt much confused, and hoped God would forgive him for telling the truth at an improper time.

CHAPTER VI.

CORRESPONDENCE.

Mr. Randolph's fame is founded entirely upon his talents as an orator. He was the author of no literary work in his lifetime. He left no posthumous ones. A volume of familiar letters was published the year after his death by his nephew Doctor Theodore B. Dudley, being a selection from several hundred that were written to him by his uncle, from his boyhood up to his manhood. As they were not intended for publication, they reflect the more credit upon the author, and are written with great ease, sprightliness, and wit, and are stocked with excellent advice and information, both useful and agreeable, which

such a relation may be presumed, with all his knowledge and experience, to be well calculated to give. They embrace a period from 1806 to 1822. It is in these private moments, retired from the busy scenes and the exciting passion of politics, when he unbosoms himself to his confidential friends, that he appears in his most amiable light. In his private intercourse, in a circle of friends when he let himself down from his high degree, he was an entirely changed man, a different personage from what he was on the floor of Congress. His conversation was as agreeable and instructive as his manners were polished, gentlemanly, and polite. In order to show him in this state of calm domestic repose, which, after all, was best suited to his constitution and the surest source of his happiness, we will give a few extracts, taken at random, from these familiar letters.

[TO THEO. B. DUDLEY AND T. T. RANDOLPH (SON OF HIS BROTHER RICHARD.)]

“Georgetown, Oct. 6, 1807.

* * * * “I hope you have not exposed yourselves to the inconvenience of any debt, however small; but I know this is an error into which youthful heedlessness is too apt to run. If you have escaped it, you have exercised more judgment than I possessed at your age, the want of which cost me many a heart-ache. When any bauble caught my fancy, I would perhaps buy it on credit for twice as much as it was worth. In a day or two, cloyed with the possession of what, to my youthful imagination, had appeared so very desirable, I would readily have given it to the first I met; but, in discarding it, I could not exonerate myself from the debt that accrued, the recollection of which incessantly tormented me. Many a night’s sleep has been broken by sad reflection on the difficulty into which I had plunged myself, and in devising means of extrication. At the appearance of my creditor I shrunk, and looked, no doubt, as meanly as I felt; for the relation of debtor and creditor is that of a slave to his master. It begins with the subjugation of his mind, and ends with that of his body. Speaking of a promiser (and every creditor is a promiser-maker, and too often a promise-breaker), you cannot be too much upon your guard against them, unless you are sure the performance is in your power, and at the same time will conduce to your honor and benefit, or those of another.

* * * * The courage which enables us to say no to an improper application, cannot be too soon acquired. The want of it has utterly ruined many an amiable man. Do not, through false shame, through a vicious modesty, entrap yourself into a situation which may dye your cheeks with real shame. As to the promiser, he is like the keeper who puts his head into the lion’s mouth to amuse the spectators. This he did frequently and got it safely out, till at last the lion, in a fit of ill-humor, bit it off. Your word ought to be dearer to you than your head. Beware how you put it into the lion’s mouth. * * * A liar is always a coward.”

TO DR. THEODORE B. DUDLEY.

“WASHINGTON, Dec. 30, 1821.

“One of the best and wisest men I ever saw, has often said to me, that a

decayed family could never recover its loss of rank in the world, until it left off talking and dwelling upon its former rank and opulence in the world. I have seen this verified in numerous instances in my own connexions, who, to use the words of my oracle, will never thrive till they become poor folks. He added, 'they may make some struggles, and with apparent success, to recover lost ground, they may get half way up again, but are sure to fall back, unless, reconciling themselves to their circumstances, they become poor in form, as well as in fact.' The blind pursuit of wealth for the sake of hoarding, is a species of insanity. There are spirits, and not the less worthy, who, content with an humble mediocrity, leave the field of wealth and ambition open to more active, perhaps more guilty competitors. Nothing can be more respectable than the independence that grows out of self-denial. The man who, by abridging his wants, can find time to cultivate his mind, or to aid his fellow-creatures, is a being far above the plodding sons of industry and gain. His is a spirit of the noblest order. But what shall we say to the drone whom society is eager to shake from her encumbered lap—who lounges from place to place, and spends more time in Adonising his person, even in a morning, than would serve to earn his breakfast—who is curious in his living, a connoisseur in wines, fastidious in his cooking, but who never knew the luxury of earning a meal? Such a creature, sponging from house to house and always on the borrow, may still be seen in Virginia. One more generation may put an end to them." * *

TO THE SAME.

"MONDAY MORNING, 5 o'clock, Feb. 4, 1822.

"I have been up since half-past one. Yesterday I dined by accident at the Union in Georgetown with Mr. K. (Key), and though I had toast and water, I missed my milk. I drank, too, at the earnest recommendation of some of the party, some old port wine, which has done me no good. My dinner was the lean of a very fine haunch of venison, without any gravy, and a little rice. Since it began to rain I have felt as restless as a leech in a weather-glass, and so I sit down to write to you. On Saturday I had a narrow escape from a most painful death. Wildair dashed off with me on the avenue, alarmed at a tattered wagon-cover, shivering in the wind, and would have dashed us both to pieces against a poplar, but when she was running full-bent against it, and not a length off, by a violent exertion of the left heel and right hand, I bore her off. There was not the thickness of half a quire of paper on which I am writing, between my body and the tree. Had I worn a great-coat, or cloth boots, I must have touched, perhaps been dragged off by them. * * * *
In the course of my life, I have encountered some risks, but nothing like this. My heart was in my mouth, for a moment, and I felt the strongest convictions of my utter demerit in the sight of God, and it gushed out in thankfulness for His signal and providential preservation. 'What,' thought I, 'had been my condition had I then died? As the tree falleth, so it must lie.' I had been but a short time before saying to a man who tried to cheat me, some very hard and

bitter things. It was a poor auctioneer, who had books on private sale. He attempted to impose upon me in respect to some classical books of which he was entirely ignorant, and I exposed his ignorance to people in the shop, many of whom were members of Congress, and no better informed than him. The danger I escaped was no injury to the speech which I made, out of breath, on finding, when I reached the House, that there was a call for the previous question. So true it is, that of all motives religious feeling is the most powerful. I am reading for the second time an admirable novel called 'Marriage.' It is recommended by Scott in his 'Legend of Montrose.' I wish you would read it. Perhaps it might serve to palliate some of your romantic notions (for I despair of a cure) on the subject of love and marriage. A man that marries a woman he does not esteem and treat kindly, is a villain. But marriage was made for man, and if the woman be good-tempered, healthy (a qualification scarcely thought of now-a-days), chaste, cleanly, economical, and not an absolute fool, she will make him a better wife than nine out of ten deserve to have. To be sure, if to these beauty and understanding be added, all the better. Neither would I quarrel with a good fortune, if it has produced no ill effect upon the possessor."

[EXTRACT OF A LETTER DATED WASHINGTON, FEB. 5, 1822, TO DR. DUDLEY.]

"As I have recommended Marriage to you (the book I mean), this digression on genealogy* may remind you of Misses Jockey, the agreeable sisters. You entirely misapprehend my mode of life. I am very rarely out of bed after 9 o'clock, and when I exceed that hour, it is not at evening parties. Last night I was seduced by a book to go beyond that hour a little. * * * The other day I dined at the French minister's. It was Saturday, Madame De N.'s (De Neuville's) night. At half past 7 we joined the evening visitors, and at half past 8 I was snug in bed. To be sure I was politely reproached, as I was going away, by the Count De Menou (Secretary of Legation), and since by his principal, for going away so early; but my plea of weak health satisfied their jealousy. This is felt, and shown too, by all here in the highest ranks of fashion. Madame is charity itself. The poor will miss her when she goes away. One of her sayings deserves to be written in letters of gold: 'When the rich are sick, they ought to be starved; when the poor are sick, they ought to be fed.' This is no bad medical precept.

"I cannot go the 'Cognac.' I had rather die than drink habitually brandy and water. Look around you and see its ravages. Thank God, it does not possess any allurements for me. I have sometimes been the better for a little brandy toddy, but I have not tasted spirits for six weeks or more, and never shall again but as a medicine. Genuine Madeira is the only thing, except good water, that I do not drink with pleasure or impunity: not always with the last, sometimes with neither. * * * Rely upon it, that to love a woman as a mistress, although a delicious delirium, an intoxication far surpassing that of champagne, is altogether unessential, nay, is pernicious, in the choice of a wife, which a man

* He gave his own genealogy.

ought to set about in his sober senses—choosing her, as Mrs. Primrose did her wedding gown, for qualities that wear well. I am persuaded that few love-matches are happy ones. One thing at least is true, that if matrimony has its cares, celibacy has no pleasures. A Newton, a mere scholar may find employment in study; a man of literary taste can receive in books a powerful auxiliary; but a man must have a bosom friend and children around him to cherish and support the dreariness of old age. * * * After all, suitability is the true foundation of marriage. If the parties are suited to one another in age, situation in life (a man may indeed descend, where all else is fitting), temper, and constitution, these are the ingredients of a happy marriage—or at least a convenient one, which is all that people of experience expect. If I had my life to go over again, I should make a different sort of thing of it. Community of tastes and pursuits, very often vicious ones, are the foundation of most youthful friendships. One great mistake that young people commit is in associating with people of their own age, but greatly above them in point of fortune. One young man can, perhaps, afford to spend a thousand dollars, where one hundred would embarrass the finances of his companion. This last must sink into a led captain, a boon companion or sot; or perhaps commit forgery or a breach of trust, to keep up with the rest.” * * *

[In the beginning of this letter he touches upon his pedigree. “I have found,” says he, “a valuable counsellor in our kinsman Doct. Hall, for such he is, his great-grandfather, on the mother’s side, being Robert Bolling, brother to Drury Bolling, my maternal great-grandfather, from whom you are removed one generation farther; which Drury and Robert were sons of Robert B. (of the West Riding of York, Bolling Hall, near Bradford) by his second wife, Miss Stith, his first being the grand-daughter of Pocahontas, by whom he had one son, John, from whom, by his wife Mary Kennon, my paternal grandmother sprung. From this first marriage descend the Bollings of Chesterfield and Buckingham in the male line, and the Charles Randolphs, Flemings, Grays, Eldridges, and Murrays, in the female.”]

We give a letter to a friend in New York, Captain ———, with whom he had sailed to Liverpool, as letting us into the secret of his circumstances, of his income, and the wise economy with which he guarded it.

“CARTERSVILLE (on James’ River), April 30th, 1828.

“MY DEAR CAPTAIN: Just as I mounted my horse on Monday morning at Washington, your truly welcome and friendly letter was put into my hands. I arrived here this evening a little before sunset, after a ride on horseback of thirty-five miles. Pretty well, you’ll say, for a man whose lungs are bleeding, and with a church-yard cough, which gives so much pleasure to some of your New York editors of newspapers. But to me, a horse is what a ship is to you. I am never so easy as when in the saddle. Nevertheless, if a gentleman (we are all gentlemen now-a-days) who received upwards of 300 pounds sterling for me, merely to hand it over, had not embezzled it by applying it to his own use,

I should be a passenger with you on the 8th. I tried to raise money by the sale of some property, that only twelve months ago I was teased to part with, lots and houses in Farmville, seventy miles above Petersburg on the Appomatox, but could not last week get a bid for it. I have known land (part good wood land) sell for one dollar an acre, that ten years ago would have commanded ten dollars, and last year five or six. Four fine negroes sold for three hundred and fifty dollars, and so in proportion. But I must quit this wretched subject. My pay as member of Congress is worth more than my best and most productive property, for which a few years ago I could have got \$80,000, exclusive of slaves and stock. I gave a few years ago \$27,000 for one estate, without a house or a fence on it. After putting it in fine order, I found that so far from making one per cent., or one half or one quarter of one per cent., it does not clear expenses by about \$750 per annum, over and above all the crops. Yet I am to be taxed for the benefit of wool-spinners, &c., to destroy the whole navigating interest of the United States; and we find representatives from New Bedford, Cape Anne, Marblehead, and Salem and Newburyport, voting for this, if they can throw the molasses overboard to lighten the ship tariff. She is a pirate under a black flag.

"If I had ten pounds to spare, I would order one of Roskell's best watches in a silver case (without second-hands)—but I am as poor as a rat! I am glad the hams proved good.

"And now, my dear Captain and gallant ship, farewell. Pleasant and prosperous gales attend you.

"JOHN RANDOLPH, of Roanoke."

CHAPTER VII.

HIS CHARACTER.

The most difficult part remains to be performed, a description of Mr. Randolph's character. This has been in a partial manner developed, as we have proceeded by degrees to unfold his political and private life, so that the reader may already form a tolerable estimate of his pretensions in the twofold relation in which he has been presented. "Take him all in all, he was a man whose like we may never see again." He was "*sui generis*," and as such, it is next to impossible for the biographer to classify or fix his proper rank in the scale of human destiny. It is difficult to find a parallel (the usual recourse of Plutarch and his successors), to draw a comparison between him and any known personage in ancient or modern times, as a more familiar and invariable standard from which to infer their respective merits, and thus form a correct and impartial decision. From what is known and admitted, by juxtaposition or contrast, we might be enabled by induction, to learn what was before unknown. He was elevated so high above his cotemporaries by the greatness and originality of his genius, like a "winged Mercury newly alighted on a heaven-kissing hill," as

well as from his strong aristocratic prejudices, his pride and selfish qualities, that we are not permitted to approach near enough to catch the delicate lineaments of his physiognomy.

As an orator, he was more splendid than solid; as a politician, he wanted the profound views of a great statesman, and a larger stock of patience, gentleness, and pliability, to lead and guide a party successfully in its struggle for power, while he was too intolerant and indocile to be led by one, or to go through the drillings and discipline required as a regular in the ranks. He was incapable of the confinement, the application, and the drudgery of office. His genius, to use one of his favorite figures (which is not original, but borrowed from Swift), might be compared to a fine-edged knife, used for the common purpose of severing paper, that is apt to slip or turn aside from the right line, and endanger the hand of the operator, while a man of more moderate abilities, but of business habits, who might be likened to an ivory folder, will go through the task smoothly and steadily, though of a duller edge or more homely material. He wanted consistency of political conduct, as well as a uniform and acknowledged code of principles, and no party could, during the short period of his fortuitous junction, calculate upon any two successive votes, when the emergency arose that required them. He was possessed of a fine taste for literature, a general reader, a "ripe scholar," particularly in the department of *Belles Lettres*; by which acquirements he was well supplied with apt illustrations to embellish and enrich his oratory. He levied his contributions from the wide dominions of ancient and modern literature, with the undisputed authority of a conqueror, which he stored away in his capacious memory, as an inexhaustible magazine, to distribute with judicious discrimination upon every subject that arose in debate. Although in the course of his long political career of more than thirty years, he spoke volumes, and some of his speeches towards the close of it were rather verbose and irrelevant, yet he never failed during some part of them, to arouse and astonish his audience by some classical allusions, happy similes, "some thoughts that breathed and words that burned," some beautiful and striking metaphor, and most mellifluous and harmonious periods. Even now, in reading those speeches (although so much is lost in their delivery), while we may have to penetrate through a heap of chaff (if anything of his may be so abused in terms), in reaching the kernel or grain, we are abundantly rewarded in the richness if not in the abundance of the product. He was listened to with undivided attention; and although the mind might not be chained and carried captive in the triumphant march of a gigantic intellect, by the depth of research and the force of reasoning, yet was it fascinated, won, and unresistingly carried along, as by a spell, by the ease, the grace, the fluency, and the pleasing emphatic delivery of the speaker. His sallies of wit, his biting sarcasm, his happy retorts and home-thrusts, his satiric turn or his playful humor, rendered him a more agreeable and popular speaker than others who were more severe and elaborate. If ridicule be the test of truth, he had a most effectual way of drawing her into the light of all the orators of his day; he possessed the rare art of trying the measures and the opinions of the prominent men to whom it

was his destiny to be regularly opposed, by that touchstone ; and by it to hold them up to the derision or censure of the people. With this powerful lever, he could shake if not move from its foundations any administration. That it contributed in no small degree to subvert that of the second Adams, no man can doubt who witnessed his repeated and dexterous attacks, and observed the effects of his peculiar mode of warfare. The public were but gratified spectators of these exhibitions of this successful combatant upon the political arena, while the Senate chamber was become a national amphitheatre from which to enjoy them, from that weakness, not to call it depravity of human nature, that derives an innate pleasure at the sight of suffering or misfortune in others, while itself remains secure from harm or danger. He delighted in opposition, it was his element, his *pabulum* of political existence. He could not swim with the current, but preferred to buffet and to breast it manfully and unyieldingly. "The elements were so mixed in him," that it is difficult for any one to hold him up to the world and "say this was a man, and challenge its confirmation." He was not much respected as a politician, nor beloved as a man. His friends feared him too much to love him, for although these two passions may be blended in the same breast as regards an infinite being, it is a most difficult task to unite them as an offering on the altar of private friendship.

The tenure of his friendship's assurance was too frail to render it sincere or ardent. The many sudden transitions on his part, from avowed friendship to its opposite, upon trivial and unsatisfactory grounds, rendered the enlistment of new recruits in his ranks too discouraging to keep them supplied, and thus he was left in the sad predicament of dying almost friendless. He appeared to be too far removed beyond the common sphere of human attraction (while he revolved in a most eccentric one), to receive the genial warmth of friendship, and too frigid and repulsive to communicate it in turn. Yet, in listening to his conversation, or in perusing his letters, you find he employs all the terms and expressions consecrated to the service of that holy passion. To his young relatives, some of whom he had educated, he breathed, at times, the warmest professions of affection ; and, for short periods, during the innocence and unsuspecting guilelessness of their boyhood, they received more substantial proofs of it. He left them nothing out of his immense fortune, but preferred to dispose of it capriciously to others, or to the supererogatory foundation of a college. We may be asked, were there no virtues, no redeeming qualities in the character of Mr. Randolph, as a counterbalance to this long array of antagonist ones ? It were hardly credible that there were not. We are forced to admit some of a negative kind. His charity, which, from his means and his leading a life of single blessedness, he could have well and abundantly dispensed, went beyond the proverb, by not only beginning at home, but ending there. His appetite for money, as in all similar cases, "increased with the food it fed on," till it grew insatiable. How else can we account for his acceptance of the Russian mission, with the mental and physical disqualifications under which he labored, and in defiance of his open and solemn declarations ? How else account for the sale of his slaves, by the disposition of his last will of 1832, after having previously left them

free? What, then, are his redeeming virtues, to stand out in bold relief from this dark ground, to deserve our applause or gratitude? He possessed courage in a high degree. He had a nice sense of honor—possessed sterling integrity and honesty in all his dealings—was incorruptible in integrity, and perfectly chaste and pure in his morals. To these we will add his patriotism (though rather local or limited to the bounds of his own State), and the extraordinary gifts with which nature had endowed him; and, after making every allowance for his bodily infirmities, in defence of some of his failings, we leave him to the gentle reader to pass his own sentence of adjudication upon him, whether of censure or approbation, after duly weighing the testimony in the scale of even-handed justice.

CONCLUSION.

IT may be thought a breach of the unities, and a violation of order, again to introduce Mr. Randolph, or, in a measure, to cause his resurrection from the dead, after the solemn formalities of his death and burial. Had I confined myself to the delineation of his character, it would have immediately followed his death, as a legitimate and usual conclusion. If we consider him as he has been represented in his later years, since he abandoned the lead of the Republican party as early as the administration of Jefferson, and joined in opposition to every successive one (to which length of time seemed only to add an accumulation of force and impulse), as a splendid ruin of what he might have been, a benefactor of his race, we might in some measure plead a justification of what we have added, by assimilating it to a melancholy view, in detail, of the columns and pillars and other fragments of this mighty ruin as they arose before us.

We may also defend our course by considering for a moment the nature of the subject on which we treat. For who can expect to be regular and consistent, and conformable to the strict rules and canons of biographical criticism, in giving the sketch of one whose whole life has been one course of irregularity, consistent only in inconsistency, and a violation of every principle of moral and political harmony? To be candid, however, I feel that I must, at last, cast myself upon the indulgence of the reader, while I confess the simple truth. After I had brought to an end the private life (and, as I thought, my labors) of the subject of my memoir, in the course of my long and wearisome researches through a mass of old documents and piles of public journals, I discovered new materials and further particulars tending to develop the features of the subject who sat before me, which were too valuable to throw away, and which I found (perhaps either in my indolence or want of ingenuity) difficult to dovetail in, or unite with the structure, without going to the trouble and delay of taking it to pieces and reconstructing it. I thought it better to follow the example of a man with a small family, who constructs a house adapted to the accommodation of the existing members. Finding his family afterwards increasing upon his hands, and requiring more room, he prefers to add a wing to

demolishing the old, and erecting a new edifice. I have no doubt the reader will bear me out in the remark, that any facts, anecdotes, or circumstances relating to John Randolph, are interesting and appropriate wheresoever placed, like a profusion of diamonds in a royal diadem, whose order of arrangement is lost in their brilliancy; or like the desperate, the happy hit of Apelles, who, after many vain efforts to finish his picture of a mastiff by drawing the foam on his mouth, in despair threw his sponge at it, and by accident crowned his work with success. It may be properly expected that I would not conclude this sketch without deciding the important question of Mr. Randolph's sanity. In answer to that point, I must declare that I acknowledge myself incompetent to judge. I will even admit that, in the worst periods of mental aberration, he had ten times more sense than ever I had, which may perhaps only leave the question where we found it. On the main point, that on which the happiness of our whole lives in this world depends, the promotion of his self-interests and his pecuniary independence, if perfect success is the test of sanity, he must stand acquitted on that charge. The whole subject, however, has been referred to a higher tribunal than any that my frail judgment could afford, the High Court of Appeals of Virginia, on the question of the validity of his wills. Their decision, in which we must acquiesce, will for ever settle that point, both as regards the fact of that "infirmity of great minds," as of the period of its occurrence.

APPENDIX.

EXTRACT FROM A SPEECH OF JOHN RANDOLPH IN THE SENATE, ON
THE 20TH MARCH, 1826, ON THE PANAMA QUESTION.

Mr. Branch's resolution, in the following words, being before the Senate :

Resolved, That the President of the United States does not constitutionally possess the right or the power to appoint Ambassadors, or other public ministers, but with the advice and consent of the Senate, except when vacancies occur in the recess.

Mr. Randolph said—"I thank the gentleman from North Carolina for calling up his resolution, which had in his absence been nailed to the table. The gentleman deserves great credit for having steered his ship into action with manliness and decision, a frankness, a promptitude, and a fearless intrepidity, that scorns all compromise with the foe. He has spoken with the plainness that belongs to him, not only as a Southern man, but as a planter. It belongs to him as a slaveholder—as one not bound to electioneer or curry favor with the driver of his carriage or the brusher of his shoes, lest when he shall be driven to the polls, the one may dismount from the coach-box, and the other lay down his shoe-brush and annihilate the master's vote at the election. Lest his servant may give him warning, that he may no longer consider him as his help, and go as a spy into the family of his enemy, and if he have one, to tell not only what he may have seen and heard, but what he never saw and never heard in the family of the master. Master, did I say? No sir, his gentleman. This debater and champion of universal suffrage owns no master, he claims the mastery over you. I thank the gentleman from North Carolina. I trust it will turn out in the end, whether our adversaries are born to consume the fruits of the earth, '*fruges consumere nati*,' or whether or not they belong to the caterpillars of the law, that of us it may be said truly, "*nos numerus sumus*." That our name, too, is legion. For, sir, we belong to the cause of the party of the people, we claim to belong to the majority of the nation. No, sir, I acknowledge no nation of this confederate republic. For I, too, disclaim any master, save that ancient common master, whose feeble and unprofitable servant I am. The President himself has confessed that he does not possess the suffrages of the majority, or the confidence enjoyed by his predecessors. He is even desirous of a new trial. He shall have one, and no thanks to him for it. God send him a good deliverance from the majority, and God send the majority a good deliverance from him. Having thus, sir, disburdened myself of some of

the feelings excited by the gallant bearing of the gentleman from North Carolina. Allow me to go on and question some of his positions. One of them is, the durability of the Constitution. With him and with Father Paul (of the Constitution of Venice) I say '*esto perpetua.*' But I do not believe it will be perpetual. I am speaking now of what Burke would call high matter. I am not speaking to the groundlings, to the tyros and junior apprentices, but to the grey-headed men of this nation, one of whom, I bless God for it, I see is now stepping forward as he stepped forward in 1799, to save the republic. I speak of William B. Giles. I speak to grey heads, heads grown grey, not in the receipt of custom at the treasury of the people's money, not to heads grown grey in pacing Pennsylvania avenue, not grown grey in wearing out their shoes at levees, nor to heads grown grey (to use the words of the immortal Miss Edgeworth, the glory and champion of her sex and her wretched country), in ploughing the four acres. There is a little court, sir, of the castle of Dublin, called the four acres, and there, backwards and forwards, do the miserable attendants and satellites of power walk, each waiting his turn to receive the light of the great man's countenance, hoping the sunshine, dreading the clouded brow.

' Ah ! little knowest thou, that hast not tried,
What hell it is in suing long to bide,
To lose good days that might be better spent,
To waste long nights in pensive discontent,' &c., &c.

" Spencer has well described the secrets of this life, and technically it is called ploughing the four acres. Now when a certain character in one of her incomparable novels, Sir Ulric, I have forgotten his name, but he was a Macsycophant, phant courtier, placeman, pensioner, and parasite, upbraided that good-hearted, wrong-headed old man, King Croney, with his wretched system of ploughing, the king of the Black Islands (every inch a king), replied, ' there was one system of ploughing worse than his, and that was, ploughing the four acres.' This was a settler to the Macsycophant.

" We are now making an experiment which has never succeeded in any quarter on earth, from the deluge to this day. With regard to the antediluvian times, history is not very full, but there is no proof it has ever succeeded before the flood. One thing we do know, it has never succeeded since the flood, and as there is no proof of its having succeeded before the flood, as '*de non apparentibus et non existentibus eadem est ratio,*' it is good logic to infer, that it never has succeeded and never can succeed anywhere. In fact the '*onus probandi*' lies with them that hold the other side of the question; for although '*post hoc ergo propter hoc*' be not good logic, yet when we find the same consequences generally following the same events, it requires nothing short of the scepticism of Mr. Hume to deny that there is no connection between the one and the other, whatever, metaphysically speaking, there may be of necessary connection between cause and effect. I say, then, that we are making an experiment which has never succeeded in any time or country, and which, as God shall judge me at the great and final day, I do in my heart believe will here fail, because I see and feel

that it is now failing. It is an infirmity of my nature, it is constitutional, it was born with me, and has caused the misery (if you will) of my life; it is an infirmity of my nature to have an obstinate preference of the true over the agreeable, and I am satisfied if I had an only son, or an only daughter—which God forbid—I say, God forbid, for she might bring her father's grey hairs with sorrow to the grave, and she might break my heart,—worse than that—what! I might break hers—I should be more sharp-sighted to her foibles than any one else. Sir, as much as they talk about filial ingratitude, 'how sharper than a serpent's tooth it is to have a thankless child.' How much more does it run counter to all the great instincts of our nature, planted for good and wise purposes in our bosoms—not in our heads, but in our hearts, by the Author of all good—that the mother should be unkind to the babe that milks her, the father cruel to his own child. They are well called unnatural parents, for it is a well known law of nature, that the stream of succession and inheritance, whether of property or affection, is in the descending line. I say in my conscience and in my heart, I believe this experiment will fail, and if it should not fail, blessed be the Author of all good for snatching this people as a brand from the burning, which has consumed as a stubble all the nations, all the fruit trees of the earth, which before us have been cut down and cast into the fire. Why cumbereth it the ground? Cut it down, cut it down. I believe that it will fail; but, sir, if it does not fail, its success will be owing to the resistance of the usurpation of one man by a power which was not unsuccessful in resisting another man of the same name and the same race. I do not believe that a free republican government is compatible with the apery of European fashions and manners, with the apery of European luxuries and habits. But if it were so, I do know that it is incompatible with what I have in my hand, a base and baseless system of foreign diplomacy, and a hardly better system of exchange. I speak of paper money, under whatever form it may exist, whether in the shape of an old Continental Spanish milled dollar, printed on paper, and in the promise to pay, which promise is never intended to be redeemed, of the sound significant (a word for the thing signified), dollar—of the emblem, multiplied at will, for the reality, which has an actual, if not a fixed value; for there is, and can be no unchangeable standard of value. It is worse than shadow for substance, for shadow implies some substance, while a promise to pay dollars, implies neither ability nor inclination to pay cents. * * *

“Another objection is to the unreasonableness of the gentleman from North Carolina, in attempting at this time of day to alter the form of our government, as established by the practice under the Constitution. Now, sir, the practice under the Constitution was settled in this way, in the two first instances: that the Vice President succeed the President. At that time the President opened Parliament, or Congress, by a speech from the throne, but since that time the practice has been settled another way. Since the revolution of 1801, the practice has been settled that the Secretary of State succeed the President. Hence it is, that the Secretaryship of State is the apple of discord under all the administrations succeeding that of Mr. Jefferson. It was the bone of contention between

Mr. Gallatin and Mr. Robert Smith. There are here now more, besides myself (looking at Mr. Macon), that know it. It has been the apple of discord, aye, and of concord too, since. It has been the favorite post and position of every bad ambitious man, whether apostate, federalist, or apostate republican, who wishes to get into the presidency, '*per fas aut nefas*'—'*rem quocunque modo rem, recte si possis*'—honestly if they can, corruptly if they must. It has been that which Archimedes wanted to move the world (*Pou sto*), a place to stand upon, aye, and to live upon too, and with the lever of patronage to move our little world. * * * *

"*This is the first* administration that has openly run the principle of patronage against that of patriotism*—that has unblushingly avowed, aye, and executed its purpose of buying us up with our own money. Sir, there is honor among thieves! Shall it be wanting then among the chief captains of our administration? I hope not, sir. Let Judas have his thirty pieces of silver, whatever disposition he may choose to make of them: whether they shall go to buy a Potter's field, in which to inter this miserable constitution of ours, crucified between two gentlemen, suffering for conscience' sake under the burden of the two first offices of the government; forced upon one of them by the forms of the Constitution, against its spirit and his own, which is grieved that the question cannot be submitted to the people. Or, whether he shall do that justice to himself which the finisher of the law is not, as yet, permitted to do for him, is quite immaterial. Judas having done the work, 'It is finished!' * * * The gentlemen from North Carolina must not complain that they are working in the vocation, 'Tis my vocation, Hal—'tis your vocation!' Be it our vocation to call them to a more suitable vocation. * * *

"After twenty-six hours' exertion, it was time to give in. I was defeated, horse, foot, and dragoons; cut up and clean broke down by the coalition of Bliffl and Black George—by the combination, unheard of till then, of Puritan and Blackleg. There is a story related in *Gil Blas*, of one Scipio, the son of Coscolina, that entered into the service of Don Abel, that carried him to Seville, and on a certain occasion, coming home from a card-table with bad luck (that will sour the temper of even the mildest; I have seen even ladies not bear losses at the card-table very well), he gave Scipio a box on the ear because he had not done something which he had not ordered him to do, but which is the part of a good servant to have done without being ordered. Scipio goes to tell his story to a bravo, and tells him his master is going to leave Seville, and that as the vessel runs down the Guadalquivir he shall leave him. 'If this is your plan of revenge,' says the bravo, 'your honor is gone for ever. Not only do this, but rob him; take his strong box with you.' Scipio at that time had not conceived the atrocious idea of adding robbery to a breach of trust, but agreed to the proposition. As they were descending the staircase, the bravo, strong as Hercules in carrying off other people's goods, met Don Abel, with the box on his shoulders. The bravo puts down the coffer and takes to his

* May it not be asked, in 1843, if it be the last?

heels, and Scipio awaits the issue of his master's wrath. 'What are you doing with my coffer?' 'I am going to take it to the ship.' 'Who told you to do so?' 'Nobody.' 'What is the name of the ship?' 'I don't know; but I have a tongue in my head: I can learn.' 'Why did you carry off my coffer?' 'Did you not chastise me the other day for not having done something you never ordered?' Abel's reply was: 'My friend, go about your business; I never play with men who sometimes have a card too many, and sometimes a card too few.' It shall be my business to prove, at some period, that this is the predicament of your present ministry—whereas, on a certain occasion, they had a card too few—on another, a card too many, or e converso."

This speech occupied three hours in the delivery, and five or six columns of the *Intelligencer*; too long to give entire, but the sample which we have presented is sufficient to show the peculiarity of Mr. Randolph's style. It is extremely desultory, and may be called a digression upon digressions, in which almost every subject is touched upon but the one before the Senate. At the beginning, the middle, or the ending, an auditor might well ask, "What is the question before the House?" He was tolerated, however, and gained general attention, on account of the entertainment he afforded by his wit, his humor, and his inimitable sarcasm. In that, as well as his speech afterwards on the Judiciary Bill, nothing could divert him from fastening upon the administration, with the most tenacious and deadly malevolence. In reading this speech, one is reminded of the celebrated letter of Tiberius to the Roman Senate, in accusation of his prime minister, Sejanus. Juvenal justly satirizes the emperor's exordium, "of what to say, or what not to say, may the supernal and infernal gods fall on me if I know." He goes on, then, to introduce the subject by instancing the many favors he had showered upon the favorite, whom he had made his confidential adviser, and elevated above the highest ranks, and who, being led to believe he was about to receive a crowning act of royal munificence, in being jointly invested with him in the tribunitary dignity, was present to hear the reading of the letter. The emperor branches off on some other political topic, but returns again with symptoms of rising discontent. He then takes another long detour, but turns again upon the late favorite, still more pointed in his charges. He makes a third, and finally a fourth digression, rising in wrath at each return, when he bursts upon poor Sejanus like a clap of thunder, and commands the Senate to take order for his instant punishment. The sentence remained only to be registered by that enslaved and obsequious body, and the pretorian prefect, having previously been cajoled out of the command of the guards, was perfectly paralyzed, and was led, without resistance, to his execution. The consequence of Mr. Randolph's most unmerited nickname of black-leg, as applied to Mr. Clay, ended in the well-known meeting between them, and resulted in the *amende honorable*, after an exchange of shots, from Mr. Randolph. We may be allowed here to notice two incidents accompanying these speeches of Mr. Randolph. The friends of the administration blamed Mr. Cal-

houn very much, as the Vice President and presiding officer of the Senate, for allowing Mr. Randolph such free license in the use of such bitter personalities against the President and Secretary of State,—in fact, permitting him to violate the rules of the Senate, without calling him to order. Mr. Calhoun took occasion, in his place, to vindicate his course, and justified his conduct by objecting his want of power—his functions being more limited than those of the Speaker of the House of Representatives.

The next circumstance to be alluded to, was a charge made in the United States Telegraph, being copied from the Boston Commercial Gazette, purporting to be an extract from a letter of a gentleman at Washington, and giving Mr. Tims, the door-keeper of the Senate, as authority, that, during the delivery of one of his infamous speeches, Mr. Randolph drank six bottles of porter, two glasses of gin, and one of brandy. In a card published in the *Intelligencer* of the 19th of June, 1836, Mr. Tims most solemnly declared, before the God of heaven and all the world, that he never did make use of any such expressions, or authorized any person to say so, and pronounced the whole to be a base and infamous falsehood. I presume the mistake may have arisen from Mr. Randolph's drinking toast and water, and calling out, "More water, Tims," which might have been mistaken for "More porter, Tims." Mr. Randolph was extremely irritable from ill health—his life being only a long disease. His complaint was principally gastro-enteritis and nervous excitability; and I recollect well the opinion which a young physician and myself formed of his constitution, in 1809, that, as soon as he got well, he would die. We considered his genius, his originality, his fervid imagination, his readiness as an extemporaneous speaker, as caused by a morbid excitement of the nerves of the brain, and that, when that excitement was withdrawn, a translation of the disease would ensue upon a vital part, and death or fatuity would follow. This state of irritability brought him in successive collisions with all his friends but Mr. Garnet, and, among the rest, with General Smythe, his colleague, whom he attacked about the session of 1819-20, for some criticisms he bestowed on a proclamation of the President. Randolph, in return, animadverted upon Smythe's famous proclamation during the fall of 1814, on the Niagara frontier, where he called upon volunteers to come in by scores, by pairs or units, on horseback or foot, and bore so hard upon him, that Smythe called him to order. A gentleman being present at our mess, at the commencement of that session, in November, 1813, told Mr. Randolph that Smythe was preparing to cross the river and attack the enemy at Queenstown, and asked him if he had any commands to the General, as he was bound immediately to head-quarters. "Tell Smythe that I, John Randolph, say, that if he attempts to cross the river, he will get licked." Whether this message, like Richard the Third's dream, hung like a dead weight about the General, he certainly came to a most lame and impotent conclusion in that attempt; and, after embarking over about half his men, retreated to the American side, leaving the first division to be well "licked."

Demagogue

A

BIOGRAPHY

OF

4/32

JOHN RANDOLPH,
OF ROANOKE,

WITH

A SELECTION FROM HIS SPEECHES.

BY

LEMUEL SAWYER,

FORMERLY OF NORTH CAROLINA, AND FOR SIXTEEN YEARS AN ASSOCIATE IN CONGRESS WITH
MR. RANDOLPH.

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