

= James Clark (Kentucky) =

James Clark (January 16 , 1779 ? August 27 , 1839) was a 19th @-@ century American politician who served in all three branches of Kentucky 's government and in the U.S. House of Representatives . His political career began in the Kentucky House of Representatives in 1807 . In 1810 , he was appointed to the Kentucky Court of Appeals , where he served for two years before resigning to pursue a seat in the U.S. House of Representatives . He served two terms in that body , resigning in 1816 .

Clark accepted an appointment to the circuit court of Bourbon and Clark counties in 1817 . It was in this capacity that the most defining event of his career occurred . In 1822 , he struck down a debt relief law in the case of Williams v. Blair on the basis that it impeded the obligation of contracts . His decision was unpopular with the legislature , who condemned the ruling and summoned Clark to appear before them and defend it . An attempt by the legislature to remove him from office fell short of the needed two @-@ thirds majority . The following year , the Kentucky Court of Appeals upheld Clark 's ruling . In retaliation , the legislature attempted to abolish the court and create a new one more sympathetic to their views . This event and its aftermath became known as the Old Court @-@ New Court controversy .

In 1825 , Clark was chosen to fill the congressional seat vacated by Henry Clay 's elevation to Secretary of State . He served until 1831 , but did not seek re @-@ election that year . He became active in organizing the Whig Party in Kentucky and was rewarded for his efforts by being chosen as the party 's nominee for governor in 1836 . He won the election and laid out an ambitious platform to the legislature , which acted on only part of it . Clark 's most significant accomplishment as governor was securing the creation of a state board of education and the establishment of public schools in every county in the state . Clark died in office in 1839 . His estate , Holly Rood , was listed on the National Register of Historic Places in 1974 .

= = Early life and family = =

James Clark was born to Robert and Susannah (Henderson) Clark on January 16 , 1779 , near the Peaks of Otter in Bedford County , Virginia . In 1794 , the family moved to Clark County , Kentucky , where Clark was educated by Dr. James Blythe (who later became a professor at Transylvania University) and attended Pisgah Academy in Woodford County . Clark then went to Virginia , where he studied law with his brother , Christopher . He was admitted to the bar in 1797 . He briefly traveled to Vincennes , Indiana and St. Louis , Missouri looking for a place to open his practice , but finding none that suited him , he returned to Kentucky and commenced practice in Winchester .

Clark married Susan Forsythe on July 2 , 1809 , and the couple had four children . Susan Clark died in 1825 . On March 3 , 1829 , James Clark married a widow named Margaret Buckner Thornton in Washington , D.C. Clark 's second wife died August 15 , 1836 , just days after her husband was elected governor .

= = Political career = =

Clark was elected to two consecutive terms in the Kentucky House of Representatives in 1807 and 1808 . On March 29 , 1810 , he was appointed to the Kentucky Court of Appeals , and served in this capacity until his resignation in 1812 . He was elected as a Democratic @-@ Republican to the U.S. House of Representatives in 1812 . He took a leave of absence on April 18 , 1816 , and by August 1816 , had resigned his seat to accept an appointment as a circuit court judge .

= = = Ruling in Williams v. Blair = = =

From 1817 to 1824 , Clark served on the circuit court for Clark and Bourbon counties . In the 1822 case of Williams v. Blair , he declared unconstitutional a law allowing debtors to escape bankruptcy

by imposing a moratorium on their debts . He contended that the law " impaired the obligation of contracts " in violation of the Contract Clause of the U.S. Constitution . This decision was in keeping with the recent Supreme Court ruling in Dartmouth College v. Woodward .

Clark 's ruling drew a resolution of condemnation from the Kentucky General Assembly . He was summoned to appear before the legislature , but opted to respond to their charges in writing instead . Incensed , the legislature attempted to removed him from office , but the vote of 59 ? 35 fell short of the needed two @-@ thirds majority . In October 1823 , Clark 's decision was upheld by the Kentucky Court of Appeals ; that decision touched off the Old Court @-@ New Court controversy , wherein the legislature attempted to abolish the Court of Appeals and replace it with a more sympathetic court .

In 1825 , Clark was elected to fill the U.S. House seat left vacant by the elevation of Henry Clay to Secretary of State . He was twice re @-@ elected , and chaired the Committee on Territories . He refused re @-@ nomination in 1831 .

Clark was then elected to the state Senate and served from 1832 to 1835 . He was a member of the Committee for Internal Improvements . Upon the death of Governor John Breathitt in 1834 , Lieutenant Governor James Turner Morehead was elevated to governor . The office of lieutenant governor then being empty , the Senate had no presiding officer . In 1835 , Clark was elected Speaker of the Senate , and presided in Morehead 's absence .

= = = Governor of Kentucky = = =

Clark helped organize the Whig Party in Kentucky , and as a reward , he was chosen as the party 's nominee for governor in 1836 . He won the canvass , defeating Democrat Matthew Flounoy 38 @,@ 587 to 30 @,@ 491 . In his first address to the legislature , he outlined an ambitious agenda of reforms , including the establishing a public school system , strengthening the office of state auditor , and combating an increase in crime . Believing that banks should be held to their responsibilities , he insisted that the state banks not suspend specie payments . He also strongly believed in the rights of slave owners , and encouraged Ohio , Indiana , and Illinois to cooperate in returning escaped slaves .

The legislature heeded some of Clark 's message . They added a second auditor in the office of the state auditor , and gave greater discretion to the state 's sinking fund commission . They created a state board of education and the office of state superintendent . They also created county school commissioners in every county . In response to his remarks on slave property , the legislature enacted laws that raised the reward for apprehending a fugitive slave and made it illegal for stagecoach owners to allow fugitive slaves to use their coaches to escape .

However , they refused to restrict the publication and spread of abolitionist propaganda in the state , as Clark had requested , and they ignored most of his recommendations in other areas . Clark financed internal improvements in the state through the sale of bonds .

= = Death = =

Clark died in office on August 27 , 1839 . He was buried in a private cemetery near his home in Winchester , Kentucky . The house was listed on the National Register of Historic Places on June 13 , 1974 .