Robert Y. Hayne and his times

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ROBERT Y. HAYNE
AND HIS TIMES
A HISTORICAL SKETCH OF THE STATE OF SOUTH CAROLINA
IN THE FIRST FIVE DECADES OF THE CONSTITUTION
AND THE POLITICAL INFLUENCE OF THE STATE
ON THE UNION IN THAT PERIOD
1791—ROBERT YOUNG HAYNE—1839.

By Samuel Finley Breese Morse, 1820.

From the original portrait in possession of Mrs. William Alston Hayne, San Francisco, Cal
ROBERT Y. HAYNE

AND HIS TIMES

BY

THEODORE D. JERVEY

SECOND VICE-PRESIDENT OF THE SOUTH CAROLINA HISTORICAL SOCIETY, AUTHOR OF "THE ELDER BROTHER," A NOVEL OF SOUTH CAROLINA, RECONSTRUCTED

"I can well recollect, Sir, that among the first lessons instilled into my mind, that which made the deepest and most lasting impression was to consider the Republican Institutions of my country like the air which we breathe, as bestowing life and health and happiness, without our being conscious of the means by which those inestimable gifts are conferred; like the Providence of God unfelt and unseen, yet dispensing the richest blessings to all the children of men."

—HAYNE, 1824.

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To

ALL SOUTH CAROLINIANS
WHATEVER THEIR DIFFERENCES
WHO HAVE BRAVELY STRIVEN FOR THEIR CONVICTIONS
THIS BOOK
IS DEDICATED
PREFACE

In presenting to the public a life of Robert Y. Hayne, a word of explanation seems appropriate. Few, if any, of the public men of the United States have been so neglected by students of history; and it is astonishing to note how many writers, some of whom are otherwise quite careful, have been guilty of repeating the statement that, save for the fact that on the floor of the United States Senate he drew from Daniel Webster his greatest oratorial effort, Hayne would not be known to our national history. Yet it is undeniable that, within five months of his connection with that distinguished body, the senator from South Carolina was the undisputed leader of his faction. This position he held throughout the constantly recurring struggle which culminated in the great crisis, nullification. During this period Mahlon Dickerson gave way to Webster, and Webster in turn to Clay, as the leader of the opposing faction, the Protectionists.

Of the carelessness which has in great measure brought about the low estimate of Hayne, evidence is found in allusions to the South Carolinian in recent works. For example, in one history of the United States which on the whole deserves praise for its fairness and liberality, we find the statement, "Senator Hayne was a man of finished education." The facts are that he never received any college instruction, was forced by his necessities to prepare himself for, and to apply for admission to, the bar before he had attained his majority, and was in possession of a lucrative practice at an age when most men who enjoy the opportunity are still in college.
Another writer asserts that in the Great Debate, "Senator Hayne—whose speeches were not remarkable—was put forward to deliver the prologue, but Calhoun was the prompter behind the scenes." No authority is cited for this assertion. It is made, moreover, in spite of the fact, easily ascertainable, that in the first and greatest argument ever made by Calhoun for nullification, and published but little more than a year after the debate, one of Hayne's main contentions is flatly contradicted. If Webster considered the contention untenable, an even greater opponent of nullification, Edward Livingston, declared that it was unassailable.

Of course there are some writers who have treated him more fairly. Cicero W. Harris pays a fine tribute to the South Carolinian in his "Sectional Struggle," and Woodrow Wilson in his "Division and Reunion" accords juster treatment than is usually rendered to him in the Great Debate; while Meigs, in a later and more careful life of Benton than that which appears in the "American Statesmen" series, if he singles Hayne out for no especial eulogium, at least exhibits some discrimination in his comments and refrains from belittling references. Yet the usual estimate of the man can only be described as slighting; and so distinctly has this impressed itself upon me that I have attempted to comply with the suggestion that I should prepare a sketch of Hayne's life.

In arriving at conclusions, it has been my aim to be influenced as little as possible by commentators, but to leave the reader to form his own opinion from the facts. The occasional discovery that my own estimate of any matter was in accord with that of eminent individuals was of course most pleasing, and in no case more so than in the characterization of Hayne's great speech on the tariff of 1824 in the "Life of Martin Van Buren," by Edward M. Shepard of the New York Bar.

In the endeavor to picture the man, I have deemed it essen-