CONSTITUTIONAL CONVENTION.

Remarks of Mr. Stevens,

On Saturday and Monday, Dec. 16 & 18, 1837.

Mr. Stevens, of Adams, said that so broad a ground had been taken by the gentleman from Bedford, on the question, before the convention, that he should feel it necessary, perhaps, to travel, in the course of his address, into subjects which would cause the member from the county (Mr. Earle) to call him to order; but he must bear such interruption with what philosophy he could; and then, as his other instances, he hoped that he should be allowed to proceed. There had been much moulding and twisting of the matter in debate before that convention, by gentlemen on the other side, for the purpose of perverting the public judgment, and corrupting the public mind. These were the desperate objects and designs—he would not say of the leaders in that convention—but of too many of a certain party without, to try to fashion and lead the people to join in their dangerous views. The wild course of the member from Susquehanna, would sever in twain those interests which should be inseparably bound together; and this was not the first nor the only significant sign exhibited of such mistaken and destructive doctrines. There was a reckless hand in this country—widely diffused but closely connected—whose object (he did not allude to gentlemen in the convention, but to gentlemen without)—whose object was to overthrow the present order, and rob the thrifty and industrious of that protection of their property to which they were entitled. He viewed the amendment supported by the other side as one link in that chain, which was now forging—to drag down the constitution, lend power to some few desperate demagogues—and bring us ultimately perhaps, under the tyranny of a tinsel despot. Fermented misrule, and principles deeply stamped with danger, were presented in alluring colours, to fascinate and corrupt the public eye and the public heart. The general government was the bitter fountain of all these waters. That government had broken down all the old landmarks of the constitution, and substituted those boundaries which they could enlarge or contract at pleasure.

Mr. Earle objected that the member from Adams was out of order.

The Chairman decided that Mr. Stevens was in order.

Mr. Stevens resumed. The doctrine had been put forth, that no law was binding, no act valid, no contract tenable—and that by the general government. That doctrine had been reiterated by the slaves of party and the servile tools of power. And it was part of the same scheme, that by the general government, the most solemn mandates had been reversed. Even the judiciary of the federal government had been made subservient to the will of the executive, and thus all the citizens of the United States, made mutually dependent upon its will. The fruits of a shoot of that tree of poison had lately been seen in a neighbouring state; and a cruel civil war, and a bloody revolution, had once been generated by the returning good sense of the people, and the cowardice of the traitors. They had seen the same pernicious doctrines put forth in Pennsylvania by party politicians.

In commenting on some remarks which had fallen from Mr. Ingersoll, with regard to that gentleman's defeat in the Third District—Mr. Stevens said, that gentleman had consoled himself and his family, on account of persecution for his principles, and he considered that persecution one of the most valued of his acquisitions. He (the speaker) was at a loss to know why! But the member from the county had said, that similar persecutions had made General Jackson President of the United States; similar persecutions had made Mr. Van Buren President of the United States; and similar persecutions had caused the late Mr. Dallas to hold the most distinguished public offices; besides giving his grandsons and family around, perpetual offices from day to this. He wished the gentleman well in his course; he had no objection to it—only that he liked to see men seek for martyrdom *for opinion*, and not *for office*. He had, he believed, on record, that the gentleman to whom he alluded (Mr. Ingersoll) had stated that the voice of the people was the voice of God! Then why should any attempt to change be charged upon the "voice of God," and the gentleman had seen the changes it had at different times supported! He denied the truth of the assertion, however. In his opinion, the voice of the People was the voice of God, *when it was right*, the voice of Ignorance *when it was wrong!* The annals of Greece and Rome, and of all history, had shown that, at times, when called forth by wicked demagogues—it had been more debauched than Jupiter, more cruel than Mars, and meaner than Vulcan. Mr. S. then referred to the principles of Mr. Dallas's well-known letter, from which it might be inferred that contracts were not inviolable, that vested rights were idle, and that the people had the right to reverse and disregard all the former acts of their representatives.

Mr. Earle rose to order. The allusions had nothing to do with the restricting of banks to the issue of $10 notes.

The chairman said the member from Adams was in order; and he hoped that such frequent interruptions would not be repeated.

Mr. Stevens resumed. Such had been the doctrine which had led to honor in this country; but it was the same doctrine which, when practised in private life, had tilted our jails with felons. It was the same doctrine that had covered nations, particularly Carthage, with infamy—and had rendered "Punic faith" a by-word of dishonesty through all ages. No wonder, if the advocate of such doctrine had gone into honorable exile among the tyrants and slaves of Siberia! The same party who had thus treated the inviolability of contracts and the sacredness of vested rights, now sought to shew that there was an aristocratic power which was adverse to the poor—in order that they might have an excuse for destroying some of our noblest institutions; and according to them, there was a privilege to do any thing against contracts—and even in that Convention, to rob man of his freedom, revive the laws of Draco, break down charters, and for aught he knew, abolish trial by jury. Then, as part of the same system, to fill the measure of the day of ruin—the judiciary was to follow. An attack had been made by the General Government on the independence and integrity of the judiciary. By the letter of Mr. Dallas, the object with regard to the judiciary was well disclosed. Andrew Jackson had the opportunity of appointing a majority of the Judiciary of the United States; and the member for the county (Mr. Ingersoll, had encouraged his party, by saying that five judges of the supreme court were of that party, that the people might rejoice—they had a President for three years yet to come, and a majority in one branch of the Legislature.

Mr. Ingersoll rose to explain, not only as to his exact meaning in alluding to the well-merited political honours of Mr. Dallas, and the greatness of that gentleman's father; but that in mentioning the Supreme Court of the United States, he had merely said that in that Court, a learned Judge, a friend of his on the other side, stood in a minority. He by no means wished to convey any possible impression, that he had any other learned Judges could be biassed by party views. It was merely the fact of their appointment that he had referred to.

Mr. S. expressed himself satisfied, and thanked Mr. I. for his explanation. But still it looked much like following out a deliberate design of that party, to make the judiciary subservient to their views—at least, as he had understood the gentleman. So long as there were vested rights, so long would the people be safe from the grasp of lawless tyranny; yet he was glad that the remarks of the member for the county (Mr. I.) had been accompanied by that sort of disclaimer, in which he was so happy, and which, to him, was even more pleasant than the pleasant utterance of opinion. That gentleman had said that Banks had corrupted every body, legislative, executive and judicial; and he (Mr. Stevens) had referred to the decisions made by Chief Justice Marshall in a way that must have produced regret and sorrow in the Convention. He said, that it would require something else to vindicate Chief Justice Marshall from the censure in the decisions alluded to, than a mere attack upon his character. Alas! that the honoured dead should thus be dragged from their repose—that the works of graves should be raked, to suit the purpose of demagogues out of that House!

Mr. Ingersoll explained that Mr. S. was mistaken; he did not say that he should require something more than an attack upon the libeller. He (Mr. I.) had only seen the vindication; but he had remarked that any charge made by Judge Smith of Alabama, came from as high, as honourable a source as any in the United States; and that, therefore, it was not to be refuted by a mere attack, &c.

Mr. Stevens resumed. Then the learned member for the county had only seen the vindication. That was exactly what he (Mr. S.) wanted to know—what he *had* seen. The libeller had seen it proved by Mr. Watkins Leigh, that Chief Justice Marshall was not a Stock Jobber at the time referred to. If judge Smith had made a deliberate assertion, amounting to Chief Justice Marshall, it amounted to the same thing. The vindication, which the member for the county had read, proved beyond a doubt, the purity of his character. Chief Justice Marshall! However assailed, his memory was dear to every patriot. His profound learning, acute discrimination, sound judgment, and unsullied integrity—had made him the pride of his nation, and the ornament of his race. His judicial crime was as pure and spotless as the whitest robes of the purest saints around Jehovah's throne.

Scarcely had his disembodied Spirit ascended from amongst them, when parties were formed—aye! even Americans in spirit, in the Rotunda of the Capitol—to vindicate the fairness of his fame, to spot the brightness of his glory! Such had ever been the fate of true greatness in all ages of the world. Did not a tyrant throw down the statues of Pompey the Great? Did not a Mark Anthony traitorous pile over the grave of a Cæsar?

[The Committee here rose, and the Convention, in accordance with a standing rule, adjourned. Mr. Stevens resumed his remarks as follows:]

When the committee rose, on Saturday, he (Mr. S.) had proceeded to state what he considered to be, very significant elements in the organized system and party, to break down some of the noblest institutions of our land—to set the rich against the poor—and to rob one part of the community to enrich the other. He had made a direct appeal to those views; and he particularly referred to the attempt to invalidate the decisions of the Supreme Court, and the attack upon the memory of Chief Justice Marshall.

They had (said a gentleman on the other side) a majority of the supreme court, during good behavior—and their views would prevail. He confidently hoped, nay he firmly believed, that any calculations founded on party actions of the judiciary of this nation, would be utterly disappointed. He adverted that, if the judiciary of the United States held office by permanent tenure, he should despair—but they held it by the tenure of good behavior. He had never known a good lawyer, whenever he had been his view before he received office, who did not, when he became appointed, prove a sound constitutional judge; and he nothing doubted that such would be found the case in the present instance. It would be remembered by those Prince Henry, when he ascended his father's throne, and found that the great interests of the nation so much depended on him—that from a profligate prince, he became an upright, righteous and able king. When the bloated companions of his evil days applied to him for favour—he knew them not. So, if appointed, it would be the case with the judiciary—with the chief justice of the United States—low as he had been (politically) obliged to descend—and like the drawling serpent crawling upon his belly, he had been to worm himself into office, through the sewers of party. Yet now that he had obtained it—he (the speaker) thought he would shake off the filth of party; and he believed that the inviolability of contracts and charter rights, as described in a *volume* by Judge Baldwin, which he held in his hand, would be maintained. There was no question as to the validity of charters, but only as to the ground they covered. No doubt the gentleman who prophesied that the Chief Justice would favor their views—and who, peradventure, might even apply to him for that purpose—would meet with some such rebuke as Prince Henry had given to his bloated companions in crime, when they asked him for favours—for office. Prince Henry said,

"I know thee not, old man—fall to thy prayers.
How ill white hairs become a fool and jester!
I have long dreamed of such a kind of man,
So surfeit-swelled, so old, and so profane;
But, for these foul offences of your days,
They lead your age by the nose. Your day of grace
Is over and done. Your tongue, your tongue
On your flattering tongue lies a dreadful sentence.
Presume not, that I am the thing I was;
For heaven doth know, so shall the world perceive,
That I have turned away my former self;
So will I those that kept me company.
When thou dost hear I am as I have been,
Approach me; and then shalt be as thou wast—
The tutor and feeder of my riot."
Till then,
I know ye not!

Interspersed with this constant effort to sap the foundation of our most useful institutions, and to array one class against another—they had heard the cry raised by the subordinates of that party, that the monetary aristocracy, had for its object the oppression of the poor—whom they called as the People, to rise in their majesty and overwhelm such an aristocracy. Every thing in the speech of the member from Susquehanna, seemed to be part and parcel of that levelling system—that desire to introduce Agrarian feeling amongst the People—to prepare them—so that if they be afterwards found necessary to further the objects of demagogues—for aught he knew, they might even go to the length of robbing the rich and dividing the spoils. He hoped he should not be mistaken. He did not mean to say, that any leaders of that party had ever proclaimed such intention. No, no! That idea was a part of the system. It was a conspiracy against the rich, and against property—a conspiracy, a systematic movement—where the leaders at first published their intentions! Certainly not. They (he did not mean members in that House) were the Absolutes of their present party. They began by clamouring against the rich, and they might end by robbing them! Let them look at their exact prototypes in history—when was it ever known that a conspiracy began in any other way than by setting the rich against the poor? Never. He would cite the example to the elder and the younger Gracchus—they denounced the aristocracy, and they consummated their scheme by tumult, and deeds of lawless violence and bloodshed—The notorious Catiline—that noted demagogue! He lived, flattered, and even kissed the poor laborer and debtor—he denounced the monied speculators, and their love of power, with even a more fervent zeal than the member from Indiana. His conspiracy, however, was objected—murder! the murder of half his fellow citizens, and the wrapping of his native city in flames. Robespierre and the demagogue leaders of the French Revolution—they denounced precisely the same doctrines—denounced the power of the rich—but in somewhat blander terms, truly, than he had heard in that Convention; and during their short but cruel reign, they drenched France in the blood of her purest citizens, and clothed her people in the weeds of woe!

The gentleman who in those days preached that doctrine, were the worst enemies, not only of the rich, but also of the mechanic and poor man. How long would it be before the rich man would be stripped of his possessions and establishment? He asked if the public mind had not been prepared for such a catastrophe—and then—who so well entitled to the spoils of victory, as those who struck down the tyrants? Such principles as were advocated, to deprive Banks of their Charters—would also deprive every farmer, mechanic, and yeoman of Pennsylvania, of his land. It was only held by the same title—founded on an act of the Legislature and signed by the Executive—it was written in the same way, signed by the same officers, countersigned with the seal of the Commonwealth—precisely in the same manner as Charters. He asked all he addressed, therefore, if any act to deprive Banks of their Charters—any act to vitiate contracts—would not also deprive, if occasion required, the miler of his mill, and the farmer of his land? Continue that war against Banks? countenance such a doctrine! and the same reckless party, might easily await a favorable opportunity, when, by their continued action, all titles must follow in the general ruin. But such doctrines were not the legitimate fruit of the feelings of the poor; for he would ask—where could the mechanic and labourer find employment and high wages, unless when the man of money was not afraid to invest his capital in manufactures, improvements, &c! The poor man was never so well off, as when the rich man was the most thrifty, and his money put out in Corporations.

No poor man should ever wish to see the institutions under which we have flourished, overthrown, and the rich made to share, with what would hardly get his portion—for the captains of the band would monopolize the bread—and their poor deluded followers would only get the crumbs. He (Mr. S.) believed, that if ever they had a President, Judiciary, the people of this country would soon be prepared to enact the scenes of the French Revolution, of Catiline—of the Gracchi.

Mr. S. thought the restriction of $20 as a minimum of Bank note issues too large—but he was favorable to $10, as a limit, and he would vote for that amount at the proper time and place. But the question was no place for it—it had no business there. He had supported a vote before, and would vote again, he repeated, at a proper time and place.—The Legislature was that place; for it may be necessary to change such a law which could not be done if it were engrafted on the frame-work of the constitution. He (Mr. S.) could not agree that the expansion of specie payments had been either legal or harmless; for it had produced a fluctuating currency, which was a great evil. But he ascribed most of the evil to the General Government—whose measures regarding the Tariff, had created many an honest man. He thought there never could be a uniform currency, so long as twenty separate states legislated on the subject, and all, perhaps, differently; and he thought it could only be produced by the legislature of the General Government—that they alone, would have the power to regulate with effect.

But the true question was—not whether the suspension of specie payments was legal or not; but whether the Banks should be restricted or not, in the constitution. With reference to the cause of the present pressure, he was a true, a real, a trying question—what caused that calamity? And he thought our deserted sea ports, our idle manufactories and mechanics, spoke the extent of the evil—he deemed it obvious as the light, true as truth, that it was caused by the General Government, with their wild theories, new creed, and dangerous attempt to reduce the currency to the limits of silver and gold. Gentlemen on the other side had attempted to show that only a portion of the currency was ever drained by the purchase of specie—but that was an error. Nothing of the kind was said in the first message of General Jackson, and all knew what kind of note he was speaking of—meaning to say, with his object—regardless whether he was treading over bleeding fame or prostrate friends. His meaning was, to break banks, excite the people, and throw their money, to suppress those institutions. Any executive, with the ample resources of a nation at his command, could use their power to that purpose.

The party then made war on the Bank of the U. States; and now the same party were making war upon bank charters, through precisely the same agency. And how did they seek to succeed? Why by putting them under ban, which they had done! Every bank could not obtain a credit on the faith of the government received in notes, and no longer. Thus had Glen Jackson handed over his ill-fame ed bantling, that ill favored nurse, M. Van Buren, to take care of them and bring them up to maturity. He did not deny, however, that the banks, for over issues and excessive discounts, had contributed in some measure to the misfortune; but could that be sufficient to justify the present course of government was taken into consideration?

The capital (or circulation) of banks in the whole country, was between $300,000,000 and $400,000,000; while the specie did not exceed $60,000,000 or $70,000,000—little more than one-*sixth of the whole*. If they relied alone on specie, property and value must have been reduced in precisely the same proportion. Look, then, at what the gentlemen on the other side were driving at—the land of the farmer or miller, now worth $12,000, would then be worth no more than $2,000. He (Mr. S.) felt little sympathy for the sufferings of wealth under such circumstances—but how destitute it would prove to the poor man! The miller who now receives the farmer's grain for then only gain 17 cents! Was not the lot of the poor already sufficiently hard? The iron hand of oppression already grasped them severely; yet those men to whom he alluded, would grind them to the dust! Did they not? Did he not say, that despair, that they become instruments of that revolution which their leaders were preparing—and (Mr. S.) did not say that they had not otherwise. Had not the gentleman from the county said, that he would "sweep Banks from the face of creation, or something to boot?" It was the democracy, the mullieres of the south, that was to rule and lash the north, and the gentleman from Indiana was not afraid to invest his capital in work out what he called the emancipation of the country!

Mr. Ingersoll rose and explained, that he had spoken well of the south, and respectfully of the north, and particularly of the Quakers and farmers of the north, as well as the laborers.

Mr. Stevens resumed. The gentleman would say any thing warranted by circumstance to suit his purpose. But he not say that the laborers would send their books and pictures among us of the north, to cite the slaves of the banks against their masters? Yet the southern mail was seized with a by the pictures and books of the south against their masters, in the same manner that the carcass of the negro was tompered with! Could it be endured in Pennsylvania, the very land of freedom, that the laborers in boxes and mechanics were to be placed on a level with the poor, shackled and degraded negro of the south? Let them form their alliance, and as appropriate alliance it was—the negro driver, demand the laborer, and the miller's ass of the south! He believed that if there was a freeman on earth—body and soul—he would have such a man as a companion, than be the peer and fellow of southern slaveholders! The gentleman from Indiana had objected to rich men and riches, because, he said, they formed an aristocracy of wealth.

Mr Clark rose and explained that he made no allusion to rich men, but to the artificial form and power of such men, when combined together in corporations.

Mr. Stevens resumed. Then the member meant that those artificial persons so combined—for all corporations were made up of individuals—were so dangerous in their aristocratic character, that he (the member from Indiana) would not trust them with a grain of blood, or the sword, than of wealth. Did wealth confer no distinction of rank? No! It only made a distinction between men of the same rank; and any man may rise to the aristocracy of wealth, if he were prudent and successful; and it was the noblest reward for industry and virtue. But the gentleman from Indiana would erect an aristocracy of blood—a hereditary aristocracy—one which crushes hope and destroys industry.

Some gentlemen would abolish Banks, in order, as they said, that farmers might receive their produce—that iron masters would raise their iron at a lower price. Gentlemen talked of the Bank of England, would be $4 instead of $10; but what would labour be, and where would it be found in sufficient abundance? And such was the condition the Bank of Ireland would bring us to—such their love for the people! Gentlemen objected to banks, that they issued paper forgery." The gentleman might as well have laid the objection to reading and writing! He would recommend him to make it penal to teach reading and writing, and like the Spartans, he might, as a school-master, with his ink-horn round his neck!

But the member from Indiana was desirous to denounce all banks as swindling institutions. That was set enough. The virus would not spread over a sufficient surface. With the exception of the distinguished gentleman, he sought to denounce former legislatures, and as he understood, the present too—it deem them unbaned? Gentlemen had denounced that institution which had proved a blessing to the U. S. Bank—and he would answer that point with as much philosophy as he could muster—he could not admit. When the present government first inquired into the affairs of the Bank, it was found to owe the debt $25,000,000, and the public works involved.—They found the people burthened with taxes to the extent of $200,000 or real and personal property—and that the Commonwealth had been obliged to borrow 2, 3 and 4 millions of dollars annually—debts made upon it—which in about 20 years would have exceeded Pennsylvania with $100,000,000 of debt. Thus there would soon have been a State reduced to beggary; and the future generations of Ireland gave to man, would have withered under the curse of poverty! What was done? The State works would have been unfinished; yet the public debt was not to be increased. Such was the crisis—the State was in debt, and a little sacrifice was called for in respect for the claims of demagogues. The U. States Bank had offered to lend the Commonwealth $3,000,000, but the despot who then filled the American throne had refused it. The Legislature and Executive of Pennsylvania then invited the Directors of that institution to come down and part with the money, and those men to whom he alluded, would grind them to the dust! Did they not? He (Mr. S.) was not desperate, that they become instruments of that revolution which their leaders were preparing—and (Mr. S.) did not say that they had not otherwise. Had not the gentleman from the county said, that he would "sweep Banks from the face of creation, or something to boot?" It was the democracy, the mullieres of the south, that was to rule and lash the north; and the gentleman from Indiana was not afraid to invest his capital in work out what he called the emancipation of the country!

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