

Count from their popular hobby horses on which they have rode into this House, and let go the reins, and take hold of the reins of reason, and do justice to themselves, and to the House. Sir, if I have discovered too much ardor in the discussion of this subject, I shall rely on the Roman apology for my excuse—"Juvenile vitium, regere non posse impetum." It is the fault of youth, that it cannot govern its own violence. Sir, after thanking you, and the House for their polite attention and urbanity, I will conclude, by remarking, that I am as much devoted to the people as any man ought to be. I always bow to their will—I informed my constituents, whatever instructions they gave me I would obey, or resign my seat—I have no instructions—I therefore shall be gratified that this subject should be postponed to the next session, in which I have no interest; when the Members of Congress will come to this House from the bosom of their country, and from every part of it, correctly informed, of the WILL of the people, which, in a Republican Government, ought to be regarded as the SUPREME LAW.

Mr. HARDIN, of Kentucky, followed Mr. Wright. He said he had been on the strong side of the question at the last session, having voted in favor of the act now proposed to be repealed; and he believed he should be on the strong side also at the present session, being one of those who intended to vote for the repeal of that law. To show his motives for so doing, he said he should offer a few observations, lest he should be branded with the imputation of that kind of political prudence which appeared to characterize the present day, and which always selected the strongest side. He was sorry to hear it said to-day, that this subject was rather a trifling one than otherwise. For his part, Mr. Hardin said, from the time he had voted for the law at the last session, he had never felt very merry on the subject. He had felt it a misfortune that he in obeying the dictates of his own judgment, had been one of those who had incurred the displeasure of the American people, and felt the necessity of humbling himself to obey their will. There was also another reason why he thought the passage of that law by Congress unfortunate: because it had afforded to demagogues throughout the nation an opportunity to ride into every office of the government; because he was afraid the great hostility shewn to that act would introduce a four pence-half penny mode of doing business. On that score Mr. H. said he did not feel very merry, though he certainly was given to pleasantry sometimes—perhaps not so much so, however, as the gentleman before him (Mr. Ross) who could even be merry on misfortune.

Mr. H. said he was sorry that any unpleasant feeling had been excited, that acrimony had arisen in the house. He was fully persuaded, that those who voted for or against the bill at the last session, had equally acted from honorable motives. After it had passed, would it not have been a mere affectation of delicacy for those who voted against the law to have refused to take the money? If they had done so, Mr. H. said he should not have thought they were sincere. He had never certainly viewed the conduct of gentlemen who voted against the bill, yet took the money, as at all censurable. But there was one remark he could not help making which he hoped no gentleman would take to himself, that, when the obnoxious measure was in agitation last year, those opposed to it were as silent as possible: the grave is not more silent than were they. The bill had not many enemies, and was openly opposed by very few. Mr. H. said he had heard on the question for the engrossment of that bill for a third reading but few Nays; and when the Yeas and Nays were required on that question, but 15 supported the call. What was the inference? That few, if any, more than those fifteen were opposed to that bill. On the next day when the Yeas and Nays were called, there were 67 to 69 opposed to the passage of the bill! Now, if there was any gentleman in this house—he did not say there was; he hoped there was not one—who secretly wished that bill to pass, though he voted against it, he deserved censure. He did not know of any such gentleman, and he repeated, he hoped there was none; but he could not help wishing that much the same zeal had been manifested in opposing this bill at the last session, as in condemning it now, and perhaps he and others would not have had to pay the forfeit they had incurred. My time of trial, said Mr. H. is over; I honorably declined a re-election, because, I beg you to understand, I could not have been elected, without going the rounds, and begging pardon for what I do not consider to have been incorrect. He had never asked of the Eternal God for admission into Heaven; much less would he bow and cringe for a seat on this floor.

He said he had never considered fifteen hundred dollars for the yearly services of a member of Congress, as a *quid pro quo*. The men of talents of our country, Mr. H. said, were generally from 25 to 40 years of age; new men born to inherit no fortune; men who have worked their way in society, by dint of their own talents and exertions. How could any such man occur

by a seat here, unless he received not only enough to defray his expenses, & enable him to live as a gentleman should, but enough also to support his family at home, without breaking in upon that small capital he had laid up. Many men, it was true, came here, screwed themselves up in holes like Penitentiary cells, and on six dollars a day, saved more whilst here, than they could make any where else. But men of talents who come here for a year, for two or four years, cannot support themselves on it as they have been used to live at home. As to the idea of patriotism being a sufficient motive to come here, it was absurd. Patriotism is that which urges a man to serve his country without expectation of personal benefit or reward. But, Mr. H. asked, did the gentleman from Kentucky believe that there was a single man who ever came to Congress, who did not come without some other motive than that for the gratification of his own vanity, to have his ears tingle with the ring of greatness, or for the advancement of his own interest. Such language as that of the gentleman who considered patriotism the leading and sufficient motive for bringing men here, sounds handsomely, cuts a good figure here or in a newspaper, but there is not much substance in it. No, Mr. H. said, it was not patriotism that would bring men of talents here, to the great prejudice of their private interests. He agreed with gentlemen, that this House ought not to be the mere stepping stone to Executive offices; not a theatre on which a man should show his eloquence for a day or two, & then go off in a lucrative embassy to Europe, or elsewhere. A seat in this House, he said, was in theory, and ought to be in practice the most honorable of any station in the government—for it is held at the will of the people, and not of the President. Mr. H. did not go further into the reasons which had induced him at the last session to vote for the compensation law, since the subject had been fully illustrated in the report of the select committee, on every topic but that to which he had referred, respecting the class of the people among whom the talents of the country were to be found.

Mr. H. then proceeded to assign briefly the reasons which influenced his vote to repeal the law of the last session. He did so, he said, in allusion to the right of instruction that latitude for which some gentlemen contended; but the will, not only of his constituents, but of the whole people of the United States he thought himself bound, in the present case, to comply with. He agreed, whether this will was made known in the form of regular instruction, or in any other way or shape, it was equally obligatory. He could not agree with the gentleman from Virginia that a representative is from the term of his office, bound to obey the will of his constituents. A member of this House, Mr. H. said, was to represent the particular interests of the people who send him to Congress, whenever those interests are in question. Having done that, he is to assume the more expanded and important character of a legislator for the nation, and consult the general good. All general laws ought to be acted on with a view to that which produces the most general good. Mr. H. said Mr. H. to vote for a law to sacrifice the interests of the whole nation, because it will benefit my immediate constituents? No; I represent my constituents on particular topics, and on general questions consider what the general good requires. Every member of this House is the representative of his constituents; but he is at the same time a legislator for the nation. I do most solemnly protest, said he, against legislative instructions—I detest them more than Adam did the serpent. They are the greatest bane that ever crept into a well regulated government. It is an encroachment by the states, in their corporate capacity, on the rights of this House. The members of this House, with the Senators, Mr. H. said, made laws to operate on the people, not on the states in their sovereign capacity; and the states, therefore, had nothing to do with instructions. These had originated, he said, he had no doubt, in a wish to screen some favorite man here, who had been doubtful whether his acts were popular or not, from all responsibility therefor to the people. But the people throughout the American continent, seemed to have, expressed their decided disapprobation of the law now proposed to be repealed. Hence, in retracing his steps, he should not only follow the will of his constituents, but the voice of the American people. For he said, if the will of the American people was contrary to that of his constituents, he should obey that will, believing it his duty to legislate for the nation.

Mr. H. said he could not agree with his colleague (Mr. Clay) that the people were dissatisfied with the manner and not with the matter of the act of the last session, though such might be sometimes the case in the gentleman's district. In regard to this law, said Mr. H. when, in my district, I met with a sensible man, I conversed with him sensibly; when I was accosted by a furious demagogue, I gave him as good as he sent; and when I came across a fool, I laughed at him. I would

ask the Speaker (Mr. Clay) one question. Does he believe that his constituents, any more than mine, would have objected to the manner, if we had fixed our annual compensation at five hundred dollars? Not a man in my district would have taken exception to such a change in the mode of compensation, unless he wished to come here in my place. Mr. H. said he did not believe the present compensation too high, but he must conform to the views of the people, who, he had no doubt, wished to see the compensation reinstated in the situation in which it stood before the law passed.

Mr. H. said he felt some little anxiety that this course should be taken; not only because it was the will of the people, but because it would take a powerful tool from the hands of political demagogues. The persecuting spirit had been carried by them to great lengths, in regard to this act; so far, as his colleague (Col. Johnson) had informed the House, that a man in Kentucky had refused to let a young man court his daughter, unless he would forswear the compensation law. I never heard of this fact before, but do not doubt but that the honorable gentleman either knows the fact practically, or has heard of it. If practically, the old gentleman stood very much in his own light, said Mr. H. for I do not know how he could have suited his daughter better than by promoting instead of preventing the match. But, all through the state of Kentucky the same spirit prevailed. If a man came into the county court to be appointed a constable or a surveyor of the road, he entered his solemn protest against the compensation law. If a petty demagogue wanted to get into the legislature, he must post up or put in the newspapers his protest against it. To deprive such knaves and rascals of any pretence under that act, Mr. H. said, he would repeal it. Why, some of the new fry that are coming in to Congress, he had heard, had declared that they would vote for the repeal of the act; and, if it was not effected, would reserve all their pay over six dollars per day, and at the end of each session, lay it out in churches and meeting houses!

It had been said that money had resumed its former value. Not at all, Mr. H. said; though he hoped Congress would restore something like life to the circulating medium before they parted hence. Another argument used in favor of the repeal, was by a gentleman, who, having voted to increase his own compensation, could not resist the exorbitant demands of others for an increase of their pay. That consideration, Mr. H. said, did not affect him. If it was proper, he would cheerfully increase the compensation of any public officer; if not, he would as cheerfully vote against it.

The gentleman from Maryland (Mr. Wright) who had surely spoken in his best manner, and done justice to this subject, asked what should be done with the next fry—so Mr. H. said he called them; he knew no better name for them—with the next fry that came into this house. They rode into this house, Mr. H. said, on the law of last session, avarice in their hearts, and patriotism in their mouths! Their patriotism told them they did not want the money, but their avarice told them they did. And for them, said Mr. H. let them take the six dollars per day, or the responsibility of raising it. I am willing to leave no law in existence regulating the pay, and to let the next members fix their own compensation.

There was one more reason he assigned which had induced him to conform to the wishes of the people, & vote for the repeal of the law of the last session. This house, he said, was the only branch of the government which seemed to have any analogy to the people; the only one which formed any counterpoise to the weight of the Executive and other branches; the only barrier against encroachments on the rights of the people or of the states.—It was impossible for this house to act as to retain the confidence of the people, unless they obeyed the general will, and show a willingness to respect it. But, gentlemen had said, the alleged expressions of public opinion were mere newspaper slang, the work of newspaper editors, &c. Mr. H. said he believed that was not the fact. He did most solemnly believe that it was the public sentiment. It might have been originally the work of demagogues, whose breath had raised one wave, which had produced another, till a storm had covered all the popular ocean. But he said, he had no right to reason on the motives or causes of excitement. A man has no right, when the people are unanimous, to conclude that they are mistaken; he must either comply with their will, or resign. For his part he would not knowingly, misrepresent the will of his constituents on this floor.

Mr. H. said he did not agree with the gentleman from Virginia (Mr. Randolph) for whom he had always a very high respect, who said that he knew not how gentlemen could vote for the repeal of the law without refunding what they had received under the law. Mr. H. said he had revolved this subject in his mind, and saw no difficulty in it. He had voted for the law be-

cause he believed it correct; he should vote to repeal it, not because he believed he had done wrong, but because of an anxiety to conform to public sentiment, particularly on a matter between a member and his constituents. But he would not consent to acknowledge that he had cheated the people out of their money, as he should do by voting to refund it. There was nothing dishonorable in keeping it. Besides the power of Congress did not enable them to enforce such a law if they passed it. Was it possible for them to pass a valid law taking away from an individual money earned under a contract between him and the government? Could they pass a law to take away from the Judges of the Supreme Court the salaries which they have received for years past? No; a salary may be destroyed prospectively, but you cannot take away from a man what he has earned: you cannot deprive a man by law of a vested right.

(To be continued.)

MATTHEW LYON,  
TO THE PEOPLE OF KENTUCKY,  
On their right of electing their Governor.

FELLOW-CITIZENS.—The exercise of your right, of at all times being governed by a governor of your choice, elected for that express purpose, has been denied you, by sixty-two of your servants. Men who had taken a solemn oath to be faithful to the commonwealth of Kentucky. What is the commonwealth of Kentucky—the soil or the people? You will all answer the people, and you can and will all judge of the fidelity of your servants to their oaths, and to the people.

This direct violation of your sacred right, is in direct opposition to the constitutional provisions which say, that the supreme executive power shall be vested in a Governor, (not Lieutenant Governor,) that the governor shall be elected by the citizens entitled to suffrage, and that the privilege of free suffrage shall be supported by laws regulating elections. This violation is in opposition to the rotation principle, & every provision engrafted into the constitution for the purpose of guarding against the encroachments of executive power: a power, ancient as well as modern history shews you ever inclined to encroach upon and draw all other powers into its vortex, as well as to swallow up the rights of the people.

When I speak of the 62 defaulting servants, who have declared you shall be governed until September 1820, by a man whom accident suffered to take the reins; which is telling you, you have surrendered your rights to accident, I count not the senators who pinned their faith on the sleeve of A. B. and C, and waited their decision, to which they humbly submitted without a murmur; it seems that they did not consider that their own dignity or importance required that they should give this momentous question the least discussion or one moment's consideration. They said the other house had settled the question, and thought they were very seriously giving it a quietus.

Not so, my fellow-citizens—I am not disposed to believe that because one set of servants failed to do their duty, you will fail to try another set. There were three worthy patriots in the senate and twenty-eight in the other house who deserve your confidence. Change for the better 18 out of 62, and the principle will be established in the lower house. Any of you can, by looking into your own counties and the counties of your acquaintance, see where this change can and will be made.—One fourth of the senators will be in your power next year—the fourth, whose turn comes next will be alarmed at the expression of your will—that complying body will not stand in the way and refuse you your right next year to elect your governor. Indeed I see some of both houses already in the attitude of some of the compensation law makers, who were last summer crying peccavi!

Fellow-citizens, you ought never to forget the intrepid defenders of your right on the late occasion. The youthful Breckenridge proved himself the worthy son of a patriotic father. Inspired by the spirit of his illustrious ancestor, he displayed the eloquence of a Cicero and the patriotism of a Cato—his arguments and his deductions were worthy of a Curran or a Phillips. The Speaker, Mr. Crittenden, our Congressional Senator elect, as long as he was allowed to keep the floor, shed light irresistible upon the all-important subject, the rights of man. His manly eloquence, his cogent and irresistible reasoning, gave the most auspicious presages of his future worth and usefulness. Proud that my country has been able to give such talents, accompanied by such principles, to the nation, I cannot begrudge him the high station to which myself had aspired. Alas! envy or some other motive caused him to be too soon called from the floor to the chair. Messrs. White and Wall, in manly and appropriate addresses to the house, evinced their attachment to the rights of man. They did themselves much credit, and honored the judgment of those who have elevated them to their present station. Those who advocated our rights, were opposed by a host of men who have habituated themselves to accommodate their opinions

and their arguments more to the magnitude of the fee than the goodness of the cause. Men, whose lucrative employment is to dress up wrong in the garb of right, and to disfigure right so that it cannot be distinguished from wrong. A class of men who generally lean towards concentrated power; and fear that of the people.

I am rather disposed to praise than to find fault with Mr. Slaughter's administration. This is not the present question. The contest is for principle, not for men. It is a truth; which ought never to be forgotten by republicans, that encroachments on the people's rights, are ever made when they are lulled to sleep under the mild administration of cunning men.

I blame those only who have doubted and then suffered themselves contrary to the sound maxim, *lean towards the people's rights, not from them, when you are in doubt*, to be carried to the contrary side.

It seems 40 doubted. Mr. Mills, who brought forward the resolution, which was negatived on the 21st ult. can have no fair apology for offering it, but his doubts. Yet it appears that his doubts have ended in the most violent philippic against the people's rights. He by some means was converted into the most zealous defender of the lieutenant governor's prerogative.

I will now briefly notice some of the incongruities and contradictions to be found in our constitution.

Article 2d says, the legislative power of this commonwealth shall be vested in two branches; the one to be styled the house of representatives, the other the senate.

In contradiction to this article, this same constitution gives the person who is vested with the supreme executive power, such a share of the legislative power, that no act or resolution of the general assembly can be valid without being presented to him for consideration and approval; and it gives him power when he disapprobates, to bring the other two branches to a reconsideration, and in case they insist, an uncommon majority is necessary to meet the governor's veto, without which the bill or resolution falls. Can any man say that there is no contradiction in all this. Again, the introduction to the constitution, forming a part thereof, declares its purposes to be, "to secure to all the enjoyment of life, liberty, &c. yet that instrument progresses but a few pages before it provides against emancipation. These are only a share of the contradictions contained in the great work of honest, wise and imperfect men, who were so sensible of its being a compound of compromise, contradiction and sound principle, that they very prudently, wisely and modestly declined coming on the members of the legislature to swear to support it. Look at that constitution, fellow-citizens; you will find what I say to be true. It requires that the members swear that they will be faithful and true to the commonwealth of Kentucky, that is, that they will be true to your rights and your interests. Yet many of those who by their pusillanimity, have postponed your exercise of your most important right, and have showed a disposition in your behalf, to sacrifice the right, are now whining out their sorrow, that their conscience would not admit of their supporting your rights. Admirable consciences!—One of these tender conscience men, a smooth-faced gentleman from Fayette, spoke of my conscience (I am told) as being an accommodating one, which he talked about swapping for. I can tell that gentleman I have, and always had a conscience that possessed a consciousness of the value of the rights of my countrymen; a conscience that could not be swapped, or bartered, or bought by any man; a conscience which has stood the test of temptation. If the smooth-faced gentleman will take the trouble to look into the political history of this country in '98, '99, he will find me suffering in a cold dungeon during a Vermont winter, when pardon was offered me if I would wrong my conscience by asking it, and acknowledging that I was in error. Actuated by the same motives and laboring in the same cause, the liberty and the rights of my country, cannot be checked or intimidated by such reflections.

M. LYON.  
Frankfort, Feb. 3d, 1817.

The banks in this city yesterday commenced and continued to pay specie during the day, as in former times, there was a more than usual number of demands, the doors of the banks being crowded during a considerable part of the forenoon; but every one was satisfied away. The demands were all very small, little more than periods antecedent to the suspension. The return of specie payments is the more grateful to us to notice, because we really did not believe, that it would be practicable at so early a period. The benefit to society must be inappreciable, should not the spirit of speculation be employed to mar so salutary change. But society at large is so deeply interested in the continuance of credit so happily restored, that it will be the interest of every man to set his face against any attempts to effect any further depreciation of the social credit,

Philadelphia paper.