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Amos Kendall in Kentucky

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1936

AMOS KENDALL IN KENTUCKY

BY

KENNETH F. LAM

A THESIS
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OF THE REQUIREMENTS FOR THE DEGREE OF
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PREFACE

In the writing of this thesis, I have endeavored chiefly to depict the character and public works of Amos Kendall in Kentucky. In so doing, it has been my purpose to give the reader some conception of the important political questions of the time and the relation of Kendall to them. His life was one of bitter controversies, of humiliating defeats followed by brilliant victories, and toward the end, one of peace vitalized by the promotion of worthwhile public institutions. His place in history, whether good or bad, has been little understood or appreciated; and it is my sincere desire that this limited study of his career may stimulate those who read it to investigate further the activities of this man.

Most of the material for this work was found in the Kentucky Library of Western State Teachers' College, Bowling Green, Kentucky; the Louisville Public Library; the Filson Club, Louisville, Kentucky; the Lexington Public Library; and the Kentucky State Historical Society, Frankfort, Kentucky. I wish to express my gratitude to the librarians of these institutions for their courteous and untiring efforts in helping me to locate material; to Dr. A. M. Stickles, head of the History Department at Western Kentucky

State Teachers' College, for his counsel in the organization of the material and his corrections of the manuscript; and to Dr. Lee Francis Jones, head of the Education Department of Western Kentucky State Teachers' College, for his reading of the manuscript and his helpful suggestions pertaining to it.

Kenneth F. Lam

Bowling Green, Kentucky

August 7, 1936

CHAPTER I
EARLY LIFE OF AMOS KENDALL PRIOR TO HIS
ARRIVAL IN KENTUCKY

Of the many characters in history, few have remained almost obscure figures who have had as much to do with framing the policies of a nation as did Amos Kendall. It is common knowledge that he was a member of President Jackson's Cabinet, but the extent to which he was solely responsible for influencing the policies of the administration will probably never be known. He has remained to this day, such as he was while at the height of his power, a mysterious character whom posterity hardly knows whether to venerate because of his lofty character, or to condemn as a demagogue. The following description very well illustrates what the average person of his time knew about him and thought of him:

"He is supposed to be the moving spirit of the whole administration--the thinker, the planner, and the doer; but it is all in the dark. Documents are issued of an excellence which prevents their being attributed to the persons who take the responsibility of them; a correspondence is kept up all over the country for which no one seems answerable; work is done of goblin extent and speed, which makes men wonder; and the invisible Amos Kendall has the credit of it all... He is undoubtedly a great genius. He unites with his 'great talent for silence' a splendid audacity... The extreme sallowness of his complexion, and hair of such perfect whiteness as is rarely seen in a man of middle age, testify to disease. His countenance does not help the superstitious to throw off their dread of him."¹

¹ Harriet Martineau, Retrospect of Western Travel, I, (New York: Harper & Brothers, 1838), 155.

Harriet Martineau attributes some of Lewis' work to Kendall, but her passage is a very fair representation of the opinions of Washington City about him.²

J. F. H. Claiborne, an editor and historian, gives the following impression of him in 1856:

"When I first saw him, he had a whooping voice, an asthmatic cough, with a stooping frame, and a phthisically physiognomy... Yet this little whiffet of a man whom the hoosiers would not even call an individual... was the atlas that bore on his shoulders the weight of Jackson's administration. He originated or was consulted in advance upon every great measure, and what the prompt decision and indomitable will of the illustrious chief resolved upon, the subtle and discriminatory intellect of Kendall elaborated and upheld."³

The purpose of this discussion, primarily, is to portray the life of Amos Kendall while he lived in Kentucky; but he cannot be properly appreciated and understood without gaining some notion of his life prior to his Kentucky career and also an idea of his importance after leaving Kentucky. The latter idea has been conveyed very aptly by the quotations already cited; therefore a brief space will now be devoted to his early life.

Concerning Kendall's ancestry, little is known definitely; but according to tradition, two brothers, Thomas and Francis Kendall came to America from England about 1640 and settled at Woburn, Massachusetts. Amos was

² W. G. Sumner, Andrew Jackson, XVII, American Statesmen, (New York: Houghton, Mifflin & Co., 1899), 185.

³ Loc. cit.

descended from Francis. He was the son of Zebedee Kendall and one of nine sons, seven of whom grew to manhood; namely, Zebedee, Samuel, George, Minot, Amos, John, and Timothy, all of whom were still living in 1858.⁴

He was born near Dunstable, Massachusetts, August 6, 1789. His father owned a small farm that was not over-productive; consequently, his younger days were spent largely in helping his family to earn a meager subsistence. The other boys of the family were little inclined toward the pursuit of study as was Amos; therefore he was given such advantages in an educational way as his family could afford, while his brothers spent most of their time at work, and in enjoying what amusement such a life as theirs afforded. He excelled in spelling, arithmetic, and reading. His early reading consisted mostly of the Bible, geography, and history. In addition to being studious, he was mechanically minded, and many of his hours were spent along the lines of invention and discovery, and especially was he interested in trying to produce perpetual motion.⁵

In the winter of 1804, Kendall's father bargained with the village pastor to keep Amos and let him do work around the house in exchange for his board and what instruction the pastor could give him. It proved to be a bad

4 William Stickney, Autobiography of Amos Kendall, (New York: Lee, Shepherd, & Dillingham, 1872), p. 1.

5 Ibid., pp. 2-7.

bargain because the pastor was a hard taskmaster and was not very enthusiastic as an instructor. In the fall of 1805, Amos attended school at the Ipswich Academy in New Hampshire working for his board in the home of his brother. Not knowing much of the ways of the world, Kendall was somewhat embarrassed in his new environment and when called upon to make a speech, a requirement for every student, he memorized and gave "Webster's Third Part," which consists of seven octavo pages. Both the students and the teacher ridiculed him, and the teacher compared him to "an unmovable hydrant pouring forth its steady stream of water."

Undaunted, however, by this first year at the academy, Amos spent the summer in improving himself by writing and practicing speaking and returned the next fall to the academy and won the admiration of both the teacher and the students. This was one of the first indications in his life that he would not be defeated by adverse criticism and ridicule. Because of the sudden disappearance of the teacher of the academy, Amos had to return home, and he spent a part of the remainder of the year teaching, first at Reading, Massachusetts and afterward, at Dunstable, Massachusetts, a place which is now Nashua, New Hampshire. He entered the academy at Groton, Massachusetts in April, 1807, where he remained only a short time before entering Dartmouth, September 10, 1807.

He finished Dartmouth in four years at the head of his class and taught a part of each of those years, earning money to help pay his way through school.⁶⁾

While in college, Kendall joined the Society of Social Friends, a literary organization;⁷ a private club to which belonged only the select from his class;⁸ the Handel Society, organized for the purpose of cultivating sacred music and expelling from the church the light and jingley airs then in general use;⁹ the "Ine Heber" or Ugly Club, a temporary organization of six boys who claimed superiority because of their ugliness;¹⁰ the Philoi Euphradiaz, a literary society composed of students selected because of their scholarship, from the Social Friends and the United Fraternity;¹¹ and finally, he was among those from his class selected as members of the Phi Beta Kappa.¹² Of these various clubs the one of which he was the most fond and from which he derived the greatest good, according to his own testimony, was the private club above mentioned. This club was organized in 1807, but was unknown to Kendall until he was invited to join. The club had no rules, no constitution, no regulations, and no officers; each member took his turn presiding in

6 Ibid., pp. 7-57.

7 Ibid., p. 20.

8 Ibid., p. 26.

9 Ibid., p. 30.

10 Ibid., p. 38.

11 Ibid., p. 46.

12 Ibid., p. 53.

alphabetical order, and took his part on the program likewise in alphabetical order. The activities of the club consisted of written composition, declamation, and forensic discussion. The members criticized each other in a friendly manner, and only those of irreproachable moral character and those sincerely desirous of self-improvement were admitted to the club.¹³

(Kendall kept a journal, which was similar to a diary, concerning much of his life and the things he came in contact with and was interested in. This journal, however, is by no means complete; but until he went to Washington, he would write summaries of the periods of his life not covered in his journal. From these sources a great deal can be learned about his actual experiences and his philosophy. According to his own account, he entered college with "diffidence in his powers," but he was ambitious and soon learned that popularity and excellence of scholarship do not go together. He had one or two "ventures," as he called them, during his college career, but he found that they were unprofitable; so, for the most part, he behaved himself and tried to conform to institutional regulations.) During his sophomore year, his popularity declined, owing to his stand on "treating," a drunken brawl which usually took place after the sophomore quarter-day exhibitions of oratory and forensic discussion.

¹³ Ibid., p. 26.

Kendall and several others refused to take part in the brawl, and they were consequently scorned by the remainder of the student body. His enemies nicknamed him "Giles Scroggin's ghost" on account of his paleness; they also wrote mean things about him on the walls of the buildings. He paid no attention, however, to their ridicule, and finally, most of his enemies became friends.] Soon he became the first scholar of his class, but according to his view, "It was based on the tinsel foundation of a few glowing compositions and declamations rather than on sound reasoning." He thought that there were others who surpassed him in scholarship. [In commenting on how to make friends in college or out of college, he said that one must promote the other fellow's interests to gain that friendship, but the most stable kind of popularity is "that which insures respect and lasting esteem and is founded upon decision of character. Yet the decision must be based on reason and exercised with reason."¹⁴]

[After leaving college, Kendall was confronted with the difficult problem of choosing a profession. His family wanted him to be a minister, but he was not so inclined; medicine and surgery, he had an antipathy for, so the only profession left for him was law, although he had little liking for it.¹⁵ On the advice and offer of William M.

14 Amos Kendall's summary of his college life reprinted by Stickney, op. cit., pp. 65-67.
 15 Stickney, op. cit., p. 68.

Richardson, Esq., of Groton, Massachusetts, Kendall entered Richardson's office to study law on September 4, 1811. According to the agreement with Richardson, Kendall was to provide board for himself, and Richardson was to trust Kendall for his remuneration until such a time as Kendall could conveniently pay for the services rendered.¹⁶ Owing to a lack of funds, Amos spent the winter of 1811-1812 at home studying, principally Blackstone's Commentaries, Coke on Littleton, and Bacon's Abridgement.¹⁷ One of his friends advised him to become an editor instead of resuming his study of law at Groton, and Kendall, in thinking it over noted the following:

"I am led to consider a coalition paper or a paper between the reasonable men of both parties. My principles incline me toward the Democratic or Republican Party, although I am not ready to accept either yet. My ambition leads me, however, to the active scenes of the legislative halls, but my first design is to make myself a lawyer."¹⁸

Kendall returned to Groton on March 25, 1812, to resume his study of law through the liberality of Richardson, who lent him money without security with which to pay his board. Richardson was in Congress at that time, having been elected by the Democratic Party. Although Kendall did not complete his study of law under Richardson, it was through Richardson's aid that he was enabled to

16 Ibid., p. 69.

17 Ibid., p. 70.

18. Ibid., p. 71.

finish this study, and it was also through his influence in Congress that Kendall hoped to make contacts which would enable him to try his fortune in the Southwest or West.¹⁹ It is interesting to note that Kendall did not pay his entire indebtedness to Richardson until 1829, after he had gone to Washington. Nevertheless, there seems to have been mutual trust and respect between them during all that time.²⁰

Before Kendall decided to seek his fortune in another section of the country, he had fallen in love with one of three charming sisters whom he and his college chum, Samuel Woodbury, had been courting at Groton. First he became enamored of the youngest sister, but she was not seriously inclined in the matter; consequently, when the next older sister, who was more settled, returned from college, he gave his attention to her. They probably would have married had she been willing to go with him to another part of the country. His friend, Woodbury, became engaged to the oldest sister, but she died shortly before they were to be married. At that time Kendall was in Kentucky, and he advised Woodbury to marry the second sister. At the time, Woodbury refused to consider it, but he did marry her after about a year had passed. After a few years Woodbury died, and Kendall's first wife, who was Mary B.

¹⁹ Kendall's Journal, Dec. 19, 1813, reprinted in Stickney, op. cit., p. 86.

²⁰ Stickney, op. cit., p. 86.

Woolfolk of Jefferson County, Kentucky, also died 1823. Feeling the need of companionship and thinking that, perhaps, Woodbury's widow would consider taking up her abode in the West since he was now well established, Kendall, for the second time, proposed marriage to her, but still she refused because of her unwillingness to come to Kentucky and apparently for no other reason.²¹

On February 18, 1814, Kendall departed from his home for Washington, and thence to a place as yet undetermined. Of this occasion he says, "The parting was consecrated by an abundance of tears; but we were too affected to say anything more than farewell."²² He reached Washington March 14, 1814, after stopping for short visits in Groton and Boston. Upon his arrival in Washington, he called at the boarding house of Richardson where he met General J. B. Varnum and his family with whom he boarded while he remained in Washington.²³ On the evening of March 2, 1814, Kendall went with Varnum to the President's levee where he met the President and his wife. He recorded that he "... felt no awe. Mrs. Madison is a noble, dignified person, apparently more able to handle the affairs of the nation than her husband. His personal appearance is very inferior." Kendall was not favorably impressed by Washington society life, and especially, was he disappointed in

21 Ibid., pp. 87-90.

22 Kendall's Journal, Feb. 18, 1814, op. cit., p. 91.

23 Ibid., Mar. 1, 1814, p. 94.

the ladies with their artificiality and nonsense.²⁴ The next day Varnum took him to the Senate Chamber where he met Senator Jesse Bledsoe of Kentucky, a senator from Ohio, and one from Louisiana. After talking with them about the possibilities of a lawyer in the West and South, he decided that there were, perhaps, too many lawyers, and that he had better start as a tutor. Bledsoe encouraged him in the latter idea by saying that he might be able to use him as a tutor.²⁵ Bledsoe and Kendall reached an agreement on March 7, whereby Bledsoe agreed to board him, to allow him the use of his library, and to give him one hundred dollars a year in return for his services as tutor. Having made this agreement, Kendall decided to leave for Pittsburgh the next day.²⁶

On the way to Pittsburgh, Kendall met a well educated man by the name of Flügel who was a native of Germany. Kendall and Flügel became good friends and decided to buy a skiff at Pittsburgh in which they proposed to go down the Ohio River together, Flügel to Cincinnati and Kendall to Kentucky. They arrived in Pittsburgh on March 17, 1814, and were preparing to leave there March 25, 1814 when they met Major William T. Barry of Lexington, Kentucky. Barry was preparing to descend the Ohio in his house boat, which was thirty feet long, and

24 Ibid., Mar. 2, 1814, p. 95.

25 Ibid., Mar. 3, 1814, p. 96.

26 Ibid., Mar. 7, 1814, p. 96.

contained three apartments, a stable, and a center room. Since Barry had no life boat, he invited Kendall and Flügel to allow their boat to be used as a life boat, to throw their provisions in with his, and to accompany him and his wife down the river. They gladly accepted the invitation.²⁷ On this trip they passed Blannerhasset's Island, viewed its ruins, and Kendall wrote these words: "I could not help wishing that the house of every man who would sell his country may become as the habitation of Blannerhasset."²⁸ The boat arrived at Maysville, Kentucky, April 3. There Kendall, Flügel, and the Barrys parted company, and Kendall wrote the following about Major Barry and his wife:

"He appears to be a very good man, but not a great man. For our passage he charged nothing, and in every respect treated us like gentlemen. His lady seems to be a woman of a good disposition, but not well educated. They are, I think, a well matched pair and appear to be very happy."²⁹

On April 12, 1814, Kendall reached Lexington, nearly two months after he left Boston.³⁰

This trip was especially important because of the important people he met with whom he later had political connections. Felix Grundy, whom he met in Washington, he

27 Part of Kendall's Journal was lost, and he wrote an account of his stay in Pittsburgh and the above mentioned experience with Major Barry several years later from memory, and his account was reprinted in Stickney, op. cit., pp. 99-101.

28 Kendall's Journal, Mar. 29, 1814, op. cit., pp. 103-104.

29 Ibid., pp. 104-105.

30 Stickney, op. cit., p. 109.

met again many years later as a senator in Congress, and finally served with him in President Van Buren's Cabinet; Governor Lewis Cass, a fellow passenger in the stage from Georgetown to Washington, he met afterwards in Washington and was associated with him in Jackson's Cabinet; Mr. Welkins, whom he met at Pittsburgh, he encountered later as a senator in Washington and still later knew him as Secretary of War under President Tyler; Major Barry became his personal and political friend and associate in Kentucky, and later in Washington during President Jackson's administration; and Flügel later went back to Germany and settled at Leipzig. When Kendall moved to Washington, Flügel wrote and asked Kendall to help him to secure the appointment as consul in Germany, and Kendall got the appointment for him.³¹ (After having undergone the interesting and valuable experiences already described, Kendall was settled in Lexington by April 12, 1814, ready to start his Kentucky career.)

31 Ibid., p. 110.

CHAPTER II
THE FIRST TWO YEARS OF KENDALL'S
KENTUCKY CAREER

This period of Kendall's life might aptly be termed "the critical period." It was during these years that his life began to follow a definite trend, from which it never completely departed. One cannot study this period without contemplating how Kentucky history and even the history of the nation might have been changed had Kendall's activities followed a different course. (If it can be said that fate ever controlled the destiny of a man, it seemed to have been at work on Amos Kendall during this time.)

As has already been stated, Kendall was employed to teach in the family of Senator Jesse Bledsoe at Lexington. Upon his arrival at Lexington, he found that Bledsoe lived about thirty miles from the city, but had rented a house in Lexington. He had not yet returned from Washington; so Kendall secured lodging at Postlethwaite's Tavern until he could get permanently located. On April 18, 1814, he met Bledsoe on the street in Lexington, and Bledsoe assured him that his duties would start in about a week. At the same time, however, Bledsoe suggested that if Kendall could find more profitable employment, it would be to his interest to do so. Bledsoe was in town again on April the thirtieth, but he made no effort to see Kendall; consequently, Kendall resolved to dismiss the idea of

teaching for Bledsoe.¹

Kendall had no acquaintances in Lexington except the Barrys and the Bledsoes, and, although they were very polite to him, they did not introduce him to any of their friends. Because of the lack of an occupation and other desirable acquaintances, he became slightly acquainted with some soldiers who stayed at the tavern. One afternoon he passed near the barracks in which these soldiers were stationed. Near by on a green bank, several of them were enjoying themselves by indulging in conversation and liquor. Upon seeing Kendall they invited him over, and he accepted the invitation. (Among those present was one named Watkins, who was a half brother of Henry Clay.) He and Kendall had an interesting conversation which proved to be the beginning of a friendship.² Through Watkins' influence, Mrs. Hart, with whom Watkins boarded, became interested in Kendall. Her late husband was the brother of Mrs. Henry Clay, and because of her influential connections, she thought that she could organize a good class for Kendall to teach, composed of children from the first families of Lexington. Owing to the fact that the Clays lived five miles out of Lexington and could not send their children in every day, the project fell through. Mrs. Hart, however, offered him board, lodging and \$200 a year to tutor

1 Stickney, *op. cit.*, pp. 111-114.

2 *Ibid.*, p. 113.

her children, but told him that Mrs. Clay might make him a better proposition and even arranged for him to meet Mrs. Clay in the Hart home.³ He met her as arranged on May the fifth, and accepted her offer of a place to live, plus \$300 a year, and the use of Clay's library. (He admits that one of his main reasons for accepting was because he hoped that Clay's friendship would be an asset to him later.⁴)

The Clay family at that time consisted of Mr. and Mrs. Clay and seven children, the oldest being thirteen years of age. At the time Kendall was employed, Mr. Clay was in Europe, but he was expected back soon. Of the seven children, five were intrusted to Kendall's charge, two boys and three girls. All except the eldest had fine minds and especially did the younger boy have a keen mind. The children had not been handled firmly in school, but by mild firmness and Mrs. Clay's assistance, their dispositions were changed somewhat and a marked improvement was noticeable.⁵ On May the fourteenth, Kendall records, "Thomas refused this forenoon to go to his lesson; but on being carried to his room, he yielded."⁶ Again he writes:

"The eldest, Theodore, has the most amiable disposition, but Thomas is the smarter. Their mother tries to show her authority but is not supported with a

3 *Ibid.*, pp. 114-115.

4 *Ibid.*, p. 115.

5 *Loc. cit.*

6 Kendall's Journal, May 14, 1814, op. cit., p. 116.

sturdy hand. Mrs. Clay perceived my sentiments and finally conquered Thomas by giving him a severe whipping. I congratulated her with real pleasure."⁷

There was such a difference between Thomas and Theodore as to disposition and ability that Kendall finally proposed to Mrs. Clay that he hear their recitations separately.⁸

Kendall was liked by Mrs. Clay, although they sometimes disagreed. She introduced him to the relatives and friends of the family and took him in to their social circle.⁹ On May the seventeenth, a number of ladies called in the evening at the Clay home, and Kendall made "merry" with them for the first time in Lexington.¹⁰ At another time Kendall argued with Mrs. Clay and two other ladies that it is wrong to send word to visitors that you are not at home when you are. He clung to his argument in spite of the fact that Mrs. Clay differed with him. There was no ill feeling because of it, however.¹¹ On another occasion, he records that he was obliged to listen to a long talk in ridicule of religion and religious men. He observed that in such instances, "To attempt reasoning, I find does no good, and therefore I generally find it best to preserve a prudent silence."¹² He also argued with Mrs. Clay concerning the literature of the North and South, maintaining that the literature of the North surpassed that of the

7 Ibid., May 20, 1814, pp. 116, 117.

8 Ibid., April 10, 1815, p. 141.

9 Stickney, op. cit., p. 115.

10 Kendall's Journal, May 17, 1814, op. cit., p. 116.

11 Ibid., May 27, 1814, p. 118.

12 Ibid., June 19, 1814, p. 118.

South. She refused to admit his argument, but at a future time she advanced his arguments as her own in the presence of her friends.¹³ (It was in the Clay social circle also that he formulated his philosophy for being popular in Kentucky, which was, "Drink whiskey and talk loud, with the fullest confidence, and you will hardly fail of being called a clever fellow."¹⁴)

(Although Kendall was teaching, he had not abandoned the idea of becoming a lawyer.) On August 13, 1814, he records, "I have read of law, since I have been here, most of the general laws of Kentucky, and the first volume of Blackstone. A multitude of miscellaneous books I have read, and have now begun the History of Russia by Tooke."¹⁵ (October 12, 1814, he went to Frankfort to procure a license for practicing law.) Barry was to meet him in Frankfort and introduce him to the examining judges, but failed to appear. He then thought of getting Robert Wickliffe, a lawyer of Lexington then in Frankfort, to introduce him, but he was unable to locate Wickliffe; consequently, he introduced himself. They examined him but were not satisfied and asked him to call again the next morning. The next day Barry arrived and promised to put in a good word

¹³ Ibid., Sept. 15, 1814, p. 126.

¹⁴ Ibid., Sept. 10, 1814, p. 126; Carl Schurz, Life of Henry Clay, I, (New York: Houghton, Mifflin & Co., 1887), 17; Alexander Holmes, The American Tallyrand, (New York: Harper, 1935), p. 208.

¹⁵ Kendall's Journal, Aug. 13, 1814, op. cit., p. 122.

for him, but he never did until the license was already granted. Kendall was disappointed in Barry but was glad that he succeeded in getting the license without the aid of anyone.¹⁶

Having secured his license to practice, Kendall was yet uncertain as to whether he would use it or not. In September, he learned of a teaching vacancy at Russellville, Kentucky, and was thinking of applying for that position; but since it paid only \$750 a year, he dismissed the idea.¹⁷ In the same month, John Hart, Mrs. Clay's brother, lost money in his business, which had been managed by his partner, and he had to take over the personal management of it, although he disliked it very much. Kendall conceived the idea of investing in the business and getting Hart to turn the drudgery of the business over to him. Mrs. Clay had already mentioned it to her brother before Kendall approached him. Hart was unwilling to be involved in another partnership, but he offered Kendall one-third of the profits or not less than \$500 a year to run the business for him, allowing Kendall at the same time to gradually invest in the business until he became the sole owner. Inability to procure goods at that particular time, however, and his lingering de-

¹⁶ Ibid., Oct. 12 & 13, 1814, pp. 129-130.

¹⁷ Ibid., Sept. 3, 1814, p. 124.

sire to become a lawyer caused the business venture to be definitely postponed.¹⁸ In the midst of his business negotiations, he wrote to J. B. Varnum at Washington according to Varnum's request, and almost resolved to apply for a commission in the army should any more troops be raised.¹⁹ Perhaps his most grandiose and visionary scheme was the formation of a land company which hoped to obtain a large grant of land from the government in Indiana. Several members of the company, including Kendall were to settle there and secure settlers from New England. The members of the company contemplated taking up the central portion of whatever grant they might secure, around which they hoped the state capital would develop. This idea was not completely abandoned until some time after he had settled in Georgetown.²⁰ The reason for his giving up the land scheme was because of the failure of the government to make the grant. (After looking about for some time for a place in which to practice law, he finally decided on Georgetown, Kentucky where he moved May 10, 1815.²¹)

Kendall's law practice in Georgetown was slow in developing, and as early as May the nineteenth, which was a cold and dreary day, he came very near leaving Georgetown and going to Cincinnati to set up near his friend, Flügel. He even attempted to get a horse on which to make

18 Ibid., Sept. 6, Nov. 1, 2, 3, 1814; pp. 125, 131, 132.

19 Ibid., Oct. 1, 1814, p. 127.

20 Ibid., Feb. 13, 1815, p. 135.

21 Ibid., May 10, 1815, p. 145.

the trip, but one person did not want anything for the use of his horse, and the other wanted too much; so he decided to stay in Georgetown until after the July courts.²² Again on the twenty-fifth of the same month, he became inclined to go to Cincinnati, writing:

"My ambition leads me to some new country, where I can have a part in forming new societies and new institutions. Many are the views of my fancy, but Alas! the realities would probably be but a series of disappointments."²³

Later, on September the fourteenth, he returned to Georgetown from Lexington where he had been to discuss the Indiana project with his partners. He was practically certain it was going through and resolved to close all his business in Georgetown.²⁴ But ten days later, however, he became dissatisfied with the whole Indiana business and definitely resolved to have nothing further to do with it.²⁵ In the midst of all this uncertainty, he was trying to establish himself as a lawyer and at the same time, was dabbling with the possibilities of editing a newspaper and managing the Georgetown post office for which he was an applicant.

Kendall had his first two clients in the same week, one on July the nineteenth, and the other a few days later. From these clients he realized the sum of \$5.00, \$2.50 from each.²⁶ His next case came on August the twelfth, when a

22 Ibid., May 19, 1815, p. 146.

23 Ibid., May 25, 1815, p. 155.

24 Ibid., Sept. 14, 1815, p. 155.

25 Ibid., Sept. 23, 1815, p. 156.

26 Ibid., July 19 & 23, 1815, p. 150.

man named Brashear was brought in for the murder of his father-in-law in a drunken brawl. Kendall agreed to take the first part of the case for ten dollars. He only wanted to get bail for Brashear, but he failed to do that. He then offered to take the entire case for seventy-five dollars, including the ten already mentioned, and got the job provided Brashear's father would agree. To Kendall's disappointment, Brashear hired Henry, the only other lawyer in Georgetown, to handle the case. Kendall then offered his services free to be used in conjunction with Henry's services. He did this merely to display his power as a lawyer. During the course of the trial, Kendall made a one hour speech in defense of Brashear which was complimented highly, both then and for several days afterward; but after this case in which Brashear was sentenced for ten years, Kendall decided to give up law to publish a religious paper which he never did.²⁷ Although he had determined to give up his law practice, he did not do it completely as long as he remained in Georgetown. On May 27, 1816, he formed a law partnership with a friend by the name of Guilford, whose identity otherwise is unknown, and this partnership was not dissolved until Kendall had decided definitely to go to Frankfort.²⁸

Since Kendall's law practice was not very lucrative,

²⁷ *Ibid.*, Aug. 12, 13, 17, 18; Sept. 14, Oct. 5, 11, 1815, pp. 152, 153, 158.

²⁸ *Ibid.*, May 27, 1816, p. 172; Stickney, *op. cit.*, p. 181.

he was constantly looking for something to do on the side. On July 18, 1815, he was offered a job as deputy by the (Georgetown postmaster,) a man named Miller. This job would give him \$200 a year, and he thought that by taking it and a job with a newspaper which he was contemplating, he could earn about \$600 a year from the two occupations, exclusive of his law practice.²⁹ The post office position was not definitely accepted at that time, but about a month later, Miller offered him the position of postmaster, provided Kendall would resign when Miller wanted him to, and provided Kendall would give Miller a per cent of the profits for five years. Kendall wanted the job, but he did not like the conditions.³⁰ However, they came to an agreement on August the thirteenth. Kendall was to resign at any time during a six year period that Miller wanted him to and Miller was to receive \$180 a year for four years or so long as Kendall should hold the office. Concerning the transaction Kendall wrote the following:

"These terms I am convinced would be regarded as degrading, and we mutually agreed that they should be kept secret. I, however, feel conscious of no moral wrong, and see a prospect of some profit and many conveniences, counterbalanced, perhaps by the inconveniences attending it. But if dissatisfied, I can resign when I please, and he will be at liberty to make conditions with any other person."³¹

For Kendall to get the post office job it was necessary

29 Ibid., July 18, 1815, p. 150.

30 Ibid., Aug. 8, 1815, p. 151.

31 Ibid., Aug. 13, 1815, p. 153.

for his appointment to be confirmed in Washington; therefore Kendall called on Colonel R. M. Johnson, a Congressman, to get a recommendation for the position. Johnson refused to make the recommendation except on the condition that Kendall would make some kind of bargain with Mr. Herndon, part owner of the Minerva, a local newspaper, whereby Kendall would take over the editorial duties of that paper right away.³² Kendall and Herndon had been trying to come to an agreement for some time but had reached no decision. Kendall secured the post office position, but by the time he paid an assistant and Miller, there was very little profit left.³³ He held the position, however, until he left Georgetown.³⁴

Kendall had been in Georgetown only about a month when Herndon, already mentioned, sent for him. At Herndon's office he found R. M. Johnson and a Mr. Chambers. They made him a proposition whereby he could own and edit the Minerva and pay for it out of his profits. Kendall thought under such conditions, he would probably be obligated to Johnson.³⁵ He disliked the idea of being obligated to anyone, and in addition the management of the paper was contemptible, and the reputation of the paper was low; therefore he was unable to come to an agreement in the

32 Ibid., Sept. 27, 1815, p. 157.

33 Ibid., Jan. 16, 1816, p. 164.

34 Stickney, op. cit., p. 181

35 Ibid., June 8, 1815, p. 147.

matter for sometime, although numerous approaches were made concerning the matter. After securing the post office appointment, however, he secured one-half interest in the (Minerva, and became its editor, September 30, 1815.) Concerning it he wrote, "The die is now cast, and I am fixed to Georgetown. God grant that I may not repent my bargain."³⁶ He did repent of his bargain, however, because the paper was greatly in debt, and Herndon finally left Georgetown leaving Kendall with the entire burden to shoulder;³⁷ consequently, the last issue of the Minerva appeared Jan. 16, 1816.³⁸

After the downfall of the Minerva, the Georgetown Patriot was established and printed under the names of Kendall, Shellers, and Lyle, although they were not the owners, with Kendall as the editor. The first issue appeared April 20, 1816.³⁹ One of the interesting features of this edition was an article containing Kendall's attitude toward expansion after the War of 1812:

"... the Editor confesses he feels a sacred joy too glowing for expression when he views the population of the East, rolling wave after wave into the western wilderness, stripping nature of her wildness, and carrying civilization and refinement into the den of the beast and the haunt of the savage. New states... rise like islands from the ocean of woods, increasing our wealth

36 Ibid., Sept. 30, 1815, p. 158.

37 Ibid., Jan. 1, 1816, p. 163.

38 Ibid., Jan. 16, 1816, p. 164.

39 Ibid., Apr. 20, 1816, p. 170.

and strengthening our power."⁴⁰

Concerning the political nature of the Georgetown Patriot, Kendall wrote in his journal:

"I have the most difficult task as editor. There has been much grumbling by one and another, but none are decisively angry. I shall endeavor to keep them in this state of half mad and half pleased."⁴¹

At another time he wrote:

"Having a newspaper under my control, I have had much difficulty, and once almost quarreled with the Johnsons to keep it clear of abuse. A piece was sent for publication which I refused to insert; but the matter passed off without difficulty. Yet I am accused of subserviency to the Johnsons! I shall give Richard my vote and feel perfectly inclined to be his friend, but not his tool. Though I disapprove of the Compensation Bill, I think it not a sufficient reason for rejecting him altogether."⁴²

Kendall never failed to support Johnson politically; nevertheless, the paper was known more for other features than for its political stand. Perhaps the articles that attracted the most attention and received the most favorable comments were those on currency. After the War of 1812, the banks of the South and West suspended specie payment and were not inclined to resume it. In a series of articles, he explained the nature of currency and gave reasons why specie payment should be resumed. His articles even won the approval of the officers of the Bank of Kentucky.⁴³

⁴⁰ Georgetown Patriot, Apr. 20, 1816, reprinted in L. W. Meyer, Life and Times of Col. Richard M. Johnson of Kentucky.

⁴¹ Kendall's Journal, June 4, 1816, Stickney, op. cit., p. 172.

⁴² Ibid., July 23, 1816, p. 175.

⁴³ Stickney, op. cit., p. 178.

In September, 1816, Kendall went to Frankfort to transact some business with William Gerard, editor of the Argus of Western America and a director of the Bank of Kentucky. During the course of their business together, Gerard proposed that Kendall buy half interest in the Argus and become its editor. Kendall pleaded no funds, but Gerard said he could overcome that difficulty through the Bank of Kentucky. All of Kendall's friends urged him to accept Gerard's offer but R. M. Johnson, who at that time was making war on the Argus. Kendall, although a friend of Johnson, accepted the offer and closed the deal on September 30, 1816 by paying \$2000 for his half. Concerning Kendall's new position, (the Lexington Reporter contained the following article:)

"It must give pleasure to the Republicans throughout the state, to find that the Argus of Western America, a paper of extensive circulation and printed at the seat of government, is placed under the editorial care of Amos Kendall, Esq., a gentleman whose talents and genuine republican sentiments will doubtless redeem the paper from the doubtful character it had lately assumed."⁴⁴

(Kendall relieved himself of his business obligations in Georgetown and was ready to assume his new duties in Frankfort about the middle of October, 1816.⁴⁵)

44 The Lexington Reporter, Nov. 6, 1816.

45 Stickney, op. cit., p. 182.

CHAPTER III
KENDALL AND THE NEW ELECTION
CONTROVERSY OF 1816-18

Before Kendall left Georgetown, the new governor elect, George Madison, had died. Madison died in the early part of October before he had even taken office. According to the constitution of Kentucky, it was generally assumed that the lieutenant governor would fill the vacancy. The lieutenant governor at the time was Gabriel Slaughter. There seemed to have been little objection to his being elevated to the governorship until he appointed John Pope Secretary of State. The dominant party under the banner of Clay, fearful of the results if Pope would get a chance at the disposal of the patronage of the state.¹

During the first session of the legislature in January, 1817, John C. Breckinridge introduced a resolution calling for the election of a governor to fill the unexpired term of Madison. For this resolution, the committee of the whole substituted a resolution of its own, which upheld the right of the lieutenant governor to fill Madison's unexpired term. This latter resolution was adopted in the house by a vote of sixty-three to twenty-eight, and in the senate by a vote of twenty-nine to three.² In the August election, the new-election advocates

¹ George Robertson, Scrap Book, (Lexington: A. W. Elder, 1855), p. 1.

² Ibid. cit.

brought out candidates in practically all the legislative districts in Kentucky, and they greatly agitated the question. As a result of this widespread agitation, the new-electionists gained control of the house. In December, 1817, they appointed a select committee consisting of George W. Baylor, George Bibb, Solomon P. Sharp, David White, J. T. Johnson, Thomas Fletcher, Alexander Reed, and Eli Shortridge. This committee was to prepare a bill providing for a new election of a governor. The committee presented a bill that provided for the election of a new lieutenant governor as well.³ The bill passed the house on December 15, 1817, by a vote of fifty-six to thirty; but the senate refused to pass it by a vote of fourteen to eighteen.⁴ It was carried to the people again in the spring and summer of 1818 with practically the same result as in 1817, with the senate acting as the restraining power in both instances.⁵

(When Kendall launched his career as the editor of the Argus of Western America, November 1, 1816,) the cry for a new election had not yet arisen. On the other hand, there was considerable objection already to the appointment of Pope as Secretary of State. Gerard asked Kendall what course the Argus should take in the matter, and Ken-

3 Loc. cit.

4 Loc. cit.

5 Stickney, op. cit., p. 198.

dall unhesitatingly replied that it should be anti-administration. Slaughter was anxious to keep the subject quiet, and Kendall was inclined to honor the lieutenant governor's request. Gerard was inflexibly opposed to a course of silence on the subject; so Kendall was obliged to take part in the matter, although it greatly decreased his respect for Gerard.⁶ (Accordingly, on November 13, 1816, the Argus came out with the first of a series of articles addressed to the senate in an attempt to induce the senate not to accept the appointment of Pope.⁷ These articles were written under the name of "Cato," which Kendall acknowledges to be the name under which he wrote at that time.⁸ The same issue of the Argus carried opinions of newspapers in Maysville, Washington, D. C., Paris, Georgetown, Glasgow, and Lexington, warning against tamely submitting to appointments in which the public has no confidence.⁹)

As a result of the attack of the Argus on Pope, a controversy ensued with the Commentator, another Frankfort paper which was established by Moses O. Bledsoe, who was friendly to Pope. Bledsoe hired Horace Mann of Louisville to write for the Commentator, and soon an attack was made on the Argus. The Argus retaliated by giving the entire history of how the Commentator began. This article resulted in a personal attack by Bledsoe on Gerard with a

6 Stickney, op. cit., p. 183.

7 Lexington Reporter, Nov. 13, 1816.

8 Stickney, op. cit., p. 184.

9 Reporter, loc. cit.

stick, but nothing was done about the attack. On the other hand, Mann was so sensitive that he could not stand the remarks aimed at him; so he quit the Commentator, and later came over to the side of the Argus.¹⁰ The fight between these papers was not over, however. John H. Farnham, who lived in Versailles while Kendall was teaching in the Clay home, and who became Kendall's friend during that time, soon became editor of the Commentator. When Kendall moved to Frankfort, he secured for Farnham at the latter's request, a teaching job in Gerard's home where both Kendall and Farnham lived. Soon Gerard and Kendall became disgusted with Farnham's loose talk and duplicity; so Gerard asked him to seek board at another place. It was after this that Farnham became editor of the (Commentator). A contest of exposure started by Farnham became so hot that on one occasion, Kendall and Farnham were saved from a serious personal encounter by the fact that the spectators prevented their fighting and using dirks which they both carried. Kendall finally made it so hot for Farnham through handbills which were marvelous specimens of ridicule and blackguardism, that Farnham was thrown out of the Masonic Order and finally forced to leave the state.¹¹ (Farnham's departure did not end the contest between these two papers,) as will be evidenced throughout this discussion.

10 Stickney, op. cit., pp. 185-186.

11 Ibid., pp. 190-194.

Soon after Kendall's arrival in Frankfort, the enemies of Pope raised a constitutional question as to whether another election should be held for the purpose of electing a new governor and a new lieutenant governor. Kendall at first was opposed on constitutional grounds to a new election, but after examining the constitution closer, and, after comparing it to the constitutions of several other states, he decided that a new election was the only rightful solution.¹² It is worth bearing in mind, however, that although he was opposed to a new election on a constitutional basis in the beginning, his sympathy was with the new election movement from the first.¹³

In the beginning of this particular controversy, Kendall wrote and published articles on both sides of the question. Later, he wrote only articles in favor of a new election. His opponents published a pamphlet, The Constitutionalist, written by George Robertson, against the new election. Kendall published a pamphlet, Free Suffrage, of thirty-nine pages in reply. In the Commentator, a series of articles appeared under the name of "Plain Truth." Kendall answered those articles under the name of "Plainer Truth." When Kendall had vanquished the writer of the "Plain Truth" articles, Humphrey Marshall, a noted Kentucky politician and historian, started a series of articles in the Commentator under the name of "Truth." Kendall answered

12 The Western Citizen, Apr. 23, 1817.

13 Stickney, op. cit., p. 188.

these articles under the name of "A Fool." The contest between Kendall and Marshall ended by Marshall's publication of a description of Kendall, which Kendall said was laughable for its absurdity and which he never answered.¹⁴ The dominant note of Kendall's political philosophy is contained in the title of his pamphlet, "Free Suffrage." (All through his political career, it will be seen that he upheld the right of the voter to be the final arbiter of any public question, even if the majority differed with the constitution.)

The Argus and the other newspapers of the time brought out the principal arguments used in the controversy. Most of the other papers, however, quoted the Argus more than they gave their own opinions. On the subject of lieutenant governor, the enemies of the new election contended that a lieutenant governor is elected with every governor, and they assumed according to the constitution, that such an election could take place only every four years; therefore in case of a vacancy in the governor's chair for any reason, the only solution for filling that vacancy would be to move the one next in line up to his position. The friends of the new election maintained that the constitutional provision on the point in question means, not that a new governor can be elected only every four years, but that he is to serve only four years after being elected,

¹⁴ Ibid., pp. 188-189.

or the fractional part of a four year term if elected at any time during the four year period. They maintained further that a new governor could be elected at any time it became necessary because of a vacancy in the governor's chair. (They agreed with their enemies that in any case of the election of a new governor, that a new lieutenant governor should be elected also.)¹⁵ The enemies argued further, that the constitution provided for the election of a speaker of the senate in the absence of the lieutenant governor, and they held that fact to be proof that the constitution makers foresaw that it might be necessary for the lieutenant governor to fill the governor's chair. The friends of Slaughter claimed that provision to have been put in for an emergency which would occur if the lieutenant governor were removed from the speakership by death. The friends argued further that the provision in the constitution saying that the old governor should remain in office four weeks after the new governor took his oath of office would allow the old governor to remain in office in this case for another four years, if it is true that a governor can be elected only every four years, because George Madison never took the oath of office. They held that argument to be proof that according to the spirit of the constitution, (a new governor could be elected at times other than at the end of regular four year

15 Western Citizen, May 7, 1817.

periods.¹⁶ The following article from the ARGUS illustrates its attitude toward the election from a common sense viewpoint, leaving out constitutional considerations:

"It is said to be very hard to put it in the power of a governor to turn the lieutenant governor out of office by his resignation. But if the lieutenant governor must continue governor for four more years, is it not as hard on the people that the governor should have the power to impose on them by his resignation, a governor whom they have not chosen? Some men think all about the hardships of the lieutenant governor, and none about the rights of the people.¹⁷"

In July, 1817, The Argus exposed Pope's attempt to line up C. H. Allen, a candidate for the legislature in the next election. Pope sent Allen a letter in which he assured Allen of a reward if he should line up on his side, and Pope also advised Allen to take a "very good paper" in Frankfort, the Commentator. Allen, instead of lining up with Pope, sent the letter to the Argus. The Argus published the letter and played it up as just one of the many attempts of Pope to bribe the legislators.¹⁸ Pope resigned in September, 1817, and M. D. Hardin was solicited for the post. Hardin refused to accept, and Pope was called back as Secretary of State. The Argus called this a "frame up" job to fool the public into thinking that Pope was sincerely trying to

¹⁶ Ibid., May 14, 1817.

¹⁷ Reporter, July 9, 1817.

¹⁸ Ibid., July 24, 1817.

relieve the situation by resigning.¹⁹

In the August election, as has already been stated, the new-election faction gained control of the house. The only recourse Pope and his faction had was the possibility of controlling the senate; consequently, they concentrated their efforts on the senate. Kendall sensed the line of attack to be used by the opposition; so he proceeded to forestall their efforts. He claimed that the senate was as much bound by the voice of the people in the election as was the house. (The "Federalists," as he called the opposition, claimed that no one was bound by the instructions from the people because of a constitutional question to be decided. He retorted that instructions from the people are always binding on any kind of a question, and especially are they binding in this case because the constitution itself is not clear beyond a doubt in the matter.²⁰ It was advocated by some that a law be passed providing for means through a census of some sort to obtain as nearly as possible an accurate estimate of the will of the people concerning the matter. Kendall objected to that idea, saying that so much time would be wasted that way that there would be no use for such information after it had been secured. Besides, he considered the verdict of the last election to be the will

19 Ibid., Sept. 24, 1817,

20 Ibid., Sept. 17, 1817.

of the people.²¹ Kendall even went so far in a series of articles, ("The Federalism of Kentucky," as to try to convince the members of the General Assembly that it was their duty to obey the voice of the people or to resign.²²)

All of Kendall's pleading, warning, and arguing failed to produce the desired result because of the resistance in the senate. The question was carried to the people again in 1818, and the following article appeared in the Argus:

"The question is, 'SHALL THE PEOPLE RULE?' If they yield this question, it is no matter what may be their constitution--its meaning may be as the sun, it may be a republic as is Democracy itself; yet if they yield to rule, it will be trampled under foot whenever public officers find it their interest in feeling power to forget right."²³

Although Kendall and his colleagues were able to mold the decision of the people, they could not influence the senate sufficiently; consequently, the new election was again defeated and ceased to be a political issue. Although it ceased to be an issue in Kentucky politics, there were many sore spots left, and, according to William H. Perrin, a Kentucky historian, it was the beginning of the "terrible period of political strife in Kentucky."²⁴ Political hatreds subsided temporarily, however, as is shown by the

21 Ibid., Nov. 5, 1817; Western Monitor, Jan. 3, 1818.

22 Stickney, op. cit., p. 197.

23 Reporter, May 27, 1818.

24 W. H. Perrin, The History of Kentucky, (Chicago: Johnson Morris Co., 1855), p. 811.

fact that the Argus admitted that all who opposed the new election were not "aristocrats," "Federalists," and "enemies of free suffrage."²⁵ The Western Monitor, an opposition paper, also admitted that the Argus never considered the new-election business a party issue.²⁶ Yet the undeniable fact remains, that in the ensuing political conflict the same people and the same papers with few exceptions, were lined up on the same sides as in this conflict.

From this political turmoil, Kendall and Gerard emerged as public printers, and from this experience, Kendall formulated his rules of conduct as an editor, which are as follows:

"Never assert an untruth about men, measures, or things.

"If betrayed into an untruth by mistake or misinformation, retract as soon as correctly informed, whether requested by the injured party to do so or not.

"Retract from nothing believed to be true because of threats of violence.

"If insulted, return insult in kind.

"If assaulted, use any means at hand for defense, killing if necessary, and taking a whipping rather than show cowardice."²⁷

Whether Kendall lived up to this code or not, the reader will have to judge from the further contents of this discussion. Little did Kendall realize what a severe test was in store for his editorial principles in the relief struggle of which Kentucky was on the verge at that time.

25 Western Monitor, Aug. 18, 1818.

26 Ibid., Aug. 29, 1818.

27 Stickney, op. cit., p. 196.

CHAPTER IV

KENDALL AND RELIEF IN KENTUCKY

Between the new-election controversy and the beginning of the bitter relief agitation in Kentucky, there was a lull in political affairs of the state. During this time and at such other times as Kendall had to devote to topics other than politics, he manifested a deep interest in the educational affairs of the state. After the elections in 1819, he endeavored to impress on the legislature the importance of a system of common schools in a series of six articles entitled "Sketches on Education for the Consideration of the People of Kentucky." The object of these articles was to show the importance of free public education to intelligent government and to the welfare of the individual and to point out means whereby Kentucky could establish such a system of education.¹ In 1821, Kendall published more articles on education in which he attempted to show that free public schools would be more beneficial to the state than the higher institutions of learning. He was not, however, advocating the abolition of the higher institutions of learning. In one of these articles occurs the following passage:

"... In short, we would establish a system of free schools, coextensive with the State, which should be open to the poor as well as the rich, and dispense the blessings of at least a common edu-

1 Stickney, op. cit., pp. 225-227.

cation to every citizen."²

(In 1821, Governor Adair appointed a committee composed of W. T. Barry, J. R. Witherspoon, D. R. Murray, and John Pope to collect information and to prepare and report a system of common schools suited to the circumstances and habits of the people, to be reported to the legislature in 1822. After studying educational conditions in other states, and corresponding with many prominent men in various parts of the country, the committee requested Kendall to assemble the data and draw up the report to present to the legislature.³ Kendall drew up the report and in substance made the following recommendations:)

1. State sponsorship of Transylvania and the academies as training schools for teachers.

2. A public school system supported by state appropriations augmented by local taxes, as in the New York system.

3. Free schools for the public generally, as far as possible, and not for the poor only.

4. A state superintendent of schools who would not be prevented from holding some other office, but who could give a reasonable amount of time to the inaugurating and the carrying on of such a

² Argus of Western America, Oct. 11, 1821, reprinted in Stickney, op. cit., p. 249.

³ A. F. Lewis, History of Higher Education in Kentucky, (Washington: Government Printing Office, 1899), p. 330.

system of education.⁴

Although such an educational program as he advocated was not established at that time, the report circulated widely through the state and no doubt influenced public opinion in favor of public education. The American Journal of Education contains an article commenting on it "as one of the most valuable documents upon common school education that had at that time appeared."⁵

It was also during this lull in political affairs that Kendall was most active in society life. He had gained some prominence by this time and prior to the latter part of 1818, was a prospect for matrimony. Kendall met very few young ladies whom he thought sensible enough to take for a wife. Finally, however, he succumbed to the charm and sensible behavior of Miss Mary B. Woolfolk of Jefferson County, and they married October 19, 1818 in Jefferson County.⁶

Relief had not assumed any great importance in Kentucky prior to 1818. Most parts of the country, however, were in distress at that time owing to crippled trade as a result of the Napoleonic wars in Europe and the War of 1812 in America, owing to crop failures for various reasons from 1816 to 1819, and owing to the instability

4 Loc cit.

5 Loc cit.

6 Jefferson County Marriages, Book I, (Property of the Filson Club), p. 99.

of the monetary situation.⁷ The crisis was slow coming in Kentucky because of its earlier sound banking policies and its rapid commercial growth, which was caused primarily by the application of steam to navigation, by securing complete possession of the Mississippi River in 1815, and by the greatly extended manufacturing interests in the state.⁸ As a result of this temporary prosperity, speculation increased to ruinous proportions. Lots in the small villages of Shepherdsville and Carrollton sold on time payments at New York and Philadelphia prices, the most active speculators being men of small means.⁹ By 1818, many of these debts were coming due, there was a shortage of currency in circulation, and large numbers of people could not pay their debts. They therefore appealed to the state legislature for relief, demanding that more money be put into circulation and that time extension on debts be given. As a result of these demands, the legislature chartered forty independent banks in 1818, whose notes might be redeemed in the paper of the Bank of Kentucky, then in good credit; and in the sessions of 1819-20 the time in which to replevy a debt was increased from three to twelve months.¹⁰ Soon the United States Banks at Lex-

7 A. M. Stickles, The Critical Court Struggle in Kentucky 1819-1829, (Published under the auspices of the Graduate Council, Indiana University, 1929), p. 6.

8 N. S. Shaler, Kentucky, A Pioneer Commonwealth, (New York: Houghton, Mifflin & Co., 1885), pp. 173-174.

9 Stickles, op. cit., p. 7.

10 Perrin, op. cit., p. 311.

ington and Louisville, demanded specie payment; consequently, the Bank of Kentucky was forced to suspend specie payment, and the forty independent banks, most of which were poorly managed and had loaned money on worthless security, were wrecked.¹¹

The legislature revoked the charters of these forty banks in 1820, but because of the speculation they had given rise to, relief was more in demand than before they were created. The outcome of this latter demand was that on November 29, 1820, the legislature created the Bank of the Commonwealth, which had a capital of \$2,000,000 but with no security except the money that might accrue from the sale of some vacant land west of the Tennessee River, an amount which was scarcely more than nominal.¹² The value of its notes fell off fifty per cent in a short time, and to effectuate the relief intended by the chartering of the bank, the legislature passed on December 25, 1820, an act providing "that if a judgment creditor would endorse on his execution that he would take the paper of said bank at par in satisfaction of the judgment, the debtor should be entitled to a replevin of only three months, otherwise two years."¹³ The supreme effort of Kentucky legislatures in their attempt to aid the debtors was an act passed in December, 1821:

11 Shaler, op. cit., pp. 176-177.

12 Robertson, op. cit., p. 49.

13 Loc. cit.

"...which prohibited the sale of property on an order from the court for less than three fourths of its appraised value by a jury of neighbors, unless the plaintiff would consent to receive the notes of the Bank of the Commonwealth or the Bank of Kentucky as payment in discharge of the execution; if these bank notes were accepted, the property could be sold without a formal appraisement."¹⁴

These various relief measures were especially obnoxious to the creditor class after the currency of both the Bank of Kentucky and the Bank of the Commonwealth declined so greatly in value. The creditors consequently appealed to the courts when they could no longer control the legislature. This phase of the strife, however, belongs to the court struggle which will be considered in the next chapter.

Kendall's part in the relief struggle started with his opposition to the United States Bank in 1818.¹⁵ In July, 1818, a Lexington paper carried an article telling of Kendall's intention to publish articles pro and con on the bank question, and the same paper promised "to add a few words" if he failed to do justice to the subject.¹⁶ True to his promise, Kendall wrote an account of the United States Bank from the time Congress refused to re-charter it in 1811 through the time when the Bank of Kentucky was forced to suspend specie payment in 1820, which it never resumed. Along with that account, however, he endeavored to overcome the arguments in favor of the bank.

¹⁴ Stickles, op. cit., p. 26.

¹⁵ Stickney, op. cit., p. 205.

¹⁶ Reporter, July 29, 1818.

According to Kendall, the arguments advanced in favor of the establishment of the United States Bank in 1816, were as follows:

1. It would greatly facilitate the fiscal operations of the treasury of the United States.

2. It would regulate the currency by compelling state banks to resume and to continue specie payment.

3. It would equalize exchanges.

4. It would furnish in its notes, a currency everywhere in the United States of uniform value.¹⁷

Kendall claims that the United States Bank was a total failure in every one of the above mentioned aspects except the first and gives facts of such a nature that tend to prove his contention. He struck at the second argument harder than the others. In fact, he says that the United States Bank instead of compelling state banks to resume and continue specie payment, caused them in most cases to suspend specie payment as was the case with the Bank of Kentucky. According to his argument, the two United States branch banks were opened in Kentucky about the same time that the Bank of Kentucky resumed specie payment in 1817. The United States branch banks issued few notes, and those that were issued were immediately grabbed up and sent to the East to pay for goods, the branches receiving the notes of the Bank of Kentucky for

¹⁷ Stickney, op. cit., p. 201.

exchange. The result was a heavy balance on the Bank of Kentucky, and it could not get the United States Bank notes from the branch banks; so it had to withdraw more of its notes from circulation in order to continue specie payment. This withdrawal caused property values to decline and made it hard for debtors to pay their debts; therefore a cry for relief went up to the legislature, and the forty independent banks were created. The United States branch banks received the notes of only such of the new banks as were prudently managed, thus restricting their issues as well as those of the Bank of Kentucky. On the other hand, the unchecked independent banks issued notes in profusion, and according to Kendall, "The failure of the United States Bank 'to regulate currency' is now conspicuous; it checked banks which needed no check, forced them to take in their notes, and furnished no substitute, leaving the field of circulation to inferior banks."¹⁸ He further states that because of fraudulent management of the United States Bank, it became necessary for the main bank to call on its branches for specie, thus making it necessary for the western branches to demand specie payment of the sound banks in Kentucky, completing their ruin.¹⁹

The Reporter, true to its promise "to add a few words" if Kendall did not do justice to the bank question, put-

¹⁸ Ibid., pp. 201-202.

¹⁹ Ibid., pp. 202-204. For a detailed account of Kendall's treatment of the bank question through 1830 see pp. 199-205.

lished articles under the name, "Setorius," and Kendall answered them under the name of "Cato."²⁰ In this contest Kendall also had the Western Monitor, another Lexington paper, against him. Whether or not the United States branch bank located in Lexington had anything to do with the attitudes of these papers is a matter of conjecture. (The Monitor accused Kendall of trying to start a civil war between Kentucky and the United States.) The following circumstances gave rise to the inference: an application for an injunction in favor of the United States Bank was made to the United States Court Judges of the Lexington district and Kendall asked the following questions concerning it:

"If an injunction should be granted ought the sergeant of the Court of Appeals to obey?!"

"Would it not be the duty of the executive to defend the sergeant in the execution of that act, particularly as he approved it, and is sworn to see the laws executed?!"²¹

On March 12, Kendall replied to the above accusation, denying the charge; but the Monitor still maintained that he gave no adequate explanation of the lines quoted above.²²

In the Argus of May 7, 1819, Kendall started a series of eleven articles reviewing the Supreme Court decision in the case of (McCulloch vs. Maryland) on the constitutionality

20 Ibid., p. 206.

21 Monitor, Mar. 6, 1819.

22 Ibid., Mar. 13, 1819.

of the United States Bank. In these articles he attacks the idea of a thing being constitutional because of precedent, especially when popular approval is against it; he defends states' rights; he declares that the right to create a corporation is not among the "enumerated powers" of Congress; he maintains the words "necessary and proper" to be a limitation of the "enumerated powers" of Congress and a guarantee against the violation of the rights of any state or any individual; he affirms that the only constitutional basis for the (United States Bank is as a necessary auxiliary of the treasury in managing the finances of the government,) and not one of the powers conferred by its charter was for that purpose;) he upholds the power of a state to tax the private business of the United States Bank;) and he warns the people against such usurpation of power by Congress in the future. These articles had no immediate effect) except as they might have influenced the Kentucky judges in their decision concerning the right of a state to tax the United States Bank.²³

(The arguments contained in the series of articles on the United States Bank in its relation to relief, and the series of articles on the constitutionality of the bank remained the foundation of Kendall's oppositions to it until it was finally destroyed, largely through his in-

²³ For a full account of Kendall's review of the Supreme Court decision see Stickney, op. cit., pp. 207-223.

fluence in President Jackson's administration.

Kendall saw very plainly the approaching calamity and did his best to educate the people concerning certain economic laws and made suggestions for reviving trade. In the matter of trade he recommended patronizing American manufactures, concerning which he wrote, "... relieve the country from its burdens, and make a 'British Coat' as infamous as 'British Principles'."²⁴ Concerning economic problems he wrote on the source of value, the nature of money, a standard of value, the effects of paper currency, and the operation of property laws.²⁵ His purpose in these articles seems to have been purely educational since he only expounded those things which are today accepted as sound economic principles. Concerning relief itself, Kendall wrote:

"Alas! We know the futility of such efforts and the wickedness of exciting hopes which must be disappointed. We might as well cry silence to the thunder, and bid the tempest cease. Things will take their course in the moral as well as in the natural world...They (meaning the legislature) may delay, may give facilities, but they cannot relieve. The people must pay their own debts... Industry never died of hunger. Economy never went without its reward. The legislature can do little, the people can do much. Let both do what they can, and our country will soon be tranquil, if not prosperous and contented."²⁶

During this period, President Monroe made a visit to Kentucky and Kendall's attitude toward the President was not very complimentary according to the Monitor.

²⁴ Argus, May 13, 1818 reprinted in Stickney, op. cit., p. 293.

²⁵ Stickney, op. cit., pp. 229-236.

²⁶ Ibid., p. 246.

which reviles him strongly. In substance, Kendall's attitude was to let those who will, bow and scrape and flatter the President, but Kendall himself preferred to meet him as an equal, and instead of giving him a flattering reception at the train and escorting him over the best parts of town, allow a respectable committee of citizens to meet him and show him conditions as they really were in order that he might know the sufferings of the people and the needs of the country.²⁷ No doubt Kendall's attitude represented the attitude of many in Kentucky at that time and was a direct result of the relief situation.

Although Kendall knew the principles underlying sound money and the harmful effects that relief would produce, he still was in sympathy with the relief element. It is difficult to analyze Kendall's course with absolute fairness; if he was motivated by petty politics he is to be condemned, but if he had the interests of the people at heart, his was a noble fight. Regardless of his motives, however, he had cast his lot on the side of relief and had paved the way for the part he was to play in the court struggle.

²⁷ Monitor, July 13, 1819.

CHAPTER V
HENDALL AND THE CRITICAL COURT STRUGGLE
IN KENTUCKY

The court disruptions in Kentucky were a direct outgrowth of the relief struggle, described in the preceding chapter. When the creditors were forced to accept a depreciated currency or to allow the debtor a period of replevin for three years, the former class sought protection in the courts. The court of appeals in the test case of *Blair vs. Brashear* and *Lapsley vs. Brashear* declared the replevin laws unconstitutional as an "impairment of the obligation of contracts."¹ The relief element became incensed and endeavored to remove first, Judge James Clark and second, the judges of the court of appeals by a vote of address in the legislature. Such a removal, according to the Kentucky constitution requires a two-thirds majority. Judge Clark of the Bourbon Circuit court was the first to render an unfavorable decision on the relief laws in 1822, and the legislature attempted to remove him. At the same time that the legislature was trying to remove Clark, the court of appeals had its first test case of the relief laws under the consideration; consequently the legislature feared to act rashly at that time, and Clark was not removed. In 1823, the question of the constitutionality of the relief laws was agitated greatly in

¹ Robertson, op. cit., p. 49.

the legislature and by the relief element in general; and as a result, the question of the removal of the judges of the court of appeals was carried into the August election of 1824. The friends of relief returned a majority to the legislature, but they did not have the two-thirds vote necessary for the removal of the judges. Because of the failure to remove the judges, the relief faction put through the legislature a reorganization act, establishing a new court of appeals composed of four judges to be appointed by the governor.²

The old court of appeals continued to sit after the new court of appeals had been organized. The new court seized the records of the old court and claimed to be the rightful body. The above condition continued until the election of 1825. Both sides appealed to the people again, and the decision of that campaign was the exact reverse of the campaign of 1824; and in November, 1825, the laws constituting the new court of appeals were repealed by the house of representatives but sustained by the senate.³ The house of representatives then adopted a resolution declaring it to be the duty of the old-court sergeant to regain possession of the old-court records. The new court refused this demand of the legislature, guarding the records in quarters manned by men and guns. The situation was critical, and Kentucky was

² Stickles, op. cit., p. 49.

³ Robertson, op. cit., p. 95.

on the verge of a civil strife. At this stage of affairs, the house of representatives endeavored to relieve the situation by resolving that the governor, lieutenant governor, and the judges of both the new and the old court should resign. The senate blocked that plan; but, led by John Pope, it offered a compromise whereby there would be six appellate judges, none of whom could receive salaries unless commissioned by the governor; but the old-court party killed this attempt to remedy the situation in the house of representatives.⁴ This deadlock between the factions had not been broken by the time of the 1826 election; consequently, the issue was again carried to the people. The old-court party emerged victorious with a sufficient majority in both houses to repeal the reorganization act over the governor's veto, December 28, 1826.⁵

The judges of the new court were Chief Justice William T. Barry and Associate Justices James Haggin, John Trimble, and Rezin Davidge. The latter was appointed in the place of Benjamin Patton who had been appointed but died before the new court was completely organized. Other leaders of the new-court party who were perhaps more important in the struggle than were the judges themselves, were John Rowan, a member of the house from Jefferson and Oldham counties, a former member of Congress, and the chief

⁴ *Ibid.*, p. 96.

⁵ *Stickles, op. cit.*, pp. 104-105.

new-court leader; Kendall, editor of the Argus of Western America and the chief new-court writer; Francis P. Blair, clerk of the new court and one of the chief contributors to the Argus on the new-court side; Thomas B. Monroe, reporter to the new court, and a new-court writer; Solomon P. Sharp, attorney-general of the state who was elected to the legislature in 1825 but who was killed shortly thereafter, a murder which was thought at the time to be political; George Bibb, one of the state's ablest lawyers and thought to be the author of the replevin law of December, 1820; and finally General Joseph Desha, the new-court governor of Kentucky from 1824 to 1828.⁶

The chief leaders of the old-court party were Chief Justice John Boyle, and Associate Justices William Owsley and Benjamin Mills; George Robertson, the state's ablest lawyer, speaker of the house of representatives in Kentucky several times, and the best writer on the old-court side; Robert Wickliffe, a wealthy lawyer, a member of the Kentucky legislature from Fayette county, and a former Congressman; Ben Hardin, a member of the Kentucky legislature from Nelson county and likewise an excellent lawyer and former Congressman, John J. Crittenden, a capable lawyer, a former Congressman, and member of Kentucky legislature; and Humphrey Marshall, a Kentucky historian and journalist, one of the most renowned writers

⁶ Stickles, op. cit.

on the old-court side. The latter was also accused of being the real editor of the Spirit of '76, a newspaper published only during the political campaign of 1826.⁷

There are no copies of the Argus in Kentucky libraries for 1822-23, each inclusive, and the few other papers of those years that have been preserved make little or no mention of the Argus or its editor during those years. So far as Kendall's activities in the political affairs of the state are concerned, his Autobiography is also silent. (It will be seen in the next chapter that Kendall, during those years, was actively engaged in helping Henry Clay launch his first presidential campaign.) During those years he also published a series of articles called "Sunday Reflections." They were really short sermons. In one of these articles his ideas concerning the Bible are given in substance as follows:

1. It is important as a historical record.
2. It is important for its teaching of morality and singleness of character, and it teaches humility and self-development as sources of virtue.
3. It is not to be doubted because it is mysterious; we ourselves are mysterious, but we cannot doubt our own creation; and in addition, almost everything about us is mysterious.⁸

7 For the most complete single analysis of the background of the court struggle, the struggle itself, the characters involved, and the results of the struggle see Stickles, op. cit.

8 Stickney, op. cit., pp. 260-261.

Kendall's activities in state politics from 1824 until he left Kentucky can be fairly well gleaned from the newspapers of the time which have been preserved. In the early part of 1824, Kendall wrote an article on the obligation of contracts, discussing the distinctions between the moral and the legal obligations of contracts. According to his idea, moral obligations are those concerned with God's laws and legal obligations are those concerned with man's laws. Refusing to abide by either type of obligation should bring punishment from the proper source.⁹ Applying his argument to conditions of the time in the light of his stand on relief laws, he thought that the relief laws as passed by the legislature were the extent of legal obligations in the state so far as contracts were concerned.

The article on the obligation of contracts was followed by remarks concerning the United States Bank. He accused the officers of that bank and its representatives and friends in Kentucky of being "in bold array against the laws of Kentucky." On their shoulders, he placed the blame for the attempt being made "to browbeat printers (editors), silence public discussion, and if possible turn the current of public sentiment against the rights of our state and our legislature."¹⁰ As a further proof

⁹ ARGUS, Mar. 10, 1824.

¹⁰ Loc. cit.

of Kendall's idea that the United States Bank was using its influence against the relief laws, he stated that Robert Wickliffe, the counsel for the United States Bank in Kentucky, first conceived and brought before the court the case that resulted in Judge Clark's decision previously mentioned.¹¹ In subsequent issues of the Argus, articles appeared accusing the bank and the old-court party of being "inextricably" bound together for the same purpose.¹²

In the 1824 election, Kendall's arguments and those of his friends won; but the situation was reversed in the election of 1825 and Kendall wrote as follows concerning the situation a few months before the 1825 election occurred:

"If the old judges are restored, it will be with all their principles, irresponsibility and all; and if the new are supported, it will rid us of the obnoxious decisions of the old judges and fix judicial responsibility on a firm and lasting basis."

Colonel William Brown of Harrison county in a letter to Kendall doubted the latter's sincerity in making the above quoted statement. In his reply to Brown, Kendall said:

"You doubt my sincerity and allude to my remarks about the lawyers of your party as evidence against me. I was not the aggressor. From every part of the state, I heard of their pouring upon me and my political friends the foulest calumnies, for the sole purpose of destroying our influence and carrying by denunciation a cause in which they could not succeed by argument."

¹¹ Argus, Mar. 3, 1824.

¹² Ibid., Mar. 23, 1825; Apr. 6, 1825.

In the same article, Kendall said that the judges objected to having their authority challenged because they were steeped in the tradition of the British judges who successfully defended their power against kings; however, when it came to defending their power against the people whom they are supposed to protect, that was a different matter. Kendall also pointed out that in the beginning of the relief struggle he was against relief as a permanent system and wrote articles to that effect. He was originally against the Bank of the Commonwealth; but he did think that the people needed temporary relief and that it was within the power and rights of the legislature to give that relief. He wrote further in the same articles:

"Legislative interference was necessary and I acquiesced in the system which was adopted. To say that the Legislature has not power to relieve is to say that there may be a people without calamities and a government without power."

He continued by telling of his efforts as a director of the Bank of the Commonwealth to restrict its issues in order to safeguard the bank; and he wrote, "I did all I could as a man, as a citizen, an editor, and a public officer to draw good and prevent evil from relief measures." He did not think it necessary to remove Judge Clark for his decision, but he recognized and defended the right. From that time, Kendall said that the opposition was constantly seeking to ruin him by taking the public printing from him and destroying his char-

acter. They accused him of injustice to individuals, not considering their unfair treatment of him and threatened him for such acts in the future. Regardless of their threats and charges, he expressed his determination to carry the fight on fearlessly; and no doubt he wrote from the depth of his heart when he penned these words:

"I wish from my soul that I could have no enemy and feel no enmity. Fortune made me an Editor and it is not choice that keeps me one. I have no malice in my politics but I am ever ready to meet an enemy, whether in the form of an individual or a party. If they conquer me, they have no great cause of triumph; if I succeed in repelling their attacks, I may soon live in my beloved repose."¹³

In the campaign of 1824, the "Patrick Henry" articles in the Argus carried the brunt of the new-court arguments. They were written by Thomas B. Monroe, reporter to the new court.¹⁴ In the campaign of 1825, the "Lafayette" letters and the "Jefferson" letters contained the principal arguments of the new-court faction. The authorship of the "Lafayette" letters is unknown to the writer. The author of the "Jefferson" letters was Francis P. Blair, clerk to the new court.¹⁵ These articles were highly antagonistic in spirit toward the old court. Most of their arguments were contained in Kendall's summary of the reasons why the old judges should not be reinstated. He gave about twenty-four reasons, the most important of which are as follows:

¹³ Ibid., Apr. 6, 1825.

¹⁴ Ibid., July 20, 1825.

¹⁵ Stickles, op. cit., p. 66.

1. They declared unconstitutional the laws expressing the will of the people.
2. They have attempted to establish the new and absurd doctrine that the remedy is in the obligation of contracts.
3. They contend that the legislature cannot relieve a person from a contract temporarily under any condition.
4. They declare that they are bound to obey the unconstitutional decision of the United States Supreme Court concerning states' rights, and on that basis they voided our occupying claimant laws.
5. They denied the power of the people to protect themselves against the court of appeals.
6. They perverted the object of the Revolutionary War to make it seem that it was fought to put judges beyond the reach of the people.
7. They assumed the Federalist Doctrine of 1801-1802, that the Constitution established the Supreme Court and the court of appeals.
8. They falsely declared that no legislature had ever before made such an attempt; but the Kentucky legislature of 1792 and 1796 created courts, and Congress created the Supreme Court in 1789; therefore their contentions were false.
9. Instead of submitting quietly to the acts of the people's representatives, they tried to in-

flame the lawyers and judges over the state against those acts.

10. They are supported by money lenders, the United States Bank, and the Bank of Kentucky.

11. They will void all acts of the new court, and anarchy and confusion will result.¹⁶

Following the election in Franklin county, an article appeared in the Argus declaring that the county only contained 1400 people but nearly 1600 people voted. It was intimated that the court party bought votes with money furnished by the United States Bank.¹⁷ Kendall later brought up the same charge in his effort to destroy the United States Bank after he went to Washington. Also, following the election, an attack was made on Kendall by the Commentator to the effect that Kendall had said that the people of Kentucky were neither "honorable nor honest."¹⁸ In substance he answered that accusation in these words, "A party which has risen into power by the means used by their leaders, must sink with the weight of their own falsehoods, inconsistencies, and follies." Kendall would have it distinctly understood, however, that he was certain that there were some honest men, even in the court party.¹⁹

The day before the newly elected legislature was to meet, Colonel Solomon P. Sharp was murdered. Sharp was

16 Argus, July 25, 1825.

17 Ibid., Aug. 10, 1825.

18 Ibid., Aug. 17, 1825.

19 Loc cit.

elected to the legislature by the new-court faction. Before the election, Patrick H. Darby and John U. Waring had both made threats on his life. Darby had even been heard to say that Sharp, if elected would never be seated.²⁰ The murder, according to his own confession, was committed by Jereboam O. Beauchamp of Simpson county. It was an act of revenge instigated by Beauchamp's wife, who held Sharp responsible for the wrecking of her early life, while he was a lawyer in Bowling Green, Kentucky. Beauchamp chose that occasion in order to make his act appear to be a consequence of the political strife of the time.²¹ So far as Kendall was concerned, the incident had no significance, except that he supported in strong terms the accusations against Darby, who at that time was the editor of the Constitutional Advocate,²² an opposition paper in Frankfort, and who in the political campaign of 1826 became the co-editor of the Commentator,²³ Kendall's chief opposition paper. Because the assassination of Sharp was represented by the Argus and the Patriot as political, and because Darby, a Frankfort newspaper man, was directly involved in the case, fuel was added to the political fire which was already almost beyond control. Kendall represented the atrocity as being just one more proof that the

20 L. F. Johnson, Famous Trials and Tragedies in Kentucky, (Louisville: Halwin Law Book Co., 1916), pp. 445, 446.

21 From the written confession of Beauchamp, 1826.

22 Argus, Feb. 22, 1826.

23 Patriot, June 19, 1826.

old-court faction was unprincipled and determined to maintain its power even if it meant stooping to a thing so low as the taking of a life; and Darby accused Kendall of being in conspiracy with Beauchamp to make the deed appear as if it were the result of politics.²⁴ After Beauchamp's case was out of the way, Darby brought suit against Kendall for libel; and owing to the intense feeling in Franklin county, the case was tried in the Woodford Circuit court on a change of venue.²⁵ The trial was drawn out over a period of years and finally was thrown out on account of the death of Darby.²⁶

By 1826, the political situation had become so serious that even the Argus urged, that if the election of 1826 were lost to the new-court party, it must submit to the verdict of the people.²⁷ Both parties, however, were determined to fight to a bitter end in the election of 1826. For that purpose the Spirit of '76 was established by the old-court party and the Patriot was established by the new-court party and Kendall was its editor.²⁸ On December 28, 1825, Kendall announced that an Extra Argus would be published from March 1, 1826, to August 1, 1826, and it was to contain only political articles.²⁹ Later, Ken-

24 Spirit of '76, Aug. 4, 1826.

25 L. F. Johnson, History of Franklin County, (Frankfort: Roberts Printing Co., 1912).

26 Woodford County Circuit Court Record, E. N., p. 435.

27 Stickles, op. cit.

28 Loc. cit.

29 Argus, Dec. 28, 1825.

dall announced that the Extra Argus was designed to be filled by his pen while the Patriot was to be filled by the pens of others.³⁰ Still later, in an article "To the Public" Kendall announced his intention of consolidating the subscription to the Extra Argus and the Patriot. In the same article he promised to give a review, to which he would sign his own name, of the entire court controversy.³¹

True to his promise, Kendall wrote a series of articles entitled, "Letters to J. J. Crittenden," in which he reviewed the court struggle and presented the arguments on both sides and to which he signed his own name.³² It was not an impartial review, however, because he gave to his side the better of the arguments. The titles of the articles contained in the Patriot will give a very good idea of the nature of the contest and the questions under consideration. Some of them were as follows: "On the Reorganization Law," "Occupant Laws," "Bank Presses," "Political Somersets," "The Compromise," "Lawyer League," "The Constitution Breakers," "The High Court of Errors or Court of the King's Bench of Kentucky," "Robert Wickliffe, The Duke of Town Fork and Prince Regent of Kentucky," "The Unholy League to the People of Kentucky," "Judicial Supremacy of Lord Chancellor Bacon," and the

³⁰ Ibid., Jan. 13, 1826.

³¹ Patriot, Feb. 22, 1826; Spirit of '76, Aug. 4, 1826, said that the Extra Argus "was strangled at birth".

³² Patriot, May 22, 1826 to June 26, 1826.

"Spirit of 7 and 6 Pence," which was the name applied to the Spirit of '76.³³

In the Spirit of '76, Humphrey Marshall under the name, "Cincinnatus,"³⁴ answered Kendall's "Letters to J. J. Crittenden." In these articles he ridiculed Kendall unmercifully. In one instance he said that Kendall had sprung from a desperate debtor class and had lied for his faction so long that they could not do without him at the time of the campaign of 1826.³⁵ In a letter from Kendall to Marshall, Kendall objected to having been caricatured by the latter. Marshall then wrote the following remarks;

"... as to the portrait (of Kendall), quite likely it is a caricature--for it represents him more of a man than a scaramouch. I should myself admit, it was but ill done. Amos, notwithstanding, has the vanity to think, that God made him! It may be so--since it is said He made the devil equal hideous! But with due reverence I would suggest that he left the making of both to some inferior agent; who from ignorance or malice, spoiled the work--or should it be a faithful execution, God's benevolence is manifest in the design--for he who sees Kendall and is deceived by him afterwards, merits the punishment denounced by the Turks, against the Jews; that is, to be sent to hell when his time comes, on a hard trotting ass, with two legs broken."³⁶

The above excerpts are examples of Marshall's ridicule of Kendall. Kendall's and Marshall's chief arguments concerning the courts were centered around Kendall's attempt to show that the adherents of the old-court

33 Patriot, Feb. 22, 1826 to July 31, 1826.

34 Spirit of '76, Mar. 10, 1826 to July 14, 1826.

35 Ibid., Apr. 14, 1826.

36 Ibid., July 7, 1826.

faction were admirers and believers in the British system of government. Kendall argued with Marshall even denying the principles of Jefferson, in his twelfth article. The next issue of the Spirit of '76 apologized for Marshall's denial of those principles, and said the article was inserted without first being examined by the editor.³⁷ The Patriot took advantage of the apology, and accused Marshall of being the "Soul of the Spirit of '76 and the Federal Newspaper Dictator."³⁸

The following stanza and refrain of a song written about the Patriot is another example of the slander of the period:

PADDY O'RIOT

"Young Paddy O'Riot, the swathe little creature,
Was born not long since, and his every feature
Has the stamp of OLD ARGUS his natural sire,
Who bears on his brow the black mark of a liar."

Refrain:

"Fire away, lather away, Paddy O'Riot,
Though Seventy Sixes your falsehoods may spy out,
Yourself from such scrapes you can easily lie out,
So fire away, lather away, Paddy O'Riot."³⁹

The type of slander used by both parties in the above mentioned campaign was bound to produce hatreds which would be hard to overcome. The results were seen in the newspaper articles of a personal nature which continued to be printed by both factions. (The new court was

37 Ibid., July 21, 1826.

38 Patriot, July 24, 1826.

39 Spirit of '76, May 5, 1826.

defeated and Kendall diverted his attention from Kentucky politics to national politics. (As will be seen in the last chapter, he carried the hatreds and prejudices gained during the court struggle into national politics and national government.

CHAPTER VI

EARLY RELATIONSHIPS BETWEEN KENDALL AND CLAY

Aside from Kendall's activities in the affairs of Kentucky already described, the only other of his participations in Kentucky affairs of any great significance are those pertaining to the relationships between Kendall and Clay. It was as a direct result of those relationships that Kendall left Kentucky and entered the field of national politics. After taking up his abode in Georgetown, Kendall frequently visited Lexington, and on most of those occasions he was entertained in the Clay home. The attachment between him and the Clays was strong enough that when he became sick a short time after moving to Georgetown with no one to take care of him, Mrs. Clay sent her carriage for him and took care of him in her home until he had recuperated.¹ Kendall was deeply grateful for this friendly act and expressed his gratitude both then and later.² Although he was grateful, he did not think that the act should obligate him to violate his own principles in support of Clay.³

As long as Kendall was in the Clay home, he never had the opportunity of meeting Clay himself, owing to

¹ Kendall's Journal, op. cit., June 13, 1815, pp. 148-149; Niles Register, June 25, 1831; Argus, May 28, 1828.

² Kendall's Journal, op. cit., July 15, 1815; Argus, May 28, 1828.

³ Argus, May 28, 1828.

the fact that the latter was away from home all that time. Clay returned to Lexington after Kendall had gone to Georgetown, and on May 29, 1815, the latter rode to Lexington for a visit with Clay. Of this visit Kendall wrote, "I found him a very agreeable man and was familiarly acquainted with him in half an hour."⁴ From that time until the break between them, Clay and Kendall were close friends, and Kendall backed Clay as a man in all of his political fights, although he did not always approve of the exact principles that Clay advocated. A proof of that fact is seen in his favorable attitude toward Clay when the latter voted for the Compensation Bill, which Kendall disapproved.⁵ In 1818, the Cincinnati Spy accused the Argus of opposing President Monroe because he refused to recognize the independence of certain South American countries. The Cincinnati paper saw in this opposition an attempt to start a new party, "perhaps for Clay's benefit."⁶ In the Arguses of 1821 and 1822, Kendall also supported Clay's "American System," but by 1828 he had taken the opposite stand on that question.⁷

The outstanding instance of Kendall's support of Clay in the early stages of their relationships is found in the (conspiracy of Clay and Kendall against John Quincy Adams)

⁴ Kendall's Journal, op. cit., May 29, 1815.

⁵ L. P. Little, Ben Hardin: His Times and Contemporaries, (Louisville: Courier Journal Job Printing Co., 1887), p. 66.

⁶ Monitor, Dec. 26, 1818.

⁷ Commentator, May 24, 1828.

in an effort to discredit Adams in order that Clay might have a better chance to become President.) In a consultation between Kendall and Clay at the latter's boarding quarters in Frankfort, before Clay launched his campaign for the Presidency in 1824, Kendall advised Clay to open his campaign in New York and he wrote concerning the consultation as follows:)

"I advised that the campaign should be opened in New York. Her canals were not then finished; the spirit of internal improvement was high; her hopes for future wealth and power were directed to the West; and as you were considered the great champion of internal improvements, I thought that by availing yourself of those circumstances, you might probably secure the ultimate vote of that State, which would almost insure your election. But your immediate views were confined to the West."⁸

In accordance with Clay's wishes, the attack was begun in the West in the state of Ohio by the publication of a series of articles signed "Wayne," and Kendall acknowledges himself to be the writer of these articles; but Clay denied any knowledge of why they were written as well as denying any complicity on his part in their origin and publication. After writing these articles, Kendall sent them to Clay in Lexington, Clay sent them to Crittenden in Cincinnati, and the latter had them published in Cincinnati. In support of this statement, Kendall quoted the following extract of a letter from Clay to Kendall, June 23, 1822:

⁸ Letter of July 9, 1828 from Kendall to Clay and published in the Argus, July 9, 1828.

"I received your obliging favor of the 20th instant and thank you most sincerely for the friendly sentiments towards me which it contains. Mr. T. Crittenden has retained the production which accompanied it, and which he has undertaken to divide and to dispose of in his place of residence, (Cincinnati), according to our wishes."⁹

The "Wayne" articles were centered around the negotiations of the Treaty of Ghent which closed the War of 1812. John Quincy Adams, Henry Clay, Johnathan Russell, Albert Galatin, and James A. Bayard were the United States commissioners selected to negotiate the treaty.¹⁰ Concerning the questions of British navigation of the Mississippi and American fishing, drying, and curing rights in British territory, a statement was circulated by Mr. Adams for each of the commissioners to sign to the effect that "we have determined to admit an article confirming both rights." Clay objected to allowing the British the right of navigating the Mississippi; so he suggested substituting "the majority of us have determined" in the place of "we have determined." Afterward, on February 15, 1815, while Clay and Russell were together in Paris, the latter wrote a letter to the Secretary of State explaining the view of the minority (Clay), on the point in question. (Adams thought the entire business was a coalition between Clay and Russell to undermine him in the sight of Monroe in order that Clay might become the next Secretary of State

⁹ Loc. cit.; Paris Weekly Advertiser, July 19, 1828.

¹⁰ Justin Winsor, Narrative and Critical History of America, VII, (New York: Houghton, Mifflin and Co., 1888). 484.

when Monroe became President, if the presidential succession remained unbroken. Becoming Secretary of State would put Clay next in line for President after Monroe.¹¹ Regardless of what Clay's motives might have been in the above mentioned circumstances, he had Kendall use the same incident concerning the negotiations at Ghent as a basis for discrediting Adams in Ohio. In the third "Wayne" article appears the following:

"... The Navigation of the Mississippi is too important to be bartered for the privilege of fishing in British waters. It is giving our wives and children for fish, and bartering the blood of our citizens for money. Conceal, explain as he will, this was the tendency of the proposition which was offered at Ghent."

In the same article Adams is accused of allowing the Spandiards to keep valuable territory in the West which the United States could have procured in the Florida treaty; he is also accused of making Louisiana a frontier state and as such, subject to occupation by the enemy. Quoting again:

"... Of what value is the Ohio and Mississippi to us if Louisiana be occupied by the enemy?... With such principles John Adams can never receive the support of Ohio. He is too ignorant of our interests, or he disregards them."¹²

"Wayne" No 4, contains the following passage:

"The importance of having a western man in the national council, as well as in all these situations

¹¹ Linn Boyd, "Speech in Reply to Hon. John White to the Bargain Charge between Adams and Clay," Appendix to the Congressional Globe, Apr. 30, 1844, p. 777.

¹² Ibid., p. 778.

where the interests of this section of the Union are brought in question, was never so strongly exemplified as in the transactions attending the treaty of Ghent. It was proposed to open the Mississippi, through its whole extent, to the navigation of British subjects, thus giving them the most direct access to those numerous and warlike tribes of Indians which border on our northern and western frontier... To the presence of an able western man may we attribute the defeat and the abandonment of that atrocious proposal. But for the exertions of Henry Clay, the seeds of war might have been sowing along our northern and western borders,... He found that a majority had resolved to make the fatal proposition... he protested that he would sign no such treaty which contained a stipulation so repugnant to his country's honor, and so dangerous to her peace... The danger we thus escaped should sink deep into our hearts, and teach us a lesson as lasting as our lives."¹³

In 1822, an attempt was made to expose Adams and the Ghent affair in Congress, following which Mr. Adams published a defense of his actions in his book, Fisheries, and the Mississippi. In 1823, Kendall reviewed Adams' defense in a series of letters addressed to Mr. Adams, and these letters were published in the Argus. In general, the tenor of the letters was practically the same as was expressed in the "Wayne" articles. Clay offered Kendall fifty dollars to print the letters in pamphlet form. Kendall for some reason was unable to publish them, but he organized them for publication into a pamphlet and allowed Mr. Tanner, another printer to publish them for Clay, who finally gave one hundred dol-

¹³ Loc. cit.

lars for their publication.¹⁴

As the election of 1824 drew closer, it became increasingly evident about six months before that event that the electoral votes would be so equally divided that the election would be thrown into the house of representatives. Immediately the Argus tried to unite the West on Clay sufficiently to assure him of being among the candidates to be chosen from in the house of representatives. According to its declaration, "Not Adams, nor Calhoun, nor Crawford, nor Jackson, but Clay" will stand the best chance in the house of representatives.¹⁵ Fearing that the electoral votes of the West cast for Jackson would eliminate Clay from the race, and being sceptical concerning Jackson's chance in the house of representatives, Kendall said:

"The true policy of the West cannot therefore be mistaken. It is to support Mr. Clay in preference to General Jackson. By supporting the latter, we shall lose our man entirely; by supporting the former, we are almost sure of him."¹⁶

Shortly before the election the Argus carried an article assuring the voters of Indiana that the report concerning the probability of Kentucky's vote going to Jackson was false, and advising Indiana as follows:

"Indiana has but to select him whose policy is most favorable to her interests and whose tal-

¹⁴ Ibid., pp. 778-779; John Pope, "Speech on the Clay-Adams bargain delivered in the Senate Feb. 1822, reprinted in the Argus, Mar. 5, 1828; Paris Weekly Advertiser, July 19, 1828.

¹⁵ Argus, Mar. 3, 1824.

¹⁶ Ibid., Mar. 17, 1824.

ents are most competent to promote them. That this is Henry Clay, the powerful advocate of Internal Improvements and Domestic Manufactures, no unprejudiced man can doubt."¹⁷

Three weeks later the Argus published the Clay circular edited by his Kentucky Committee of Correspondence. In the same issue of the Argus, Calhoun was opposed as Vice President chiefly because of his hostility to Clay.¹⁸

After Clay was eliminated from the race Kendall in a letter to Clay of January 21, 1825, said that Jackson was his second choice provided everything else was equal between Adams and Jackson.¹⁹ In February of the same year, Kendall told Clay to do what he thought best concerning Adams. He added that there was a question as to the advisability of Clay's becoming Secretary of State, but he could not say anything definite about it until he knew more.²⁰ A short time later, Kendall used his influence with David White to get him to vote for Adams in an effort to make Clay Secretary of State.²¹

After the election, Kendall was still friendly to Clay. Concerning the corrupt bargain charge between Adams and Clay, both sides were published in the Argus. Kendall himself made the following statements concerning it:

"Against the charge of corruption, which if true, should and will prostrate Mr. Clay in the

¹⁷ Ibid., Sept. 1, 1824.

¹⁸ Ibid., Sept. 22, 1824.

¹⁹ Ibid., July 2, 1828; Niles Register, July 31, 1831.

²⁰ Argus, July 2, 1828.

²¹ Ibid., July 9, 1828.

public estimation, we place without hesitation, a long life of political integrity unstained by suspicion. His assailant professed to have proof to support his charge. We will wait for that proof before we say any more on the subject."²²

Apparently the Argus could hardly decide what course to adopt. It had been hostile to Adams but friendly to Clay; therefore it decided on a course of silence so far as any definite stand was concerned.²³ After the accuser of Clay, George Kremer of Pennsylvania, boasted that he could and would produce proofs of his accusations, and then refused to produce them when called upon by the investigating committee, Kendall called him a "recreant."²⁴ Three weeks later, however, the Argus contained all of Kremer's accusations against Clay, but without an opinion of the Argus concerning the charges.²⁵

(After Clay became Secretary of State he wrote Kendall a letter telling him that he intended to offer him a position in Washington. The type of position was not mentioned, but Kendall supposed it would be one of writing for the administration. (He refused to accept that type of position since he was opposed to Adams.) At a later date, Kendall met Clay in his hotel room at Frankfort, and Clay, after assuring Kendall that he would not ask him to engage in politics, offered him a clerkship

²² Ibid., Feb. 23, 1825.

²³ Loc. cit.

²⁴ Argus, Mar. 2, 1825.

²⁵ Ibid., Mar. 23, 1825.

which paid \$1000 a year. Kendall refused to take a position in Washington for less than \$1500 a year, and because Clay had no such position to offer, Kendall stayed in Kentucky. After the August elections of 1825 in Kentucky, Clay repeated the same offer of a job to Kendall, who refused this time because he was determined to wage one more political campaign in Kentucky. This last offer of a clerkship and the stories circulated about it were the beginning of the break between these two political allies.²⁶ They differed on Kentucky politics at nearly all times; yet never until this time had they opposed each other. (As the national political campaign of 1828 drew nearer their feud increased in intensity until they became the bitterest of enemies.) *Jumped*

²⁶ Ibid., May 28, 1828 & July 16, 1828.

CHAPTER VII

THE BREAK BETWEEN KENDALL AND CLAY AND
THE NATIONAL POLITICAL CAMPAIGN OF 1828

The break between Kendall and Clay is fully described in a letter which Kendall wrote to Clay and published in the Argus.¹ According to this letter, the cause of the break between them was the direct result of Clay's action concerning the court struggle in Kentucky. Kendall never suspected Clay of anything but the highest motives in offering him positions in Washington, until Squire Turner of Madison county, told him of a rumor concerning his acceptance of a job in Washington where he would write for Adams and Clay. There was also a report circulated about the same time that George Robertson, had remarked at the Mercer county court "that they (the old-court party) would not have me (Kendall) to contend with much longer as I am going to Washington."² The idea was conveyed that Kendall had been bought off by a job to write for the administration in Washington and Kendall claimed that he knew of no other way the report could have gotten out, other than through Clay. Kendall asserted also that Clay had many friends in the new-court party, and when the agitation for a compromise on the court question was at its height in Kentucky, those friends appealed to

1 Argus, May 28, 1828.

2 Loc. cit.

Clay, "who had gained so much glory in the Missouri Compromise," for advice. Clay, however, "declared all compromise wholly inadmissible." (In addition, Clay was said to have been instrumental in placing men of the old-court party in federal courts as judges, one in the Supreme Court and one in the district court,) and as Kendall puts it:

"The Federal Court was against us; no compromise was to be allowed in the Court of Appeals; that too was to be all against us; we were to be ground to dust and ashes, covered with infamy, and driven from the state."

Gradually the friends of Clay in the new-court party began to fall away from him and change their opinion of both his "political and private character," and Kendall was among that number.³ Even then the rupture was not complete. The final step came when the public printing was given to the Commentator. Concerning the loss of the public printing, and speaking of Clay, Kendall wrote:

"...You took from us the printing of the acts of Congress and gave it to the Commentator. Your motive was cruel; but your act was kind. I never received so great a favor at your hands. It was an act not dictated by any regard for the public interest, but by indignation at me for not going the 'whole' and supporting Mr. Adams. It was personal and released my feelings. The first act of unkindness had come from you, and I was now at liberty to perform my duty to the public without the restraint of private considerations."⁴

Although the last chord which bound their friendship together was broken, Kendall did not at that time publicly denounce Clay. In Kendall's words:

³ Loc. cit.

⁴ Loc. cit.

"It was not until I saw you procure a copy of a private letter of General Jackson and throw it before the public, without the consent of the General or the friend to whom it was addressed, accompanied by charges against him the most unfounded and assertions relative to yourself which I thought the most untrue, that I determined to investigate your acts and motives in connection with the election."⁵

The first indication of Kendall's changed views came through the attempt of the Kentucky legislature to exonerate Clay and Adams of the corrupt bargain charge and to condemn the enemies of Clay. This effort of the legislature was brought about by the action of the Tennessee legislature in passing a resolution which supported Jackson and condemned Adams and Clay. The forces in the Kentucky legislature opposed to the resolution exonerating Clay, offered a resolution for the investigation of the charges against Clay. Both resolutions were put aside temporarily, but they were revived later, and the resolution to investigate carried.⁶ About the same time that the resolution to exonerate Clay was first introduced, an article written by "Samuel South," whom the Clay faction claimed to be Kendall, appeared charging the legislature with being usurpers and wasters of the public money. This

⁵ Loc. cit.

⁶ Report of the Fayette County Corresponding Committee. This report was an answer to Kendall's charges against Clay in the senate investigation and also an answer to the "Samuel South" articles which Kendall was accused of writing.

article also carried charges against Clay and suggested that an investigation of Clay's conduct be made in the senate.⁷ Kendall, therefore, was accused of instigating the senate investigation which followed the publication of the "South" article. The friends of Clay offered the following points as proof that Kendall wrote the "South" article:

1. Kendall left Kentucky in the autumn of last year with the avowed object of recruiting his finances in order to further the cause of Jackson.

2. Shortly after Clay's speech defending himself against Kremer's attack, it was announced that the Jackson Committee at Washington would answer it, and the answer would be published in Kentucky, and at that time Kendall was in the East, probably Washington, receiving instructions from Jackson leaders and repairing his finances.

3. It corresponds with the style and malicious designs of "Editor of the Argus."⁸

Kendall denied the authorship of the "South" article and the accusation that he "preconcerted" the senate investigation.⁹

Although Kendall denied instigating the senate investigation, he was the chief witness against Clay dur-

7 Fayette County Corresponding Committee, pp. 3-7.

8 Ibid., p. 6.

9 Argus, May 28, 1828.

ing the investigation. During the course of the trial, the following charges were brought to light:

1. Kendall wrote the "Wayne" articles at the request of Clay.

2. After the publication of Adams' defense against the charges made in the "Wayne" articles and by Russell in his letter to Monroe, Clay furnished Kendall the proceedings at Ghent in detail, and Kendall then wrote his letters to Adams, previously mentioned.

3. Clay had a direct hand in circulating Kendall's letters to Adams.

4. Clay approached Senator Thomas D. Carneal of the Kentucky legislature to get him to use his influence against instructions on how to cast the Kentucky vote in the presidential election of 1824.

5. Clay invited Jackson to come through Lexington and accompany him to Washington just before the election of 1824.

6. General Metcalfe was reported to have said while he was a Kentucky delegate in Washington in the presidential election of 1824, "I know little more than when I came here... we stand uncommitted ... we must know about how the cabinet is to be filled."

7. Colonel Francis Johnson is reported to have said, "I fear we have done too much for our friend."

also, "We could not possibly get Mr. Clay in the cabinet without voting for and electing Mr. Adams."

8. David Trimble is reported to have said in defense of his vote for Adams, "We discerned distinctly that Mr. Adams would make Mr. Clay Secretary of State and that in all probability General Jackson would not."

9. Kendall told for the first time to the public of Clay's offers to him concerning a job in Washington, and of Clay's letter to Blair regarding the former's possibility of becoming Secretary of State if Adams were elected. As a result of the letter to Blair, Blair asked Kendall to write to David White and influence him to vote for Adams in order that Clay might become Secretary of State.

10. Blair was called to the witness stand but refused to take the oath, owing to his unwillingness to violate the sanctity of his correspondence with Clay.¹⁰

During the investigation, the Jackson men brought in their witnesses but the Clay men refused to bring witnesses, claiming that the whole procedure was improper.¹¹ After the investigation, the Clay men also attempted to show that the opposition had attempted to prove Adams and Clay guilty by the statements of

10. Paris Weekly Advertiser, Feb. 16, 1828.

11. Fayette County Corresponding Committee, p. 4.

Thomas Metcalfe, Trimble, and Johnson which were garbled to prove the desired point, rather than by the actual words of Clay and Adams concerning the bargain, if such words existed. Blair's refusal to take the oath was represented by the Clay faction as a trick. The Jackson faction thought that Blair's refusal "to swear" would fix Clay's guilt. A summary of the senate investigation was written by "Samuel South," whom the opposition claimed to be Kendall, and they claimed it doubly strong because Kendall's testimony was not included in the summary. They concluded their remarks on the investigation with these words:

"And considering as we do that this whole business was set on foot by Kendall, that Allen and Company were urged to it by him, may we not ask a generous publick if they are prepared to convict high minded, honorable men upon the testimony of SUCH A WITNESS."¹²

The senate investigation paved the way for the opening of the national political campaign of 1828. A Kentucky governor was to be elected the same year, but since the court struggle was over, the local election was of little interest compared to the national election. On the old-court side, Metcalfe formerly an old-court man, was candidate for governor in Kentucky, and Barry was the new-court candidate for the same position. The court issue itself was practically dead; but the hatreds lingered, and naturally, quite a bit of that

¹² Ibid., pp. 4-14; for "South's" summary of the investigation see Paris Weekly Advertiser, Mar. 1, 1828.

hatred was manifest in this campaign. Kendall's chief opposition in his support of Barry came from the Commentator as was customary during all those years he had served as editor of the Argus since the new election controversy of 1816-18. In June, 1828, Kendall urged all Jackson men to vote for Barry. If they did not vote for Barry, he said they would be placing their stamp of approval on the corrupt bargain, because Metcalfe was a Clay man, who in fact was not guiltless concerning the bargain himself. The opposition retorted that Kendall knew his party would not be able to unite on Barry; therefore Kendall was using Jackson's name in his attempt to carry the governor's election for his party.¹³ According to Kendall's reports, Barry was treated very discourteously in an attempt to address the people of Henry county during his campaign. He was so humiliated by the disrespect shown on that occasion that he did not complete his speech. The Commentator declared that Kendall falsified the Henry county incident, maintaining that outside of the few drunks who are usually found at a political meeting, that everybody was very orderly.¹⁴ In September, 1828, Kendall gave the first hint of the "spoils system" for which Jackson's administration was noted. Kendall was referring to Kentucky, how-

¹³ Commentator, July 21, 1828.

¹⁴ Ibid., July 12, 1828.

ever, when he wrote, "...of the seventy-seven officers of Kentucky receiving upwards of \$64,000 altogether fifty-eight are administration men and only nineteen are Jackson men." He made this further comment, "... the contest will not end in November. We shall then elect Jackson; but it will require a continual struggle to procure the necessary reform."¹⁵ Metcalfe won the Kentucky election and there was the usual stir over the counting of the votes, but outside of the things already mentioned, there was little of interest in the election so far as Kendall was concerned.

Returning to the Kendall and Clay controversy, after the senate investigation, both men published the correspondence that had passed between them before the investigation. Clay gave as his excuse the fact that Kendall had violated the sanctity of correspondence in telling about their correspondence in the senate investigation. Kendall felt justified in publishing Clay's correspondence because Clay had first published his in the newspapers. In this exposure through letters, (Clay attempted to belittle Kendall in the eyes of the people,) so they would be inclined to discount anything he said or might say concerning the corrupt bargain. Kendall, on the other hand, pointed out Clay's idea of side tracking the real issue in the attack by Clay on the former's character. At the same time, Kendall kept challenging Clay to give Blair permission to publish his letter to Blair concerning his

¹⁵ Ibid., Sept. 20, 1828.

request of Blair to help elect Adams in order that Clay himself might become Secretary of State. Finally Clay promised to allow his campaign committee in Frankfort to display the letter on a certain day. When that time arrived, Kendall sent a representative to inspect the letter, but Clay had not kept his promise; there was no letter to inspect. Finally, however, Clay did produce the letter for inspection. Kendall himself, read it and requested permission of Clay through the Argus to publish its entire contents instead of his impressions of the letter for fear the opposition would accuse him of falsifying. That permission was never granted; therefore, Kendall published his impressions of the letter. A few extracts from the letter are as follows:

"A friend of Mr. Adams comes to me 'with tears in his eyes' and says, Sir, Mr. Adams has always had the greatest respect for you and the highest admiration for your talents. There is no station to which you are not equal. You were undoubtedly the second choice of New England, and I pray you to consider whether the public good and your own future interests do not distinctly point you to the course which you ought to pursue...

"... My friends entertain the belief that their kind wishes toward me will, in the end, be more likely to be accomplished, by so bestowing their votes...

"... Your (Blair's) representative (David White) is inclined to concur with us in these sentiments, and as I know his respect for your opinion, I request, if you concur in our views, that you will write to him by return mail to strengthen him in his inclinations. Shew this to Crittenden."16

16 Paris Weekly Advertiser, July 26, 1828.

Kendall not only published his correspondence with Clay concerning Clay's duplicity in prejudicing Kendall himself against Adams, but he also published the letters that White received from Crittenden, Blair, and himself. Then he also published a letter from White to himself admitting that he (White) was influenced by Crittenden and Blair to vote as he did, the way Clay had requested.¹⁷

↳ In May, 1828, as election time was approaching, Clay resigned from the cabinet on account of his bad health. "Clay's health," as Kendall put it, "went conveniently bad on him so he could rest by travel." Kendall continued as follows:

"We are at loss to determine whether he is really so very sick, or whether this is all a finesse to afford him an apology to take an electioneering tour in the West. He was not so sick on his return to Washington before pronounced sick as to prevent his making a speech in Baltimore, which indicates more of a 'dying politician' than a 'dying man'... This is the last desperate effort of Mr. Adams--to send out his sick secretary to beg into submission a proud people whom power cannot daunt nor influence control!"¹⁸

↳ During the course of the presidential campaign Kendall opposed Adams for about twenty-five different reasons. ↳ He first accused Adams of being a federalist in spirit if not in name. Early in life, Kendall formed a

¹⁷ Loc. cit.; All the letters referred to above may be found in the Argus from May to Sept. 1828; extracts of most of them are contained in the July issues of the Paris Weekly Advertiser; and also, extracts of most of them are contained in Boyd's speech on the corrupt bargain, op. cit., pp. 777-782.

¹⁸ Argus, May 28, 1828.

dislike for the federalists and that was about the worst name he could think of by which to designate a person. While he was editor of the Georgetown Patriot, he gave his idea of what constituted a federalist as follows:

1. One who favors a strong central government.
2. One who glorified in the name of federalists during the War of 1812.
3. One who declared the War of 1812 unnecessary and unjust.
4. One who justified the Hartford Convention.
5. One who thinks our national government is too weak.
6. One who rejoices at the restoration of despotism and legitimacy in Europe.
7. One who believes "once a Britisher always a Britisher."
8. One who upholds the right of the search of ships by foreign powers.
9. One who despises and ridicules the government.¹⁹

Kendall condemned Adams further for upholding the cabinet succession as "a safe precedent," for attempting to discredit Jackson's military career, for robbing the treasury by illegal charges and false accounts, for choosing Rufus King, notoriously unfit, as minister to

¹⁹ Reporter, Aug. 26, 1816.

England, for opposing the interest of the West, for duplicity in his reasons for becoming a democrat, and for other reasons of less importance.²⁰ Concerning the reasons Adams gave for becoming a democrat, Kendall wrote the following:

"First, he told his federal friends beforehand that to join the democrats was the only way to destroy them. Secondly, he told Mr. Jefferson and Mr. Giles, that it was because his old friends the federalists, had turned traitors. Thirdly, he told the people it was because he approved the conduct and policy of Mr. Jefferson."²¹

In a brilliant dialogue, Kendall depicted the relationships between Clay and Adams from their first opposition to each other through 1828. Adams was represented by "John II" in the dialogue and Clay was called "Prince Hal." Kendall showed clearly how Adams and Clay started out each to defeat the other, and seeing that neither was strong enough for that, they united and by so doing defeated themselves. The dialogue ended with a soliloquy by "King John" who represented Adams. In the latter part of the soliloquy, "King John" said:

"... I King! No, no
I am a slave--worse than a slave-- I'm sold--
Sold to mine enemies--sold to those men
I bought. Slaves are we all, the slaves of slaves--
Slaves of each other--O, could I this bondage
But once shake off, be king or nothing."²²

²⁰ A summary of the entire twenty-five reasons may be found in the Argus, Apr. 30, 1828.

²¹ Loc. cit.

²² Ibid., June 18, 1828.

Kendall not only accused (Adams of buying Clay,) but he accused Clay of selling the interests of the West as well as selling himself. Kendall said that Clay dare not "offend his northern allies and deprive himself of the benefits of 'safe precedent!'" ²³

Clay and Adams were not the only battle scarred veterans after this political war was consummated. It is a fact of common knowledge that Jackson and his wife were slandered beyond the bounds of common decency. Kendall was accused of receiving \$1610 as the price for taking his paper over to the side of Jackson, and according to the Commentator, Kendall never denied that a part of the \$1610 he received from the hands of Tom Moore, the agent in the case, was for supporting Jackson.²⁴ If elected, it was predicted that Jackson would lead an army of hungry job seekers to Washington. In front of the army would be "WAR, PESTILENCE, AND FAMINE." Jackson represented WAR; Kendall on Jackson's right, represented PESTILENCE; and Blair on Jackson's left, represented FAMINE.²⁵

Jackson won the vote of Kentucky by a large majority, and Kendall was selected to carry the Kentucky vote to Washington. Speaking of Clay after the election, Kendall said:

²³ Ibid., Apr. 15, 1828.

²⁴ Commentator, Oct. 25, 1828.

²⁵ Ibid., Sept. 20, 1828.

"Our emotions are those of satisfaction, that a man so mischievous is rendered harmless, and of sorrow that one so capable of being extensively useful, should have made it the indispensable duty of his country and his friends to render him powerless."²⁶

Upon leaving Kentucky to carry her vote to Washington, Kendall was bidding farewell to the state in which he had experienced such bitter struggles, although he was not completely aware of that fact at the time. He never returned to Kentucky for many years; his services were needed by the Jackson administration. He served as a member of Jackson's Kitchen Cabinet, and as postmaster general under both Jackson and Van Buren. Following his government service, he tried the printing business in Washington, but it was an unsuccessful venture. Later, he organized the Morse Telegraph Company, and became its business manager. To Kendall rightly belongs the credit for making Morse's invention a financial success. His wonderful executive ability was made manifest in this enterprise in which he became wealthy. After he became wealthy, he donated heavily to worthy causes, chiefly, the Deaf-Mute Institute, which he founded in Washington, and the Cavalry Baptist Church.²⁷

After leaving Kentucky, Kendall's connections were not immediately severed with the Argus, although he announced his intention to dispose of his interest at the earliest possible moment, because he believed that a man

²⁶ Argus, Dec. 10, 1828.

²⁷ Stickney, op. cit.

holding an office in the national government should not meddle in local politics.²⁸ Kendall continued to write for the Argus in the form of letters to the editor until his interest in the paper was disposed of in May, 1830. The last number of the Argus that appeared under the management of Amos Kendall and Company was issued May 5, 1830. In that issue, Kendall intended to publish an editorial review of his work as editor of the Argus, but his duties in Washington prevented the fulfillment of that desire.²⁹ After having determined definitely to enter the field of national politics, Kendall wrote these words from Washington expressing his love for Kentucky in a letter to A. G. Merriweather, Kendall's partner in the publication of the Argus:

"... I shall be proud still to consider myself a citizen fo that state. With much that is hateful, she contains more that is admirable. With all her scenes of blood, I shall ever love her with an affection stronger than I have for the state of my birth. She has been the theatre of my sufferings and triumphs. To her justice and generosity do I owe the rank I now hold in the nation.

Your friend,
Amos Kendall"³⁰

28 Wiles Register, June 6, 1829.

29 Ibid., May 5, 1830.

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