BOON'S LICK TIMES.

"ERROR CEASES TO BE DANGEROUS. WHEN REASON IS LEFT FREE TO COMBAT IT."—JEFFERSON.

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THE BOON'S LICK TIMES.

JAMES R. BENSON & CLARK H. GREEN

Publishers and Proprietors.

BY AUTHORITY

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THE FALL OF BABYLON.

Hail the day so long expected,
Hail the year of free release,
Zion's walls are now erected,
And her watchmen live in peace.
From the different courts of Zion,
The shrill trumpet loudly roars
Babylon is falling, is falling, is falling,
Babylon is falling to rise to more.

Hark! and hear the people crying—
See, the city disappears—
Trade and traffic all are dying,
So they sink to rise no more;
Merchants who have bought her traffic,
Crying from a distant shore
Babylon is falling, is falling, is falling,
Babylon is falling to rise no more.

All her merchants cry with wonder,
What is this that's come to pass!
Murmuring like some distant thunder—
Crying, oh! alas, alas.
Swell the sound you kings and nobles,
Priests and people, richand poor,
Babylon is falling, is falling, is falling,
Babylon is falling to rise no more.

See! the captives are returning—
Up to Zion see them fly,
While the heavenly host rejoicing,
Shout them welcome through the sky.
See the people of the city
Terrified by the uproar—
Babylon is falling, is falling, is falling,
Babylon is falling to rise no more.

Tune your harps ye heavenly choir,
Shout ye followers of the Lamb,
See the city all on fire,
Clap your hands and fan the flame;
Now's the day of compensation,
Hope for mercy now is o'er,
Babylon is falling, is falling, is falling,
Babylon is falling to rise no more.

Saints in her are now apprised,
Unto them the voice doth say,
Let the word be realised,
Come, come out, do not delay—
Come acknowledge Christ your Saviour,
Man's authority is oe'r,
Babylon is fallen, is fallen, is fallen,
Babylon is fallen—TO RISE NO MORE.

DEBATE ON THE FIRST VETO.

SPEECH OF MR. CLAY,

OF KENTUCKY,

In reply to the speech of Mr. RIVES, *of Virginia, On the Executive Message containing the President's objections to the Bank Bill.*

IN SENATE UNITED STATES, August 19.

Mr. RIVES having concluded his remarks—

Mr. CLAY rose in rejoinder. I have no desire, said he, to prolong this unpleasant discussion, but I must say that I heard with great surprise and regret the closing remark, especially, of the honorable gentleman from Virginia, as, indeed, I did many of those which preceded it. That gentleman stands in a peculiar situation. I found him several years ago in the *half-way house*, where he seems afraid to remain, and from which he is yet unwilling to go. I had thought, after the thorough riddling which the roof of the house had received in the breaking up of the pet bank system, he would have fled some where else for refuge; but there he still stands, solitary and alone, shivering and pelted by the pitiless storm. The Sub-Treasury is repealed—the pet-bank system is abandoned—the United States Bank bill is vetoed—and now, when there is as complete and perfect a re-union of the purse and sword in the hands of the Executive as ever there was under General Jackson or Martin Van Buren, the Senator is for doing nothing! The Senator is for going home, leaving the Treasury and the country in their lawless condition! Yet no man has heretofore, more than he has, deplored and deprecated a state of things so utterly unsafe and repugnant to all just precautions, indicated alike by sound theory and experience in free governments. And the Senator talks to us about applying to the wisdom of practical men, in respect to banking, and advises further deliberation! Why I should suppose that we are at present in the very best situation to act upon the subject. Besides the many painful years we have had for deliberation, we have been near three months almost exclusively engrossed with the very subject itself. We have heard all manner of facts, statements, and arguments in any way connected with it. We understand, it seems to me, all we ever can learn or comprehend about a National Bank. And we have, at least, some conception too of what sort of one will be acceptable at the other end of the avenue. Yet now, with a vast majority of the People of the entire country crying out to us for a bank—with the people throughout the whole valley of the Mississippi rising in their majesty, and demanding it as indispensable to their well-being, and pointing to their losses, their sacrifices, and their sufferings for the want of such an institution—in such a state of things, we are gravely and coldly told by the honoranle Senator from Virginia that we had best go home, leaving the purse and the sword in the uncontrolled possession of the President, and, above all things, never to make a party bank! Why, sir, does he, with all his knowledge of the conflicting opinions which prevail here, and have prevailed, believe that we ever can make a bank but by the votes of one party who are in favor of it, in opposition to the votes of another party against it? I deprecate this expression of opinion from that gentleman the more, because, although the honorable Senator professes not to know the opinions of the President, it certainly does turn out in the sequel that there is a most remarkable coincidence between those opinions and his own; and he has, on the present occasion, defended the motives and the course of the President with all the solicitude and all the fervent zeal of a member of his *Privy Council*. [A laugh.] There is a rumor abroad that a *cabal* exists—a new sort of Kitchen Cabinet—whose object is the dissolution of the regular Cabinet—the dissolution of the Whig party—the dispersion of Congress, without accomplishing any of the great purposes of the extra session—and a total change, in fact, in the whole face of our political affairs. I hope, and I persuade myself, that the honorable Senator is not, cannot be, one of the component members of such a cabal; but I must say that there has been displayed by the honorable Senator to-day a predisposition, astonishing and inexplicable, to misconceive almost all of what I have said, and a perseverance, after repeated corrections in misunderstanding—for I will not charge him with wilfully and intentionally misrepresenting—the whole spirit and character of the address which, as a man of honor and as a Senator, I felt myself bound in duty to make to this body.

The Senator begins with saying that I charge the President with "perfidy!" Did I use any such language? I appeal to every gentleman who heard me to say whether I have in a single instance gone beyond a fair and legitimate examination of the Executive objections to the bill. Yet he has charged me with "arraigning" the President, with indicting him in various counts, and with imputing to him motives such as I never even intimated or dreamed, and that, when I was constantly expressing, over and over, my personal respect and regard for President Tyler, for whom I have cherished an intimate personal friendship of twenty years' standing, and while I expressly said that if that friendship should now be interrupted, it should not be my fault! Why, sir, what possible, what conceivable motive can I have to quarrel with the President, or to break up the Whig party? What earthly motive can impel me to wish for any other result than that that party shall remain in perfect harmony, undivided, and shall move undismayed, boldly, and unitedly forward to the accomplishment of the all important public objects which it has avowed to be its aim? What imaginable interest or feeling can I have other than the success, the triumph, the glory of the Whig party? But that there may be designs and purposes on the part of certain other individuals to place me in inimical relations with the President, and represent me as personally opposed to him, I can well imagine—individuals who are beating up for recruits, and endeavoring to form a third party with materials so scanty as to be wholly insufficient to compose a decent corporal's guard. I fear there are such individuals, though I do not charge the Senator himself as being one of them. What a spectacle has been presented to this nation during this entire session of Congress! That of the cherished and confident friends of John Tyler, persons who boast and claim to be, *par excellence*, his exclusive and genuine friends, being the bitter, systematic, determined, uncompromising opponents of every leading measure of John Tyler's administration!—Was there ever before such an example presented, in this or any other age, in this or any other country? I have myself known the President too long, and cherish toward him too sincere a frendship, to allow my feelings to be affected or alienated by any thing which has passed here to-day. If the Presidant chooses—which I am sure he cannot, unless falsehood be whispered into his ears or poison poured into his heart—to detatch himself from me, I shall deeply regret it, for the sake of our common friendship and our common country. I now repeat, what I before said, that, of all the measures of relief which the American People have called upon us for, that of a National Bank and a sound and uniform currency has been most loudly and importunately demanded. The Senator says that the question of a Bank was not the issue made before the people at the late election. I can say, for one, my own conviction is diametrically the contrary. What may have been the character of the canvass in Virginia, I will not say; probably gentlemen on both sides were, every where, governed in some degree by considerations of local policy. What issues may therefore have been presented to the people of Virginia, either above or below tide-water, I am not prepared to say. The great error, however, of the honorable Senator is in thinking that the sentiments of a particular party in Virginia are always a fair exponent of the sentiments of the whole Union. [A laugh.] I can tell that Senator that wherever I was—in the great valley of the Mississippi—in Kentucky—in Tennessee—in Maryland—in all the circles in which I moved—every where, "Bank or no Bank" was the great, the leading, the vital question. At Hanover, in Virginia, during the last summer, at one of the most remarkable and respectable and gratifying assemblages that I ever attended, I distinctly announced my opinion that a Bank of the United States was indispensable. As to the opinions of General Harrison, I know that, like many others, he had entertained doubts as to the constitutionality of a bank; but I also know that, as the election approached, his opinions turned more and more in favor of a National Bank; and I speak from my own personal knowledge of his opinions when I say that I have no more doubt he would have signed that bill than that you, Mr. President, now occupy the chair, or that I am addressing you.

I rose not to say one word which should wound the feelings of President Tyler. The Senator says that, if placed in like circumstances, I would have been the last man to avoid putting a direct veto upon the bill, had it met my disapprobation; and he does me the honor to attribute to me high qualities of stern and unbending intrepidity. I hope that in all that relates to personal firmness—all that concerns a just appreciation of the insignificance of human life—whatever may be attempted to threaten or alarm a soul not easily swayed by opposition, or awed or intimidated by menace—a stout heart and a steady eye that can survey unmoved and undaunted, any mere personal perils that assail this poor transient, perishing frame, I may, without disparagement, compare with other men. But there is a sort of courage which, I frankly confess it, I do not possess—a boldness to which I dare not aspire—a valor which I cannot covet. I cannot lay myself down in the way of the welfare and happiness of my country. That I cannot, I have not the courage to do. I cannot interpose the power with which I may be invested—a power conferred not for my personal benefit, nor for my aggrandizement, but for my country's good—to check her onward march to greatness and glory. I have not courage enough, I am too cowardly, for that, I would not, I dare not, in the exercise of such a trust, lie down, and place my body across the path that leads my country to prosperity and happiness. This is a sort of courage widely different from that which a man may display in his private conduct and personal relations. Personal or private courage is totally distinct from that higher and nobler courage which prompts the patriot to offer himself a voluntary sacrifice to his country's good.

Nor did I say, as the Senator represents, that the President should have resigned. I intimated no personal wish or desire that he should resign. I referred to the fact of a memorable resignation in his public life. And what I did say was, that there were other alternatives before him besides vetoing the bill; and that it was worthy of his consideration whether consistency did not require that the example which he had set when he had a constituency of one State, should not be followed when he had a constituency commensurate with the whole Union. Another alternative was to suffer the bill, without his signature, to pass into a law under the provisions of the Constitution. And I must confess I see, in this, no such escaping by the back-door, no such jumping out of the window, as the Senator talks about. Apprehensions of the imputation of the want of firmness sometimes impel us to perform rash and inconsiderate acts. It is the greatest courage to be able to bear the imputation of the want of courage. But pride, vanity, egotism, so unamiable and offensive in private life, are vices which partake of the character of crimes in the conduct of public affairs. The unfortunate victim of these passions cannot see beyond the little, petty, contemptible circle of his own personal interests. All his thoughts are withdrawn from his country, and concentrated on his consistency, his firmness, himself. The high, the exalted, the sublime emotions of a patriotism, which, soaring towards Heaven, rises far above all mean, low, or selfish things, and is absorbd by one soul-transporting thought of the good and the glory of one's country, are never felt in his impenetrable bosom. That patriotism which, catching its inspirations from the immortal God, and leaving at an immeasurable distance below all lesser, grovelling, personal interests and feelings, animates and prompts to deeds of self-sacrifice, of valor, of devotion, and of death itself—that is public virtue—that is the noblest, the sublimest of all public virtues!

I said nothing of any obligation on the part of the President to conform his judgment to the opinions of the Senate and House of Representatives, although the Senator argued as if I had, and persevered in so arguing, after repeated corrections. I said no such thing. I know and respect the perfect independence of each department, acting within its proper sphere, of other departments. But I referred to the majorities in the two Houses of Congress as further and strong evidence of the opinion of the People of the United States in favor of the establishment of a Bank of the United States. And I contended that, according to the doctrine of instructions which prevailed in Virginia, of which the President is a disciple, and, in pursuance of the example already cited, he ought not to have rejected the bill.

I have heard that, on his arrival at the seat of the General Government to enter upon the duties of the office of Vice President, in March last, when interrogated how far he meant to conform, in his new station, to certain peculiar opinions which were held in Virginia, he made this patriotic and noble reply: "I am Vice President of the United States, and not of the State of Virginia; and I shall be governed by the wishes and opinions of my constituents." When I heard of this encouraging and satisfactory reply, believing, as I most religiously do, that a large majority of the People of the United are in favor of a National Bank, (and gentlemen may shut their eyes to the fact, deny or dispute, or reason it away as they please, but it is my conscientious conviction that two-thirds, if not more, of the People of the United States desire such an institution,) I thought I beheld a sure and certain guaranty for the fulfilment of the wishes of the People of the United States. I thought it impossible that the wants and wishes of a great People who had bestowed such unbounded and generons confidence, and conferred on him such exalted honors, should be disregarded and disappointed. It did not enter into my imagination to conceive that one, who had shown so much deference and respect to the presumed sentiments of a single State, should display less towards the sentiments of the whole Nation.

I hope, Mr. President, that, in performing the painful duty which had devolved on me, I have not transcended the limits of legitimate debate. I repeat, in all truth and sincerity, the assurance to the Senate and to the country, that nothing but a stern, reluctant, and indispensable sense of honor and of duty could have forced from me the response which I have made to the President's objections. But, instead of yielding without restraint to the feelings of disappointment and mortification excited by the perusal of his message, I have anxiously endeavored to temper the notice of it, which I have been compelled to take, by the respect due to the office of Chief Magistrate, and by the personal regard and esteem which I have entertained for its present incumbent.

Mr. CLAY having concluded his second speech on the Veto Message—

MR. RIVES rose, and said he must be permitted to express his surprise at the extraordinary exhibition of vehemence we had just witnessed from the honorable Senator from Kentucky. He was only at a loss to conjecture what there was in any thing he had said, to provoke so towering an outbreak of wrath and eloquence. In the remarks he had made in reply to the honorable Senator, he had limited himself strictly to a defence of a high public functionary, who had felt himself called on by the most solemn of all obligations to exert a great power placed in his hands by the Constitution of his country, against animadversions and reproaches which he believed in his conscience were altogether unmerited. It was an act of justice, which I should have despised myself (said Mr. R.) if I could have set still in my seat, with the materials of justification so abundantly existing in in my own knowledge, and have withheld from the humblest of my fellow-citizens when thus assailed.

The Senator from Kentucky may have jealousies and suspicions in his mind as to my course here; but if he has, permit me say to him he does me great injustice. I concur, with great cheerfulness, in the self-approving sentiments he has pronounced, with so much emphasis, in regard to his own high character for courage and patriotism. I am the last person, let him be assured, that would impugn, in any manner, his just claims upon the consideration and respect of his country. But while I admire, and render the homage due to his corage and patriotism, as well as his distinguished talents, he will excuse me for saying I cannot agree to take my lessons in political ethics from one who, invoking the name of Deity and pointing to heaven, boldly intimates that he would win his way, even to that holy place, by a violation of the Constitution he had sworn to support, and who holds it up as the highest act of public virtue to trample under foot that sacred instrument, when it may be supposed to stand in the way of some pecuniary interests of the country!

The Senator shakes his head. But, sir, is this not a fair and unexaggerated statements of the case? The bill which the Senator from Kentucky would have had the President to sign, his convictions to the contrary notwithstanding, is one which the President most deliberately believes is a violation of that Constitution, which, when entering upon his office, he took a solemn oath to "preserve, protect, and defend." Yet the Senator from Kentucky, assuming (gratuitously, as I humbly think,) that a majority of the people are in favor of this measure, (which, as I showed when I addressed the Senate before, had not even been approved by a majority of their representatives,) insists that the President ought to have carried out this imaginary will of the majority, in despite of his own deep-rooted convictions of the unconstitutionality of the act, and in disregard of the solemn sanction of his official oath! If this be the political casuistry of the honorable Senator from Kentucky, I must say, with all my respect for the distinguished Senator, I cannot consent to take him for my guide and instructor in a question of conscience or of constitutional obligation. I choose rather, humble as the comparison may seem to the honorable Senator, to look to the straight forward example of John Tyler, who, in heeding the "still, small voice of conscience" amid the importunate clamors of party dictation, and in carefully standing by what he believes to be the Constitution of his country, in the face of threatened denunciation, has exhibited a moral courage as high, and a heroism of principle as undaunted, and certainly as worthy of the respect and applause of a moral and religious people, jealous of their liberties and loyal to the *great charter* which secures them, as that species of latitudinarian boldness which sacrifices principle to expediency, and which confounds conscience, in public affairs, with *pride, vanity, egotism*, and even *crime*, and which we have just heard so vauntingly celebrated in the heroic strains of the Senator's eloquence as *public virtue!*

I will venture to say farther, Mr. President, that a large majority of the American people, whether they agree with Mr Tyler or not in his construction of the Constitution, have too habitual a respect for conscientious opinions and principles of action not to honor the integrity and firmness with which, at every hazard to himself personally, he has sought, in faithful discharge of his solemn obligations of his oath of office, to maintain the Constitution of the country inviolate.

The Senator has indulged his fancy in regard to a certain *cabal* which he says it is alleged by Rumor (an authority he seems prone to quote of late) has been formed for the wicked purpose of breaking up the regular Cabinet, and dissolving the Whig party. Though the Senator is pleased to acquit me of being a member of this supposed *cabal*, he said he should infer, from the zeal and promptitude with which I have come forward to defend the motives and conduct of the President, that I was, at least, a member of his *Privy Council!* I thank God, Mr. President, that in his gracious goodness he has been pleased to give me a heart to repel injustice and to defend the innocent, without being laid under any special engagement, as a privy councillor or otherwise, to do justice to my fellow-man; and if there be any gentleman who cannot find in the consciousness of his own bosom a satisfactory explanation of so natural an impulse, I for one envy him neither his temperament nor his philosophy. If Mr. Tyler, instead of being a distinguished citizen of my own State, and filling, at this moment, a station of the most painful responsibility, which entitles him to a candid interpretation of his official acts at the hands of all his countrymen, had been a total stranger, unknown to me in the relations of private or political friendship, I should yet have felt myself irresistibly impelled, by the common sympathies of humanity, to undertake his defence, to the best of my poor ability, when I have seen him this day so powerfully assailed, for an act, as I verily believe, of conscientious devotion to the Constitution of his country and the sacred obligations of his high trust.

The honorable Senator complains that, in my reply to him, I unjustly represented him as censuring and arraigning the conduct of the Chief Magistrate. He asks if he used such language as *perfidy*. I did not say that he used the word perfidy, but that his allegations resolved themselves substantially into the charge of perfidy against the President. And is not this true? I appeal to those who heard him, and I would appeal to the honorable Senator himself, in his cooler moments, if two thirds of his speech did not consist of imputations, more or less direct, on the President for violation of his faith, express or implied, to his party and the country? Did he not begin his speech with reading, and dwelling upon a passage in the Inaugural Address of the President, which he contended amounted to an engagement to the nation to sign such a bill as had been presented to him? If so, what is his veto message, now before us, but a violation of that engagement, or in other words, a breach of faith, an act of perfidy to the nation. Again, did not the honorable Senator say if the course which the President has now taken could have been anticipated, either by the Harrisburg Convention or by the people at the polls, he would not have received an individual vote in the former, or a single electoral vote from the latter. Does not this imply a disingenuous suppression, something like a fraudulent concealment of his opinions by the President, which, if true, would, under the circumstances, have been grossly inconsistent with the principles of good faith? How little foundation there is for any such imputation, I flatter myself I must have fully demonstrated to the satisfaction of the Senate, in the remarks I had the honor to make in reply to the first speech of the Senator from Kentucky.

The honorable Senator also insisted, with great earnestness, that the veto of this bill, under the circumstances in which the President stood, was so exceptionable a proceeding that, rather than to have resorted to it, it would have been better for him to have *evaded the responsibility*, of his high station by permitting the ten days to elapse without any action on the measure, or otherwise to have *resigned his office*, and left the Government without an elective head! Could any thing convey a stronger or more pointed condemnation of the President's conduct, than to hold up either or both of these extreme and inadmissible alternatives as preferable to the course he actually adopted. But the Senator alleges that he did not say the President ought to have resigned. Did he not, however, argue most zealously to show that *consistency* with the President's own conduct and principles on a former occasion, when he held a seat in the Senate of the United States, required that he should have resigned on the present? What was this but to urge the President's resignation by the strongest appeal, personal to himself, and derived from his own example? Is it not mere *special pleading*, then, for the Senator now to allledge that he did not say the President should have resigned. When the whole tenor of the Senator's speech was characterized by such pointed and significant reprehensions of the President's conduct, could the lavish and ostentatious professions of personal regard and respect, to which the Senator now appeals as evidence of the spirit of his speech, be viewed in any other light than as a bitter mockery?

The honorable Senator still insists that the question of a Bank was an issue solemnly decided in the Presidential election. I thought I had shown my irrefragable proofs from the record, when I first addressed the Senate, that this issue was not made in the Presidential election, and from the well known and recorded opinions of the candidates selected both for the Presidency and Vice Presidency, could not have been intended to have been made. But the honorable Senator tells me this is all a sheer delusion, on my part, and arises from what he is pleased to say is the common error of us Virginians—to consider the sentiments prevailing in Virginia as the sentiment of the whole Union.

Mr. CLAY. I spoke of some peculiar opinions existing and in operation among the People of Virginia.

The peculiar opinions of the People of Virginia, (continued Mr. RIVES) I had hoped would never be considered a reproach by any native son of Virginia; and the taunt, coming from the honorable Senator from Kentucky, himself a native son of our ancient commonwealth, is the "unkindest cut of all." Now, sir, with all possible respect for the honorable Senator, I will tell him, if he will allow me, what is an error that he himself seems very prone to fall into—it is to think that his own personal opinions must, of necessity, be the opinions of the country; and because the question of "Bank or no Bank" was the prominent, and as he says, *vital* issue in his own mind, he concludes that it ought to have been and was the prominent and vital issue in the minds of the people also.

I beg leave to say that my horizon, in the Presidential canvass, was not quite so limited as the Senator seems to suppose—not confined exclusively to Virginia, "either above or below tide water," to adopt his political geography of our State. I visited other and leading States, during the progress of the canvass, and sought information from them all. I would remind the honorable Senator of what passed on this floor a few weeks since in his own hearing, as to the course of the canvass in the most powerful and important of all the States in the late election. When the honorable Senator from New York, who sits behind me, (Mr. Wright,) appealed to my honorable friend his colleague, who sits near me, and inquired of him if any thing was said by himself or the opponents of the late administration generally, in the Presidential canvass, in that State, about a Bank of the United States, my honorable friend replied "no; we were so much occupied with the Sub-treasury, that we said nothing about a Bank of the United States." I would appeal to my honorable friend now on this point.

Mr. TALLMADGE. I attended altogether to the Sub-treasury.

Mr. RIVES. That, so far as the financial question was concerned, was every where, within the limits of my observation, the course of political discussion by our friends, who thought the interests of the country demanded a change of administration. "Sub-treasury or no Sub-treasury" was the issue, and not "Bank or no Bank." So odious was the Sub-Treasury to the jealous spirit of American liberty, and so determined was the opposition of a Republican people to it, that they resolved to put it down at all hazards, willing to leave to the future, and to the wisdom and the deliberations it would bring along with it, to decide which of the various plans that had been or might be suggested, should be substituted in the place of it.

MR. TALLMADGE. Although I did not discuss the matter myself, still the newspaper organ of the late administration displayed at their head—"Independent Treasury and no National Bank."

Mr. RIVES continued. I know full well that our adversaries were eager and anxious to force the issue of a National Bank upon us. But we declined it. I had the honor myself of being in the Empire State, in the very crisis of that great political contest, which had broken up the fountains of that mighty deep, so long swayed by the leaden sceptre of party discipline. I met my honorable friend there in a noble assemblage of his countrymen, embracing ten thousand enlightened and gallant freemen collected from every quarter of that great State to deliberate upon the destinies of our common country; and while all voices were raised in unanimous reprobation of the odious Sub-treasury system, not a solitary word was uttered pleading the merits of a National Bank. If the history of the late canvass could be impartially and faithfully written from contemporaneous materials, such, I am convinced, would be found to have been its actual course, in at least three-fourths of the States of this Union.

The Senator from Kentucky has reminded me, rather ungraciously, I think, considering how long he took shelter with me under the same roof, of the humble *half-way house*, (the State banks.) for which he supposes me still to retain a preference.—For four long years did the honorable Senator himself inhabit this half-way house, valiantly defending it, with all the vigor of his prowess and eloquence, against the fierce assauls of the forces of the late Administration; and if I am not greatly mistaken, even as late as his celebrated Hanover speech, last summer, he recognized it to be a fair competitor of his own preferred expedient (a National Bank) for the public favor, declaring that the choice between