

REMARKS OF Mr. CLAYTON, OF GEORGIA.  
On the Assay Bill.

MR. CHAIRMAN ; I have listened with much pleasure to the remarks of the gentleman from New York, (Mr. PENDERGAST,) who has just taken his seat, though it is not the first time I have heard the same speech, which seems as well calculated for one thing as another, and I never heard it without deriving some instruction from it, upon things in general. The law which he proposes to regulate the gold coin of the country in order to prevent it from being withdrawn from circulation will be a good law, and I promise him to give it my hearty support whenever it shall come up, but it has nothing to do with the question now before us. Can it be a good reason to forbid the establishment of an Assay Office in the South because the American gold coins, as at present regulated by law, are too pure? Certainly not. As well might you say the gold shall be left in the earth till the Legislature fixes the proper value of the coins it is intended to supply. In the discussion of every subject that comes before this House, two things are chiefly to be considered. First, have we the power? Second, is it expedient? With regard to the first, we seem, Mr. Chairman, to have gotten into a kind of country dance, where constitutional scruples are changing sides, and after setting to each other in very different views of that instrument, we are crossing over to assume opposite positions. Now, sir, I do trust that because we of the South have heretofore been, as we ought to be very scrupulous about the powers of this House and the sacred character of the Constitution; that therefore we shall be denied credit for our sincerity when we do admit the powers of Congress. Because we have entertained doubts on many former questions, we shall be compelled to do so on all others that may come before us where the cry of unconstitutionality is set up. I had hoped that the clear and unanswerable exposition given by the honorable gentleman from New York, (Mr. PENDERGAST,) had quieted all suspicions on this subject, but if doubts are yet entertained, permit me to present a short view of what I consider to be the powers of this House, on the questions under consideration. The Constitution gives to Congress the right "to coin money, regulate the value thereof, and of Foreign coin." Now the first thing which has been done to effectuate this power was to establish a Mint. Had Congress a right to do this? I presume no one will deny it. This proposition, therefore, needs for its support no argument. Connected with the Mint is an Assay Office, the clear and distinct object of which is to test the fineness of the metal to be coined in order to fix and "regulate the value thereof," when it assumes the shape of money. Does any, under this use of such an institution, deny the right of Congress to establish an Assay office? No one, I presume. Then, we have these two positions proved, that Congress may establish a Mint, and connect therewith an office to ascertain the value of metal to be coined. Now I maintain that if it be necessary, in the honest import of that word, Congress may establish either a Mint or a branch of the Mint in each State. Or it may remove the Mint from Philadelphia, where it is now located, to such place as it may think most conducive to advancement of the great objects for which it was designed. There is no obligation on the part of the Government to fix or keep the Mint at Philadelphia; but, sir, we do not ask to remove it—we are not so unreasonable as to wish it; besides its central position, the great expense at which the Government has been to erect it there, would incline us to let it remain where it is. We do not ask either to have another Mint established in the South, nor even a branch of the Mint. We simply ask, for the sake of saving expense, to erect nothing more than that simple department connected with the Mint, commonly called an Assay office. We want, if I may use the expression, the Mint at Philadelphia elongated so as to reach to our gold region, we want it stretched over the whole country, not by edifices and apparatus, which will be a source of great expenditure, but by the operation of a law. We think the act we propose will give us virtually a Mint. We want to be placed in the same situation of those whose great wealth or contiguity to the Mint, enables them to go day by day and obtain a fair and full price for their gold, and consequently for their honest labor. By way of illustration we wish the laboring man to have it in his

power to carry his gold himself to the Mint, and getting its true value instead of its passing into second hands, the hands of the speculator, who by reason of his superior wealth, can wait for its proceeds and carry it there at his leisure, full well knowing his profits, will pay him for his delay.— Again, we wish our people to be placed in the condition of those who might happen to have mines immediately in the neighborhood of the Mint, if, for instance the good people residing upon the banks of the Delaware and Schuylkill, in the vicinity of Philadelphia, should have the good fortune to discover gold mines upon their lands, every one would at once perceive of what advantage their proximity to the Mint would be to them. They could carry to that establishment at the close of every day the fruits of their labor, and realize immediately that which would command certainly the support, if not the higher comforts of life. Now, sir, this is just what we want for the honest and industrious people of the South, who have asked but little of you, and have often had that little refused. And we think the small request contained in that bill will accomplish that object. We do not ask for a Mint, but we ask for that which will as effectually answer our purposes, and which will cost comparatively nothing. Indeed we might, with some shew of justice, contend for the whole establishment itself, because it is emphatically the gold region of the United States, and would seem to be the place befitting this institution, upon the popular though true maxim that a thick and wealthy settlement is better for a mill than an unfrequented desert.

With regard to the expediency of the measure the Legislature usually compares the expense of the object with the benefit to be produced, and as all governments are intended to advance the prosperity of its citizens, the number to be benefitted enters very materially into the consideration of the question. Now, sir, recent and increasing discoveries have ascertained beyond all doubt that there is a gold bank, immensely valuable, stretching from Virginia through North and S. Carolina, Georgia, and Alabama, including five States. It must be perceived at one glance, what a number of people will be concerned in extracting this precious metal, in the language of the gentleman of New York, from the "bowels" of the earth. And shall the pitiful expense of a few thousand dollars deter Congress from extending to these people so important an object? These people have paid their taxes to the Government, and have as much right to expect a portion thereof returned to them in the distribution of its favors as any other part of the Union.

Are you not appropriating your thousands year after year upon your Navy, your Army, upon internal improvements and other objects not now necessary to be mentioned? What is it for? For the benefit of the People, either at large or in those sections where these appropriations happen to have shown their peculiar blessings.

When, before, has an appropriation been refused if it was to promote the industry of the country, or if the pretext could be found, to encourage domestic labor? Now, for the first time, when nearly all concur in the power of Congress to grant the object—when whole States are to be benefitted by the appropriation—when the expense is scarcely nothing in comparison with the advantage to be attained, behold, it becomes very proper to be frugal, and to take care of the public treasury! In our constitutional scruples to the South, we have been honest, if mistaken, for we have often refused benefits when offered to us, under the firm belief we had no right to them; but in this case we did believe the Government had the power to grant our request—we did believe its compliance with our wishes would effect a double purpose. The first great object would be to benefit itself, and consequently the whole community, not partially, but equally and universally. It was, as verily believe, always the intention of the framers of the Constitution to found the currency of the Government upon a metallic basis. It was to be a hard money currency, the only true security of property. If this be true, what can be of more importance to the whole community than to secure and keep in circulation as much of the precious metals as it is in the power of the Government to obtain? This reaches to every man high or low. No exclusive privilege in this: No particular class is benefitted more than another. If Congress is "to coin money and regulate the value thereof" it must establish a Mint, but of what consequence is a Mint without metals to coin? It may be said it is open to every man who may choose to bring his bullion to be coined, and he shall receive the value thereof in hard money. That is precisely what the wisdom of this Government ought to encourage. It should afford facilities to the gold digger to bring his gold to the Mint, and thereby the great purposes of that institution, and the still greater objects of the Government, in furnishing a metallic currency, will certainly be promoted. We do not ask the exercise of the constitutional power merely to benefit a certain class of individuals, for that is impossible.—The moment you hold out an inducement to one single man to bring his bullion to the mint, you inevitably benefit every man in the community: for that bullion, when converted into coin, may find its way into every pocket in the Nation. It has been said that the object only of this bill is to furnish a market for the gold diggers. Now, sir, suppose we grant this what does the argument amount to? Is there a better article in this wide world to purchase than gold? Who gets it? Does not the Government buy it? And for whom and for what purpose? To throw it away? Not so; it is to answer a great federal purpose, necessary to the effectuation of a great sovereign right, no less than that of providing a sound, useful, and lasting currency for the community, without which, neither the operations of the Government, nor the wants of its People could find their indispensable support and relief. But, sir, is it possible we hear this measure objected to because it supplies a market—a "home market"—to this species of industry? How long has this doctrine ceased to be orthodox? Have we never heard of such a thing before? Yes, sir, we have, and in cases where the market was not for the exclusive benefit of the Government, but for the peculiar gain of a favored class. Not for carrying into effect an acknowledged power of the Government for the benefit of the whole community, without distinction, but to encourage and protect special and privileged interests. If this were to benefit the gold diggers alone I would not ask it; but I know it is to produce a higher and wider advantage to every part and portion of the Union. It is obliged to be the case. Every dollar brought from the earth and coined into money, from the constant circulation of that useful article, may, in the payment of debts and the relief of wants, perform the office of thousands; and, sir, I believe, that a half million of dollars will be extracted from the mines of Georgia alone, during the next year; something like \$250,000 was raised last, and part of that clandestinely by intruders from other States. Georgia has distributed her gold region among her citizens in lots of forty acres, thereby multiplying the operators to such an extent as must necessarily result in a most profitable production of this useful metal.— All we want is to have these honest laborers afforded those facilities which wealthy men, or those residing in the neighborhood of the Mint, enjoy from that institution. We think an Assay Office will effectually secure these facilities. We think it will protect our citizens from the frauds and impositions of speculators, who swarm around the mining operatives, as is generally the case in all other laborious pursuits, depending upon their wits to obtain that for which they are too lazy to work.— The mines are on the frontiers, and heretofore, in consequence of the want of skill on the part of miners, in judging of the genuineness of paper money—for it is a well known fact that bad money is always thrown out upon the circumference of a State—they have been greatly defrauded by receiving for the fruits of their labor counterfeit bills. Besides this, money of a most suspicious credit is put upon them, and in a late case by the failure of a Bank it is probable they lost something over one hundred thousand dollars. It is to guard against evils like these, and to provide the ready means of converting speedily the proceeds of their labor into what will command the necessaries of life, that we ask for an agency connected with the Government, in which we can confide, to test and stamp the value of our gold, or to give us from your Mint its true value. We want you to draw Philadelphia within our neighborhood, which we say

can be done, for all our purposes, by a law establishing an Assay Office, and we sincerely believe we ask nothing unreasonable, when it is remembered how great the advantage which must necessarily accrue to the Government, as well as to a large portion of its people, who have never harrassed you with very many petitions.

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