EASTON GAZETTE.

WHERE THE PRESS IS FREE—"Literature well or ill-conducted, is the Great Engine by which all Popular States must ultimately be supported or overthrown. RELIGION purifies the Heart and teaches us our Duty—Morality refines the Manners—Agriculture makes us Rich, and Politics provides for the enjoyment of all.

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GOVERNOR'S MESSAGE.

(*Concluded.*)

Legislative measures are required in relation to the banks, private banking, and the circulation of small notes But whether the currency will be ever restored to a sound state, or the operations of banking reduced within proper limits, is a very doubtful question. There is a tendency in this and every other state; to extend the banking system, and of course to weaken, by the multiplication of new banks. Old charters are renewed long before they expire; none are repealed on account of violated obligations, and the charters of broken banks are never reclaimed. These last are offered for sale as if they were still in existence; and banks that suspend, while others are paying specie, revive in times of general suspension, and are sometimes purchased by new companies, who wish to shelter themselves under vested privileges, or by old banks, in other states, that choose to establish agencies in Maryland. Savings Institutions, private bankers, and individuals, issue their small notes redeemable in what are called current funds, and paper money fills all the channels of circulation.

It is for the Legislature to determine whether these evils will admit of correction, and what legal provisions will be most likely to accomplish that object.—It appears to be the general opinion that banks ought to be placed under additional regulations and restrictions; and that stockholders should be made responsible to creditors for all losses, and be deprived of their dividends during a suspension of specie payments. I shall first point out what appears to me objectionable in the plan of subjecting stockholders to these liabilities, and then suggest such regulations as may have a beneficial effect on the banks. The real stockholders, that is, those who have paid for their stock, know nothing about the management of the banks and have very little influence in choosing officers and directors. Many of them are women and children, and all of them in loosing their stock, suffer sufficiently without being deprived of every thing else to satisfy depositors and noteholders, who commit the same indiscretion of trusting the banks. The State is a Stockholder, and has more power than individuals, to prevent mismanagement, yet banks might fail before the causes were known to the public authorities. The stock is continually changing hands, and it would be difficult to trace the liability through a succession of stockholders, indeed it would be useless to make the search, for if such a provision were engratted into bank charters, the owners of shares would be found in possession of no other property. The same objections apply with greater force to the plan of depriving stockholders of their dividends. They have no control over banks, and many of them no other support; and it would be rather a rigorous proceeding, to take the bread out of their mouths, because the government itself allowed these institutions to violate their obligations; under such a regulation the State would be deprived of her dividends, which could not be conveniently spared in the present condition of the Treasury. The Officers and Directors instead of being punished or restrained by a provision of this kind, would be benefitted by its operation, in having a large amount of unpaid dividends for the accommodation of themselves and their friends.

It would be in vain to prohibit loans to Directors, because the notes of other persons might be discounted for their use. To limit the circulation according to the amount of specie, is an uncertain rule for many reasons, and especially for these, that the proportions are varying every hour, and that specie is as likely to be demanded for deposites as for notes. If the loans and discounts of every Bank in the State are fixed at a certain limit, beyond which they could never be carried without causing a forfeiture of its charter, its circulation might be kept under control, its over-trading be checked, and an excuse furnished for resisting the importunate demands of borrowers. If this limit were fixed by law, each Bank would have some security against the excesses of the next, and might be regulated in its own operations, according to its actual capital and means.—No Bank ought to be permitted to issue pay or receive any note for a less sum than five dollars, under any circumstances, or refuse to redeem its obligations till its specie was entirely exhausted. It would then be seen which was standing on a solid foundation; whereas, at present, they are all placed upon the same footing, and are covered by the same shield. They would be deprived of the power of drawing specie from other Banks while they were not paying it themselves and relieved from the duty of deciding whether the public interest required them to suspend or resume.—But no regulations or restrictions will avail, unless some means be provided for enforcing them, and unless the Legislature reserve the power to repeal the charter of every Bank that violated the conditions imposed. The Banks ought to be required to give their assent to whatever legal provisions may be adopted, and those which refused, would be left exposed to the operations incurred, and be compelled to wind up their affairs unless indeed their broken charters were found too strong for the power and authority of the State.

I have not thought it necessary to go into an examination of the causes which have led to the periodical embarrassments of trade, and to the late suspensions of the Banks. These subjects have been so frequently discussed, and have become so intimately connected with party questions, that nothing that I could say would change the opinions of other men in relation to the pressures and reverses that are continually occurring in the commercial world. An adverse balance of trade is more embarrassing to the Banks now than formerly, because small notes, in almost every State, have usurped the place of such silver coin as, on account of its weight, is fit for foreign markets In meeting a foreign demand, the Banks have no resource in the circulation of the country, and are obliged to furnish the requisite supply of specie out of their own vaults No measures of the General Government or the States can prevent the evils complained of, while so many Banks are in operation, while nearly the whole circulating medium consists of paper currency, and while the immense issues of State securities are disturbing the operations of trade, and causing money to ebb or flow, according to their rejection or sale in foreign markets.

There is another subject of importance, which, as it comes annually under consideration, will probably occupy the attention of the Legislature at the present session I mean the amendment of the Constitution. Formed in the midst of the Revolutionary war, for a country only partially settled, and for a people just emerging from a state of colonial dependence, it was difficult to adopt its provisions to the new character they were about to assume, an impossible to provide for the successive changes which time might produce in their condition. The mode of amending it, furnishes proof that it was nothing more than a provisional organization of a new Government. It has been changed from time to time, till it has become a shapeless mass of unintelligible and contradictory provisions. Some of its great leading principles remain in theory, but have been rendered nugatory by legislative and judicial construction; some of its restrictions upon popular rights have been repealed, and a new spirit has been breathed into it by the people. But every amendment has been made in reference to some particular object, and has broken the connexion between the provisions that remained, and no one can tell what the constitution is, or where it is to be found But its greatest defect is that the Legislature has power and control over it. A constitution is a limitation of power, and marks out for each branch of the Government the orbit in which it is to move. Ours is a constitution for the Judiciary and the Executive, but not for the Legislature.—This branch may abolish the other branches, or take away their powers.—It might have been supposed that an amendment proposed at one session, would come under the action of the people before its confirmation at the next; but members are elected and re-elected on account of their general character and influence, and very seldom in reference to any particular measure. The Legislature, on great occasions, has been obliged to act in its conventional capacity, because there was no other practical mode of introducing salutary amendments But it is time that the power of legislation should be separated from the higher power of regulating the principles and boundaries of the Government, and that a permanent constitution should be formed by a convention of the people.

There are some who think that the people who lived in Maryland in 1776, deprived themselves and all succeding generations of the power to alter the present constitution or to make another, except in a prescribed form, and though the agency of the General Assembly.—Those who believe that the people have made no such surrender of power, are nevertheless of opinion that the most regular mode of calling a convention is by means of the constituted authorities. The call of a convention might be provided for by an amendment of the present constitution, which would remove every scruple; and by the same means the State might be saved from any additional expense. By omitting one session of the Legislature, and having a convention to sit in its place, nothing could be added to the ordinary expenditures.

In the discharge of my official duties, very few things have come to my knowledge that are deserving of your attention. Various official reports and communications have been received and will be communicated. The arms heretofore received from the General Government have generally been distributed to militia companies, as directed by law and special resolutions. The muskets lately received from the Ordnance Department, have been retained in the Armory, and these are all that are now fit for service. There ought to be always a supply of arms at the Seat of Government for sudden emergencies; but if the old system is continued of distributing them as fast as they are received, and of receiving in exchange for them such as are not worth repairing, it will be better to abolish the Armories and get rid of the expense. Last summer Col. Thruston was ordered out, with a part of his regiment, to suppress a riot among the laborers on the Chesapeake and Ohio Canal. No charge has been made for the services performed, but an account will be presented for the expenses incurred, which cannot be paid by the Executive without the authority of law. With the exception of this disturbance on the canal, which was promptly suppressed, good order has prevailed in every part of the State.—During the past year there has been a considerable abatement of crime, and very few cases have occurred of violence or outrage, or of the use of pistols, dirks and knives, with which disturbers of the peace generally arm themselves. The law in relation to fines and imprisonment requires some modification.—A man, not able to pay a fine, may be kept in perpetual imprisonment, unless he is released by the Executive. There ought to be no necessity for such interference, which might be obviated by providing for the release of the offender after a limited confinement. A man was sentenced by a district court of Anne Arundel county to be imprisoned ten days, and fined five dollars for committing an assault and battery. Not being able to pay the fine, and being a stranger and without funds, he remained in the Annapolis jail fifteen months before his case was brought before the Executive.

The constitution of Maryland does not make it the duty of the Executive to recommend measures to the Legislature and I communicate my views on the present occasion, not so much from a sense of official duty, as from a desire to comply with what appears to be the general expectation: and I have expressed my opinions freely, not that I suppose them entitled to much weight, but because I wished them to be understood.

WM. GRASON.

THE PUBLIC LANDS.

Agreeably to notice given on Tuesday last, Mr. Calhoun asked leave, and introduced a bill to cede the public lands to the States in which they are respectively situated. The bill was read by its title, and on motion, of Mr. C., referred to the Committee on the Public Lands.

Soon after—

Mr. CLAY (of Ky.) having given notice of his intention to move to introduce the copy right bill, stated that he regretted that he was detained by indisposition this morning, and prevented from being present when the bill was introduced by the Senator from South Carolina (Mr. Calhoun) for ceding the public lands to certain States within which they are situated. He had wished to suggest some other reference of it than to the Committee on the Public Lands; but, unless some Senator would move a reconsideration of the order of reference to that committee, he could not offer the suggestion which he wished to make.

[Mr. Southard moved the reconsideration, and Mr. Calhoun objecting to it without some satisfactory reason]—

Mr. Clay went on to observe that; as the committee was constituted, four of its five members were from the new States. He meant to offer no disrespect to them; but he must say that this was a measure which, disguised as it may be, and colorable as its provisions were, was, in effect, a donation of upwards of 100 millions of acres of the common property of all the States of this Union to particular States. He did not think it right that such a measure should be committed to the hands of Senators exclusively representing the donees. He thought that a committee ought to be constituted in which the old States should have a fuller and fairer representation. We should preserve, whatever we may do, the decorum of legislation, and not violate the decencies of justice.

Whilst up, Mr. Clay would be glad if any Senator would inform him whether the Administration is in favor of or against this measure, or stands neutral, and uncommitted. This inquiry he should not make if the recent relations between the Senator who introduced this bill and the head of that Administration continued to exist, but rumors, of which the city, the circles, and the press are full, assert that those relations are entirely changed, and have, within a few days been substituted by others of an intimate, friendly, and confidential nature. And shortly after the time when this new state of things is alleged to have taken place, the Senator gave notice of his intention to move to introduce this bill.—Whether this motion has or has not any connexion with that adjustment of former differences, the Public would, he had no doubt, be glad to know. At all events, it is important to know in what relation of support, opposition, or neutrality, the Administration actually stands to this momentous measure; and he (Mr. C.) supposed that the Senator from South Carolina, or some other Senator, could communicate the desired information.

Mr. Calhoun said he had supposed that no man had as much occasion for delicacy in referring to political compromise as the Senator from Kentucky. That Senator had referred to some transactions in the political course of Mr. C. which occurred some twelve or thirteen years ago, and had alluded to certain passages in which Mr. C. was accused of changing his political relations. But that Senator knew that it was others who had changed their relations to political subjects and political measures rather than Mr. C., who had followed less in regard to those subjects and measures than he was followed. The Senator was accustomed to have his example followed by others; but Mr C. had not usually followed it, and especially would he not follow it now. But Mr. C's personal relations must of course follow his political relations. The Senator had now got the whole story, and Mr. C. trusted it would be satisfactory in regard to the rumors to which he had alluded.

Mr. C found it impossible to move without giving occasion to accusations of changing his grounds. He was against the Chief Magistrate, he was charged with changing his opinions. If he was in favor of him he was then accused of changing his political relations. But he had not changed at all; he stood now where he had always stood, and that was on the unchangeable purpose to bring back the Government to its original simplicity and economy. He, with others, had succeeded in expunging the whole of the Senator's American System and other extravagancies, so as to give the Government a chance of taking a fresh start. And it gave Mr. C. pleasure to say that the best part of the measures of the present Chief Magistrate were approved by Mr. C., and Mr. C. was happy of the opportunity of making these declarations, and he would stand to them. Nothing should prevent Mr. C. from supporting a man while he was politically right The Senator from Kentucky had given the Government a wrong direction. Mr. C. had resisted the proceeding, and he should continue to do so, standing on the ground occupied by Mr. Jefferson and others of his class.

Mr. Clay said he had understood the Senator as felicitating himself on the opportunity which had been now afforded him by Mr. C. of defining once more his political position; and Mr. C. must say that he had now defined it very clearly, and had apparently given it a new definition. The Senator now declared that all the leading measures of the present Administration had met his approbation, and should receive his support. It turned out, then, that the rumor to which Mr. C. had alluded was true, and that the Senator from South Carolina might be hereafter regarded as a supporter of this Administration, since he had declared that all its leading measures were approved by him, and should have his support.

As to the allusion which the Senator from South Carolina had made in regard to Mr. C's. support of the head of another Administration, (Mr. Adams,) it occasioned Mr C. no pain whatever. It was an old story, which had long been sunk in oblivion, except when the Senator and a few others thought proper to bring it up. But what were the facts of that case?—Mr. C. was then a member of the House of Representatives, to whom three persons had been returned, from whom it was the duty of the House to make a selection for the Presidency. As to one of those three candidates, he was known to be in an unfortunate condition, in which no one sympathized with him more than did Mr. C. Certainly the Senator from South Carolina did not.—That gentleman was therefore out of the question as a candidate for the Chief Magistracy; and Mr. C. had consequently the only alternative of the Illustrious individual at the Hermitage; or of the man who was now distinguished in the House of Representatives, and who had held so many public places with honor to himself, and benefit to the country. And if there was any truth in history, the choice which Mr. C. then made was precisely the choice which the Senator from South Carolina had urged upon his friends. The Senator himself had declared his preference of Adams to Jackson. Mr. C. made the same choice; and experience had approved it from that day to this, and would to eternity. History would ratify and approve it. Let the Senator from South Carolina make any thing out of that part of Mr. C.'s public career if he could. Mr. C. defied him:

The Senator had alluded to Mr. C. as the advocate of compromise. Certainly he was. This Government itself, to a great extent, was founded and rested on compromise. And to the particular compromise to which allusion had been made, Mr. C. thought no man out to be more grateful for it than the Senator from South Carolina. But for that compromise, Mr. C. was not at all confident that he would have now had the honor to meet that Senator face to face in this National Capitol.

The Senator had said that his own position was that of State rights. But what was the character of this bill? It was a bill to strip seventeen of the States of their rightful inheritance; to sell it all for a mess of pottage; to surrender it for a trifle—a mere nominal sum. The bill was, in effect, an attempt to strip and rob seventeen States of this Union of their property, and assign it over to some eight or nine of the States. If this was what the Senator called vindicating the rights of the States, Mr. C. prayed to God to deliver us from all such rights and all such advocates.

Mr. Calhoun said the Senator from Kentucky entirely mistook the character of the bill. It was not only a State rights measure, but was indispensable to the peace and prosperity of the States, as the only measure that would well effect the object in view.

Having used the word *compromise* Mr. C. felt bound to refer the Senator to that particular compromise; and the Senator had said in reply that if any one should be thankful to him for that compromise——

[Mr. Clay Not to *me*.]

Mr. Calhoun. The Senator always claimed to be the author of that measure; and I am not in the smallest degree thankful to him for it. I knew he could not avoid it. I was his master on that occasion, and I forced it upon him. I wrote home at that time half a dozen letters, saying that the Senator would be obliged to accede to a compromise. I will now explain all that. The effect of nullification is this: that, when a State interposes, the majority must sometimes yield to the minority. Those who are to have the smallest share of the plunder, in the majority are sure to get away. In the American system, the constituents of the Senator obtained a very small portion; they were rather of those that were plundered. At the time when Gen. Jackson occasioned the force bill, the Senator from Kentucky had lost the manufacturers; Gen. Jackson had supplanted him; and a Senator, not now present, was also in the way of superseding him in that interests The Senator from Kentucky was therefore flat on his back, and nothing would answer his own purpose but the compromise. It was with him either compromise or annihilation. It was necessary that either he or the American system should fall. It was not my desire to mention these things; but the Senator went out of his way to touch on kindred subjects, and I therefore felt myself compelled to make these statements. I have alluded to my letters on that occasion; and I predicted in them on the third day of the session that this question would terminate as it *did*.

Sir, I will go further. I yielded a good deal in that compromise It was my first proposition that it should go out in 1840, proceeding in an equal proportion for every year of 15 per cent. And I will say further, that at the session before we nullified in South Carolina, I and others said that the question must be settled It was seven years which I then fixed on for its termination, and it would have been carried in that time but for certain circumstances. In regard to all I yielded my colleague (Mr. Preston) knows why I did it, but I do not choose to state it here. And I should now have said nothing on the subject, if the Senator had been silent himself.—But he has no gratitude on my part, and South Carolina owes him no gratitude. He acted under the necessity of the case. I, backed by the gallant State which I represent, compelled the Senator to break down the system at one decisive blow, and it is my opinion that it will bring back the Government to its original principle.

Mr. Clay. I am sorry to be obliged to prolong this discussion. But I made no allusion to compromises till it was done by the Senator himself. I made no reference to the event of 1825, till he had made it: and I did not, in the most distant manner, allude to nullification; and it is extraordinary that the Senator himself should have introduced it, especially at a moment when he is uniting with the authors of the force bill, and of those measures which put down nullification.

The Senator says I was flat on my back, and that he was my master. Sir, I would not own him as my slave. He my master! and I compelled by him!—And, as if it were impossible to go far enough in one paragraph, he refers to certain letters of his own to prove that I was flat upon my back! and, that I was not only on my back, but another Senator and the President had robbed me! I was flat on my back and unable to do any thing but what the Senator from South Carolina permitted me to do!

Sir, what was the case? I introduced the compromise in spite of the opposition of the gentleman who is said to have robbed me of the manufacturers It met his uncompromising opposition. That measure had, on my part, nothing personal in it. But I saw the condition of the Senator from South Carolina and his friends. They had reduced South Carolina, by that unwise measure, (of nullification,) to a state of war; and I therefore wished to save the effusion of human blood, and especially the blood of our fellow-citizens. That was one meer of the Chief Magistrate, that it was evident that, at the next session of Con for that very interest which the Senator says I helped to destroy. I saw that this great interest had so got in the powtive with me; and another was a regard gress, the whole protective system would be swept by the board. I therefore desired to give it at least a lease of years, & for that purpose, I, in concert with others, brought forward that measure, which was necessary to save that interest from total annihilation.

But to display still further the circumstances in which the Senator is placed, he says, from that very day of the compromise, all obligations were cancelled that could, on account of it, rest on him, on South Carolina, and on the South.—Sir, what right has he to speak in the name of the whole South? or even of South Carolina itself? For if history is to be relied upon, if we may judge of the future from the past, the time will come when the Senator cannot propose to be the organ even of the chivalrous and enlightened people of South Carolina.

Sir, I am not one of those who are looking out for what may ensue to themselves. My course is nearly run; it is so by nature, and so in the progress of political events. I have nothing to ask of the Senator, of the South, nor of South Carolina, nor yet of the country at large. But I will go, when I do go, or when I choose to go, into retirement, with the undying conviction that, for a quarter of a century, I have endeavored to serve and to save the country, faithfully and honorably, without a view to my own interest or my own agrandizement; & of that delightful conviction and consciousness no human being nor all mankind can ever deprive me.

Mr. Calhoun. The Senator is in the habit of attacking me, and if I were not thus compelled to defend myself, I would pass over the whole matter. I rise now simply to supply some remarks which had escaped my memory, and they are a mere matter of history. I was opposed to Mr. Crawford as a candidate for the Presidency; and after my name was withdrawn, I took no part in election.—I was a candidate for the Vice Presidency, and abstained from taking any part and from all electioneering. When the election was decided, I saw the course which Mr. Adams was determined to take, and I then could not hesitate to take my stand in the way of resistance.

I do not know what induced the Senator from Kentucky to get up a discussion on this bill, and at this time. What his motives are for all this he can best tell; but I feel those personal invectives as extremely unpleasant, and I would not introduce them. But when they are introduced it is requisite that I should protect myself.

Mr. Clay. One word. Does not the Senator feel that he himself brings his political character into debate? I simply made the inquiry (and I put it to the Senators to say if such was the fact) to know whether this measure, which involves in all about a thousand millions of the public lands—whether this measure had the sanction of the Administration or not. I did it in no way for the purpose of offence; and, by the way, I referred to a rumor which is afloat of new relations, public and political, with the head of the Administration, and stated that I would not have made the inquiry but for that fact. And is it not right, in regard to a great measure, to know whether or not it has the support of the Administration? He would at once have put an end to the discussion if he had simply said he knew nothing of the views of the Administration, but had introduced his measure independently. But, instead of this, he gets in a passion because I referred to this rumor, and concludes by saying that the greater part of the measures of the present Administration are approved, and they will be supported, by him.

Mr. Walker argued briefly to show that Mr. Clay ought already to have known the answer to his question, as Mr. Calhoun had long since introduced this measure, while he was yet opposed to the Administration. He also insisted that the bill ought to be referred to the Committee on the Public Lands.

Mr. Grundy said he had been formerly opposed to this bill, and should be so now. He therefore did not wish his vote at this time to be regarded as an indication that he was in favor of the bill.

Mr. Allen expressed himself in the same manner as Mr. Grundy.

Mr. Preston said this bill would have a paramount effect on the finances of the country. It was a question whether it would not increase taxation.—In this view it was important, and Mr P. therefore preferred that it should go to the Committee of Finance.

Mr. Calhoun said the bill, as he had drawn it, would lead to no reduction of the revenue. It was not to go into operation till June, 1842, thus leaving time to adjust the tariff. He saw no reason why it should be taken from the Committee on the Public Lands.

Mr. White said he was entirely ignorant of the contents of this bill, but if the reference should be reconsidered, the

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