

W. M. W.

ORATION

4 line DELIVERED IN THE *David Kaddoo*
FIRST PRESBYTERIAN CHURCH, CHARLESTON,

Kaddoo ON *John Finis*
MONDAY, JULY 4, 1831.

Kaddoo BY THE HON. WILLIAM DRAYTON.

David Kaddoo
his oration on
TO WHICH IS ANNEXED,

AN ACCOUNT OF THE CELEBRATION

OF THE *34-35*

55TH ANNIVERSARY OF AMERICAN INDEPENDENCE,

BY THE *34-3*

UNION AND STATE RIGHTS PARTY.

of Kaddoo, S. C.
Charleston, S. C.

PUBLISHED UNDER THE DIRECTION OF THE COMMITTEE OF ARRANGEMENTS
BY WILLIAM S. BLAIN AND JAMES S. BURGES.

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1831. *W. M. W.*

CHARLESTON, 6th JULY, 1831.

DEAR SIR:

At a meeting of the Committee of Arrangements of the Union and State Rights Party, held this afternoon, it was resolved that the thanks of the Committee be tendered to you for your patriotic and eloquent Oration, and that you be requested to furnish the Committee with a copy for publication.

We are, Sir, with the highest respect and esteem,

Your ob't. serv'ts.

JOHN STONEY,
GEORGE WARREN CROSS,
RENE GODARD,
FRANCIS Y. PORCHER,
JOHN STROHECKER,
JAMES MOULTRIE,
DENNIS KANE,
JAMES ADGER,
S. HENRY DICKSON,
J. HARLESTON READ,
WILLIAM KUNHARDT,
JOHN WAGNER,
EDWIN P. STARR.

Committee of Arrangements.

HON. WILLIAM DRAYTON

CHARLESTON, 7th JULY, 1831.

DEAR SIR,

I send to you a copy of my Oration, agreeably to the request of the Committee of Arrangements, and beg leave to return to them my grateful thanks for the very kind and flattering manner in which they have been pleased to apply for it.

I am, Dear Sir, with great respect and esteem,

Your ob't. serv't.

WM. DRAYTON.

TO GEORGE WARREN CROSS, JOHN STONEY, RENE GODARD,
F. Y. PORCHER, JOHN STROHECKER, JAMES MOULTRIE,
DENNIS KANE, JAS. ADGER, S. H. DICKSON, J. H. READ,
W. KUNHARDT, JOHN WAGNER and E. P. STARR, ESQs.

ERRATA.

In the 16th page, strike out the words "Did it make," in the 11th line, and the whole of lines 12, 13, 14, 15, 16, 17 and 18, and the words "cent to his profits" in the 19th line, and insert the following sentence: "Did it make no difference to the producer, whether the duty was laid upon the Cotton which he exported, or upon the imports for which it might be exchanged, supposing that 'the present rate of duty averages 45 per cent.' and that the annual income of a Cotton planter is now \$1000; should the existing duty be repealed, his income would then be \$1450. Does the most sanguine theorist imagine that the profits of the planter would be increased in so enormous a ratio by the abolition of the duties?"

To be added to Note D. in page 32, after "Total expenses \$543."

"The above statement was furnished by a friend (a Cotton Planter) who submitted it to two of our most respectable Factors, by whom it was pronounced to be correct, with the exception, that the total of the expenditure was too high. It has since occurred to the author of the Oration, that blankets ought to have constituted one of the items: he therefore makes that addition.

"A blanket is given every third year to about two-thirds of the negroes upon a plantation, which is equivalent to 22 blankets per annum. The cost of a blanket is \$2.50—22 blankets at \$2.50 each, - - - - - \$55 00

Woollen caps are also frequently allowed to the men; the proportion of whom in 100 negroes would average 25—25 caps at 25 cts. each, would be 6 25

Expenses already estimated,	-	543 00
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Total of Expenses,	-	\$604 25
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Twenty-two per cent. upon \$604.25 is \$132.94, which would be a fraction over three and a quarter per cent. upon a principal of \$4000. The difference between a fraction over three and a quarter per cent. and a fraction less than three per cent. as is stated in the text, utterly immaterial as to the object intended to be illustrated.

ORATION.

FELLOW-CITIZENS:—

AMONG all nations, whether enlightened or barbarous, the custom has prevailed, of celebrating by public orations, those achievements which redounded to the glory of their ancestors, and to the happiness of their posterity. America may proudly, and not vainly boast, that the annals of history, exhibit no political act, so noble in its conception, and so important in its results, as the Declaration of the Independence of these United States. On the 4th of July, 1776, the sun rose upon thirteen subject colonies—before it sank in darkness, it beamed upon thirteen free and sovereign States. To form a proper estimate of the magnanimous daring of those who guided our councils, and fought our battles, during the revolutionary struggle, we must advert to the relative situation of the contending parties, at its commencement. These States then contained a population not exceeding three millions. They were without an armed frigate or a regular battalion—without an ally—without revenue—without ammunition—without muskets for their soldiers, or clothing to protect them from the inclemency of the weather, or tents to shelter them from the fury of the elements. Great Britain, conducted by the mighty genius of that minister, who “with one arm smote the House of Bourbon, and with the other wielded the democracy of England,” had recently vanquished France and Spain, and prescribed to them the terms of a peace, by which she acquired vast regions in three quarters of the globe. Her fleet was the most formidable in the world—her armies were numerous, brave, disciplined, and provided abundantly with military stores and implements of war—her treasures enabled her to add to her own resources, the aid of mercenary veterans and of Indian savages. To encounter such fearful odds, was America goaded on by oppression heaped upon oppression? Had her people suffered those wrongs which make endurance intolerable? Had their fields been ravaged, their cities sacked, or their property pillaged? Had the privacy of their dwellings been invaded, or the fruits of their industry been ravished from them by fiscal plunderers? Had they been victims to arbitrary conscription or to bloody proscription? None of these questions could be answered affirmatively. America’s cause of quarrel was—the imposition of a petty tax, which was levied merely as an evidence of the prerogative

of the mother-country to raise revenue from the colonies. They refused to yield to taxation without representation; and in defence of an abstract principle, their citizens mutually pledging "to each other their lives, their fortunes, and their sacred honors," drew their swords, and appealing to God and their rights, rushed into the conflict with the most potent monarch in Europe.*

That conflict was between Great Britain and her colonies; but in its result a far wider circle was embraced. Liberty and Despotism were the combatants. Should the latter have prevailed—should Liberty, whose banners our ancestors unfurled, have been struck down by the power of her adversary—the gloom of slavery would not have darkened our plains alone—it would have extended its baleful shade over the oppressed in every region, and retarded the amelioration of the condition of man. Happily, the spirit which roused America to assert her rights, did not evaporate in hasty ebullitions of resentment, or transient resolutions of resistance. As she entered into the struggle, with a reckless defiance of consequences, so did she persevere, with an untiring zeal and a steady enthusiasm. Before Independence had been proclaimed, the battles of Bunker's Hill and of Fort Moultrie had been fought. At Bunker's Hill, the half armed militia of Massachusetts foiled for hours the attack of British veterans—twice forced them to retire in disorder—and when overwhelmed by numbers, many of them chose rather to be bayoneted at their posts, than to surrender them to their vindictive conquerors. At Fort Moultrie, with equal courage and better fortune, 400 soldiers, who had never heard the sound of a hostile musket, under the fearless Moultrie, in a Palmetto Battery, defended with 36 cannon, opposed ten armed vessels of the then mistress of the ocean, mounting 270 guns, and having on board 3000 land troops. By the coolness and determination of this small garrison, the British squadron was compelled to retire, crippled and disabled, with a loss in killed and wounded, equal to one half of their victors.

After enduring toils and dangers, and every species of privation—after suffering disasters and defeats, our forefathers accomplished their great design. After seven long years of war, these infant States broke the chains which arbitrary power endeavoured to rivet upon them: they wrung from Great Britain the reluctant renunciation of her lawless pretensions, and her acknowledgement of the rights of those, who "set honor in one eye and death in the other, and looked on death indifferently." To detail the events of the revolutionary war, would be to repeat what can never be forgotten, and what has often been told "in thoughts that breathe and words that burn." To recount the deeds of those who won unfading renown, by their devotedness, and conduct, and valor, is the province of the historian and the bard. Time would fail me were I to attempt the enumeration, and to particularize some, would be injurious to others. To those of them, who survive, let us pay the tribute of our fervent and enduring gratitude; and we owe it to the memories of those who

* See Note A.

have gone hence, who "died amidst their mourning country's cries"—to proclaim, "that the good which they have done is not interred with their bones"—that if it be not registered in their epitaphs, it is recorded in the recesses of our hearts, where it will remain, until we shall become false to ourselves and traitors to our country.

Amidst that revolutionary band, to whom we are so largely indebted, one name, by common consent, stands forth pre-eminent—the name of WASHINGTON. As it has never been unnoticed on this day, I will not depart from the example. Another motive, with me for bringing before you the character and deeds of Washington, is, that in publications of general circulation, although it is admitted, that he was a national benefactor, it is denied, that he was great: it has even been said, that he had "only common sense and common honesty." Unless we annex specific meanings to our words, we reason in a circle. What some may call "great" it is not for me to determine. In my estimation, he is great, who has accomplished great ends with, comparatively, inadequate means. By this criterion, let Washington be tested. From the commencement to the conclusion of the war for Independence, he commanded our armies. These armies, when he was placed at their head, were undisciplined, impatient of control, imperfectly armed, badly clothed, frequently naked, and often destitute of the necessaries of life. With these troops, inferior in numbers to their opponents, he sustained seven campaigns against the trained and veteran soldiers of Great Britain and Germany, led by brave and experienced officers. Often vanquished, he as often collected together the wrecks and fragments of his broken battalions, formed them anew, inspired them with his own spirit, and with them was again ready to confront an enemy flushed with victory and accustomed to conquest. When our star was dimmed—when our fortunes were at the lowest ebb—"when clouds obscured Columbia's day"—by perilous, and brilliant, and successful exploits, conceived and conducted by himself, he re-animated his drooping country. By moral and physical courage—by comprehensive plans—by judicious details—by the skilful adaptation of means to their objects—by preserving his equanimity amidst defeat, and famine, and mutiny, and conspiracy in his camp—by permitting no advantage to be taken of his weakness by his antagonists, and availing himself, promptly, of every opportunity to baffle their efforts—with the aid of his gallant associates, he ultimately triumphed. After the adoption of the Federal Constitution, he was, unanimously, elected President of the United States. The stupendous effects resulting from the revolution in France, the insidious intermeddling of her diplomatists in our internal concerns, the jealousies of Great Britain and her machinations against our rising prosperity, the resentments of France because America did not side with her in her European quarrels, an immense national debt, an insufficient revenue, Indian invasions of our soil, and domestic insurrection, were some, though not all of the difficulties in which our first President was involved. To preserve our new government from the dan-

gers with which it was then menaced, demanded an extraordinary combination of firmness, decision and sagacity. By the exercise of these high qualities, he did preserve the government from the dangers which menaced it, and notwithstanding their pressure, so administered its affairs, as to render it flourishing at home, and respected abroad. And shall he who was thus brave, and skilful, and successful in battle—thus wise, and politic, and energetic in counsel—who in both situations, surmounted obstacles so novel, so numerous, and so perplexing, be denied the name of great? If he, who from the powers of his own mind, was always competent, in the most critical periods, to devise a remedy against impending evils—who steered the vessel of state, in safety, amidst the storms of war and the not less dangerous storms of peace—who exhibited the phenomenon of an individual with the characteristics of the most illustrious personages—who possessed the penetration of Cæsar, the valor of Alexander, the resources of Fabius, the virtue of Titus, the moderation of Epaminondas, the integrity of Phocion, the disinterestedness of Aristides, and the unconquerable soul of Cato, be not entitled to the appellation of great—in what does greatness consist? There may be those who refuse to Washington the attribute of greatness; because he did not worship glory as his idol; because his was not the ambition which sought to bind his brows with laurels dyed in blood—to rule over prostrate millions, “to wade through slaughter to a throne, and shut the gates of mercy on mankind.” Washington followed not fame—fame followed him. He preferred duty, and honesty, and usefulness, to reputation—and above all, he was ever ready to sacrifice fortune, and life, and fame, upon the altar of his country’s good. Nothing narrow, nothing selfish, found entrance into his bosom. As commander in chief he selected for co-adjutors, not sycophants and flatterers—but the talented and the brave. As President of the United States, he was never swayed by favouritism or personal partialities—he employed genius and virtue, whether he found them in his own ranks or in those of his opponents—popularity he never courted—demagogues he despised—political intrigue he disclaimed.

“Born for the universe,” he never “narrowed his mind,
“And to party gave up, what was meant for mankind.”

Whilst we rejoice at the return of this day—whilst we celebrate it with grateful feelings and sound policy, we should not, exclusively, hail it with festivity and triumph. It ought also to lead us to sober reflection—to a comparison of the present with the past—to an examination of our actual condition. We shall then perceive how far we have adhered to, or departed from, the principles of our ancestors—and how long we are likely to retain the prize which was earned by so much toil, and treasure, and blood. Allow me, then, fellow-citizens, to submit to you a few observations upon the nature and objects of the Federal Constitution, the greatest political benefit resulting from our independence; and to call your attention to an

excitement now existing among us, upon the consequences of which may depend the preservation or the wreck of the Constitution and of that Union, to which we owe not alone the *Declaration*, but the *achievement* of our *Independence*.

When the separation of the colonies from Great Britain had been resolved upon, the necessity of a government to direct the affairs of thirteen sovereign States being obvious, Congress on the 12th June, 1776, nominated a committee "to prepare and digest a form of Confederation," which was afterwards ratified by all the States. These Articles were so defective, that they would have proved inadequate to their end, without the co-operation of common resentments, and dangers, and popular enthusiasm—the anticipation of national glory and individual prosperity—and the dread of the utter annihilation of our liberties, should victory have crowned the arms of a vindictive and exasperated foe. Under the influence of these hopes and fears, the revolutionary conflict was maintained, and successfully concluded. Peace, nevertheless, was not attended with its expected blessings. When it arrived, the people were oppressed with debt—credit had expired—real property had depreciated—commerce was languishing—gold and silver currency had disappeared, and no sound circulating medium supplied the want of the precious metals. The expenses of the war had burthened Congress with onerous pecuniary obligations, which they desired to discharge with fidelity. For that purpose, they made requisitions for their quotas upon the States, which were either partially or wholly disregarded. Congress, in their utmost need, unsuccessfully, endeavoured to obtain authority to levy a duty of five per cent. upon imports, either until the public debt should be paid, or for a limited time. The failure of this expedient, and the prostration of our commerce manifested, that the Confederation was incompetent to protect the interests, and to avail itself of the resources of the nation. The Confederation could make treaties, but not compel their observance—could lay taxes, but not collect them—could declare war, but not raise troops. Without dwelling upon particulars, the insuperable objections to that government, were, that it consisted of a single body, that it was destitute of some powers, with which it ought to have been intrusted, and that it was not possessed of the means of executing the powers with which it was intrusted. From the unwillingness of the States to relinquish any portion of their jurisdiction to Federal rule, the complication of private distress and of national imbecility were so long endured—the just requisitions of the confederate Congress were so long fruitless—that many distinguished patriots feared, that independence had been exchanged for anarchy. They did not, however, despair. By strong, eloquent, and reiterated appeals to the common sense of the people, and to those principles of self-preservation inherent in free institutions, they, at length, succeeded in procuring a Convention, which pursuant to a resolution of Congress, assembled at Philadelphia, in May, 1787, "to revise the Articles of Confederation, and to report to Congress and the several Legislatures, such provi-

sions and alterations therein, as should render the Federal Constitution *adequate to the exigencies of government and the preservation of the Union.*"

That august Assembly was, principally, composed of those who had passed through the trials of the Revolution—who, in the gloomiest hour of adversity, had stood erect and undaunted—who had led armies to victory, or enlightened the public counsels by their wisdom; and who to pure hearts and undoubted patriotism, united capacity, moderation and firmness. The first great question which occupied the Members of the Convention, was the expediency of amending the old, or of establishing a new political system. By the special instructions of some of the States, and by the resolve of Congress, they were appointed "for the sole purpose of revising the Articles of Confederation." But their reflections upon the theoretic imperfections of that instrument, and their painful experience of its impotence, irresistibly led them to the conclusion, that the Articles of Confederation were more fitted to perpetuate the distractions of party than to ensure the enjoyment of rational liberty. A majority, therefore, decided to substitute for them, a new Constitution.

When the Convention was in session, there were two parties in the United States, one of which desired to invest the General Government with powers adequate to command respect abroad, and to protect our interests, at home: the other, attached to the supremacy of the States, opposed every measure, which tended to diminish the powers which they possessed under the Confederation. These divisions of opinion, to a considerable extent, pervaded the Convention. Although fundamental principles were, nearly unanimously concurred in, yet in their modification and detail, difficulties so serious arose, that upon more than one occasion, it was apprehended that the Convention would be dissolved, without effecting any of the objects for which it had been appointed. Compromise and conciliation, at length, removed every impediment; and on the 17th of September, 1787, that Constitution was perfected, which has so often been the theme of eloquent panegyric, and by a few of bitter invective—of which the Father of his country has said; "Liberty will find in such a government, with powers properly distributed and adjusted, its surest guardian." The Constitution was submitted to Conventions of the people in every State. In these Conventions it was thoroughly sifted and analyzed, and after protracted and pertinacious opposition in many of the States, it was, finally, acceded to, by all of them.

This retrospect, seemed to me, to be appropriate, because it demonstrates, that our Constitution did not owe its origin to the fervor of enthusiasm—to an admiration of the characters of those great men who composed the Convention; but because after every opportunity had been afforded for its examination, it was believed to have remedied the evils of the Articles of Confederation, and to be "adequate to the exigencies of the government and the preservation of the Union." The prosperity produced by it will be more forcibly ex-

nibited by facts than by reasoning. Before its adoption, Great Britain refused and could not be compelled to perform the conditions of the treaty of 1783—Spain excluded our Western settlers from the navigation of the Mississippi—the property and the persons of our citizens were captured upon the ocean by African corsairs—our frontiers were invaded, and our women and children were massacred: by hostile Indians—our commerce was prostrate—our agriculture unproductive; and though overwhelmed with debt, our revenue was not equal to the current expenses of the administration. In 1797, when the term of office of the first President expired, notwithstanding the difficulties, necessarily, incidental to a new political system—notwithstanding embarrassing controversies with Great Britain—notwithstanding the complexity and delicacy of our differences with France—notwithstanding the fury of contending parties, among ourselves—commerce and agriculture flourished—manufactures were increasing—our vessels were unmolested by the pirates of Barbary—the bordering savages had been conquered—the free navigation of the Mississippi had been acquired from Spain—Great Britain had surrendered her military posts, within our territories—a sound currency had been established—an ample revenue had been secured—an immense debt had been funded, and a system for its gradual extinguishment had been matured. That these benefits resulted from the Federal Constitution was never doubted—that the Confederation could not have preserved the Union of the States, is as little questionable. To sustain, therefore, that Constitution, in its integrity—to guard it against assaults impairing its legitimate functions, is what all must fervently desire, who prefer security and peace, to feebleness and discord.

That the current of the Federal Constitution has, invariably, run smooth, cannot with truth, be asserted. Until interest shall be regulated by principle—until ambition shall be controuled by virtue—until passion shall be guided by reason—until judgment shall be exempt from error—'tis vain to imagine that any form of government, proceeding from uninspired man, shall command universal respect from the people, and ensure a wise and impartial execution of its powers, by those upon whom its administration devolves. Holy Writ instructs us, that even a Theocracy, enforced by temporal rewards and punishments, did not restrain the chosen nation of God from disobedience, rebellion and idolatry. The United States, with a government created by and for human beings, have not escaped the agitations and turmoils which no human institutions can prevent. Momentous questions have sometimes arisen, which shook our Union to its centre. I shall not notice all these controversies, nor their consequences, nor the lessons which they teach us. Were I to make the attempt, I should consume more time than the occasion for which we have met would permit. I shall confine myself to a topic which now, principally engages the public mind, and offering upon it such remarks as appear to me to be pertinent. The Tariff Laws which have been recently passed, have been loudly and emphatically de-

advanced by several of the States, and particularly by South-Carolina. Upon the numerous pamphlets and speeches which have been published and delivered against them, I shall make no observations, but shall, exclusively, refer to "the Exposition and Protest reported by the Special Committee of the House of Representatives of South-Carolina," which on the 19th December, 1829, was ordered to be printed. That elaborate State Paper is believed to present all the grounds and, substantially, all the arguments against "the protective system," and in favor of the course to be adopted in consequence of it, which are relied upon by those, formerly designated as "The States Rights and Jackson Party," and now as "The States Rights and Free Trade Party." The contents of "the Exposition" may be classed under three heads. 1st. Arguments against the constitutionality of "the protective system." 2dly. An enumeration of the evils arising from it. 3dly. The remedy recommended to prevent its operation upon the State of South-Carolina. I will briefly submit to you my views of these subjects, in their order.

1st. The unconstitutionality of "the protective system."

I fully concur with the Special Committee, that the Tariff Acts of 1824 and 1828, are unconstitutional; but altogether differ from them, when they assert, that "previous to the adoption of the present Tariff system," (by which they mean the Acts of 1824 and 1828) there was "no case in point" of similar legislation. I shall hereafter show that this is an error. Aware that all of those who are present do not consider the acts which I have mentioned to be unconstitutional, I will state some of the reasons which have led me to a different conclusion.

The Constitution of the United States, having been established for certain purposes, by the people of the several States, who then had, and still have, State Legislatures, these purposes were expressed, and the powers necessary to accomplish them, were specially granted. These powers are generally to be exercised upon national objects, as war, peace, diplomatic intercourse, and foreign commerce. What concerns the lives, liberties and property of the people, and their interior order, improvement and œconomy, are within the province of the Legislatures of the States. This distinction marks the great boundaries between Federal and State jurisdiction; although, in some instances, it has been departed from, where it was deemed expedient, that some powers more properly of a municipal description, should be, exclusively, vested in the General Government, or concurrently in it and the States. To execute the powers of the General Government, sometimes, the means are expressed, but as this is frequently omitted, Congress in a separate paragraph, are authorized "to make all laws which shall be necessary and proper" to carry into execution the powers granted by the Constitution. Such being the character of the Federal Compact, I know but one sound, practical rule for its construction—the intention of its framers, to be collected from the nature of the instrument, and the words used to convey its meaning, in their ordinary acceptation. As it was designed, that

only certain powers should be conferred upon the General Government, *these powers* ought to be *strictly* construed—not with the subtilities of verbal criticism and technical refinement—but as they would be understood by an individual of good sense and integrity, so that neither any addition should be made to the quantity or kind of power given, nor a power inferior in degree, *because* inferior, be included within a greater power which had been granted. Where a power has been, *expressly*, granted, it may be, legitimately, executed by all the *means*, appropriately and plainly adapted to the *end* contemplated by the power, which are not prohibited by, and which are not inconsistent with the letter and spirit of the Constitution. In construing a *power*, all discretion is excluded. If it exist, it must be founded upon the “*littera scripta*” of the compact, which being a special grant for special objects, admits no latitude of interpretation. By these rules, which have been sanctioned by contemporaneous expositions, and which have been recognized by enlightened jurists and statesmen, and by solemn decisions of the Supreme Court, let the constitutionality of the Tariff Acts of 1824 and 1828, be tried. By those who advocated them, and by whose votes, they became laws, they were alleged to be authorized by the power “to regulate commerce with foreign nations and among the several States.” In judging then of the validity of these laws, the question is, whether a *power to regulate commerce*, warrants the passing of Acts *for the encouragement of American Manufactures*, or in other words, whether, a power, exclusively for the regulation of *commerce*, be a power for the regulation of *manufactures*? The statement of this question would seem to involve its answer. Can a power granted for one object, be transferred to another? If it can, where is the limitation in the Constitution? Are not commerce and manufactures as distinct as commerce and agriculture? Being so, is it not absurd, to claim the power of regulating the one, under a power to regulate the other? It was said in Congress, that the connexion between commerce and manufactures is so intimate, that it cannot be severed, and that by legislating advantageously for manufactures, the prosperity of commerce is promoted. This may or may not be the case. Commerce may be so regulated, as to be injurious to manufactures; and manufactures may be so regulated as to be injurious to commerce; but this is not the problem to be solved. The question is, whether Congress have authority to regulate that which is *not* committed to them, under a power to regulate that which *is* committed to them, because there is an intimate connexion between the subjects of those powers. Were this power in Congress, the enumeration of their powers would be useless. Agriculture, colonies, capital, machinery, the wages of labor, the profits of stock, the rents of land, the punctual performance of contracts, the diffusion of knowledge, &c. are all, intimately connected with commerce. Could Congress, then, under a power to regulate commerce, embrace within it all these subjects? It unquestionably could, if a power for a specific purpose could be extended to whatever might be intimately connected with it. To avoid

the wide absorption into the Federal vortex, we must construe the powers of Congress, strictly, limiting their operation, to what was, plainly, intended by the framers of the Constitution, according to the words which they have used to express their meaning. Manufactures are as distinct a branch of industry as commerce. With some nations their manufactures constitute a greater interest than their commerce. If it had been designed, that Congress should be authorized to regulate manufactures, is not the inference irresistible, that a correspondent power would have been specially granted to them, upon the same principles, as the power to regulate commerce has been specially granted? I do not contend, that Congress, under the power to regulate commerce, "is limited to the imposition of duties upon imports for the sole purpose of revenue."* I admit, that in the exercise of that power, they may lay countervailing or retaliatory duties upon imported articles, to neutralize, or procure the repeal of foreign restrictions upon our commerce, although the consequence should be a *diminution of revenue*: but these retaliating duties, to be constitutional, must be imposed for "*the regulation of commerce*," not for the encouragement of manufactures. The power to regulate manufactures not having been confided to Congress, they have no more right to act upon it, than they have to interfere with the systems of education, the poor laws or the road laws of the States. Congress, say the advocates of the Tariff, are empowered "to lay and collect taxes, duties, imposts and excises, &c." to raise revenue. This is incontrovertible; but the revenue must be raised to execute a power contained in the Constitution; and there is no power in the Constitution, to encourage, or protect, or to meddle with manufactures. The intent of the Tariff Acts, was, expressly, to benefit the manufacturer, and their effect is to *reduce* the revenue. Had these Acts been introduced for revenue, they would have been rejected. The United States did not require an augmentation of their revenue; and a majority of Congress would not have taxed the people, when the public income was adequate to the public exigencies. If revenue had been the inducement, the duties upon manufactures would have been diminished, not increased, for the increase of these duties, in many cases, excluded importations, and were so intended. I regard the Tariff Acts, as they were regarded by those, through whose votes they were passed, and pronounce them to be unconstitutional, upon the very grounds upon which they were proposed and carried. That they do not appear to be unconstitutional upon their face, does not alter the fact.

2117. Enumeration of the evils resulting from the Tariff.

"The Exposition" in enumerating the evils arising from the Tariff, dwells largely upon some, which are either exaggerated or imaginary. I notice this with regret, because its tendency is, to impair the strength of those objections to it, which are solid. According to "the Exposition" if the duty "were enforced upon exports, instead

of imports, no one would doubt its partial operation. It would clearly fall on those engaged in rearing products for foreign markets, and as rice, tobacco and cotton constitute the great mass of our exports, such a duty would, of necessity, mainly fall on the Southern States, where they are exclusively cultivated; and to prove that the Tariff also falls on them almost exclusively, it is only necessary to show, that as far as their interest is concerned, there is *little or no difference*, between an *import* and an *export* duty. We export to import. The object is an exchange of the fruits of our labor for those of other countries. A duty whether laid upon imports or exports, must fall on this exchange, and on whichever laid in our country, *must in reality be paid by the American producer of the articles exchanged.* The *owner* in reality pays it, whether laid on the *vendor* or *purchaser*. Whether the exchange be barter or sale, direct or circuitous, *in every instance it must fall upon the producer.*"

It is further stated in "the Exposition"—that the value of the whole of the domestic exports of the United States, averages annually \$53,000,000, consisting of \$37,000,000 *from the Southern or staple States, and of \$16,000,000 from the other States;* and that as the gross revenue from the customs is, annually, about \$23,000,000, and the average of the Tariff duties 47 per cent. it follows "that the sum of \$16,650,000 is the share of the general contributions to the Treasury *which is paid by the Southern or staple States.*"

Let these positions be examined.—It has always been considered to be an axiom in political economy, acquiesced in by the statesman and the practical merchant, that the consumer pays the duty upon imports, subject to certain partial and temporary exceptions, not affecting the general principle. The merchant who imports the dutiable article, must pay its price in the foreign market, the incidental expenses of its importation, (one of which is the duty) and be reimbursed the interest of his capital invested in the purchase. These items constitute the prime cost. To this he adds the customary profit, which is regulated by competition, and the usual rate of profits in the country. If the duty were not reimbursed to the merchant, (especially a duty of 45 per cent.) he would not import. It makes no difference whether the dutiable articles be imported by the merchant, or by the grower of the raw material, who exchanges it for merchandize which is taxed. Suppose the planter sends his crop of cotton to England, and with its proceeds, buys iron, cottons and woollens. If he consumes a part of his imports, and sells the rest, in the first instance, he advances the duties upon the whole, but for the duties on that part of them which he sells, he is reimbursed by the purchaser. This must be the case, unless the planter imports more than he consumes, and will not dispose of the surplus. If the planter exchanges the whole of his crop for dutiable articles, for his own use, he would, certainly, pay all the duties; but it is manifest, that he would do so, as the *consumer*, in common with every other consumer, not as the *producer*; and under similar circumstances, this would, equally, be the case, whether the duty upon imports was 5 or 50 per

cent.—whether the duty was imposed, solely, for revenue, or for the protection of the manufacturer.

That the “duty whether laid upon imports or exports, must in reality be paid by the American producer of the articles exchanged” is utterly inconsistent with the facts, that the producer might export his cotton, &c. to England or France, and spend the proceeds in either of these kingdoms—or he might apply them to the payment of a debt due to persons resident in Europe—or he might sell his crop for a bill of exchange—or sell it in Charleston or New-York for money. In none of these instances, and in others which might be stated, would he as a producer, pay any duty at all. Did it make no difference to the producer, whether the duty were laid upon the export of his cotton, or upon the imports which might be obtained for it, supposing, that “the present rate of duty averages at least 45 per cent.” and that the ordinary profits of a planter are now 5 per cent. upon his capital, should the existing duty be totally repealed, his profits would amount to 50 per cent. Does the most sanguine theorist imagine, that the abolition of the duties, would add 45 per cent. to his profits? If the foreign purchaser of any of our products, say of our cotton, could fix its price, or deduct from its price the amount of the duties upon the articles for which it should be exchanged, or if the Tariff, in any manner, reduced the price of our cotton, in Europe, in a ratio equivalent to its duties, the producer would then pay the duties upon the cotton which he exported. But we know, that the price of our cotton, depends upon the same causes as that of other things—the proportion between the supply and the effective demand. Directed by this regulator, our cotton is sold in London or Liverpool, according to its relative value, as are the cottons of Brazil or Egypt, or of the British East or West-Indies. Were our cotton in the European market, subject to a reduction in price, commensurate with the duty under the Tariff, (as has been asserted, though not in “the Exposition”) it would be twice incumbered with that duty, should it be exchanged for dutiable articles—first upon its sale—next upon the importation into the United States of the articles purchased with it, by which the producer would lose 90 per cent.—that is, were his cotton worth \$10,000, its nett proceeds would be \$1000. Under such circumstances, would a single bag of cotton be exported?

The allegation that the States growing cotton, tobacco and rice, pay annually, “\$16,650,000 as their share of the general contribution to the Treasury,”* is founded upon the presumption, that the protective duties fall upon the exports. Having demonstrated this to be erroneous, the allegation has no basis to rest upon.† Equally untenable with the foregoing is the position, “that the exports of the Southern or staple States, and of the other States, stand at \$37,000,000 to \$16,000,000.”‡ in favor of the former. By referring to a statement which is subjoined, it will be clearly seen that the revenue of

* The Exposition.

† See Note B.

‡ The Exposition.

those States, immediately interested in foreign trade, which are not classed among the Southern or staple States, is at least equal to the income derived by the latter States from the same source."

I have thus commented upon some of the prominent and material errors in "the Exposition," not invidiously, or from the spirit of captious criticism, or of party; but because in all questions, and especially in one, which so strongly excites the feelings, and so deeply affects the interests of our State, we ought sedulously, to guard against statements and inferences from statements which may conduct us to false and injurious conclusions. I must exercise my judgment, whether in the pursuit of abstract or of practical knowledge. Believing that the passages in "the Exposition" which I have noticed, are erroneous, I have declared my opinions, unreservedly. If they are right, they will have the weight to which they are entitled: if they are wrong, they will be disregarded. To exhibit my own views, I will offer a few remarks, upon what seems to me, to be the effects of the Tariff Acts objected to in "the Exposition" upon the cotton planters, the great capitalists of South-Carolina. The protest annexed to "the Exposition," "is against the system of protective duties lately adopted by the General Government." From this language, it is evident, that the objectionable Acts are, solely, those of 1824 and 1828. By the Act of 1816, the average of the highest duties was about 25 per cent. By the Act of 1824, about 28 per cent. By the Act of 1828, about 47 per cent. Assuming that the duties in the Act of 1816 were *bonâ fide*, for revenue, as is, necessarily, implied in "the Exposition," the difference between them, and the duties in the Act of 1828, is 22 per cent. A cotton planter, therefore, making 50,000 lbs. of cotton, worth \$4,000, would lay out in those supplies for his plantation which are liable to protective duties, about \$543, the duties upon which, at 22 per cent. would be \$119.46, a fraction less than 3 per cent. upon his income; and this is the burthen to which a cotton planter, in that character, would be subjected by the *protective duties*, as a *consumer*, conceding as "the Exposition" does, that the acts of 1824 and 1828, are alone to be considered as imposing such duties.† As a *producer*, likewise, he is a sufferer, though in that capacity, he pays no duties. To ascertain the extent of this loss, with precision, is impracticable, as it must depend upon calculations of which the data cannot, at present, be given. By the abolition of the protective duties, estimating them at 22 per cent. the demand for cotton manufactures would be increased, in consequence of their greater cheapness. This greater demand for the manufacture would require a greater supply of the raw material. What would be the proportion between the demand thus created and the supply, cannot now be estimated. It has been found by experience, that an advance of two cents a pound, in the price of cotton so rapidly stimulates its production, that its price falls to its former level in two years. The benefit, therefore, derived by the cotton planter,

* See Note C.

† See Note D.

from the repeal of the 'Tariff duties, as a producer, would be temporary. However transient it might be, to deprive him of it, is an injury and an injustice.

Because I am unwilling to stand upon grounds, which I believe to be untenable and delusive, I am, by no means, insensible of the effects of a system which I see and deplore. All "*protective duties*" I regard as a tax, not laid for revenue, or for the discharge of common burthens, or for the regulation of commerce, or for any purpose authorized by the Constitution; but for the benefit of a privileged class. I feel, that the genius of our institutions is violated, when the Government controuls the course of human industry, which ought to be directed by the judgment and the enterprize of individuals, no further protected than by just, impartial and equal laws. I feel indignant, whilst other nations are rising superior to the prejudices of the middle ages, that they should be revived in their pristine rankness, in our uncongenial soil—that the citizens of a free republic should be fettered by commercial restrictions, which have always characterized the policy of narrow minded and selfish rulers.

3d. Remedy recommended to prevent the operation of the Tariff Acts upon the State of South-Carolina.

"The Exposition" recommends, that the State, by its veto, shall suspend the operation of the Tariff Acts, so far as they relate to our citizens, until it shall be determined, by an amendment to the Constitution, that Congress *have*, or that they *shall have* the power claimed under these Acts. Such an amendment, it is insisted, would be binding and conclusive upon all the States. The right of a State to impose this veto is asserted to be a *constitutional right*, founded upon the sovereignty of the States and the express reservation of their sovereign rights in the Federal Compact. To substantiate these propositions, in addition to its own arguments and illustrations, "the Exposition" refers to, and relies upon, Mr. Madison's Resolutions and Report adopted, in 1800, by the Legislature of Virginia.

Not concurring in these doctrines of "the Exposition," and being convinced, if they were reduced to practice, that the Union could not subsist, I shall proceed to submit to you the reasons for this conviction.

The condition of the United States when the Federal Constitution was adopted, and the causes which induced its adoption, I have noticed in an early part of this address. No cause operated more powerfully, than the experience of the utter inadequacy of the Confederation to answer the purposes for which it was intended. The imperfections in that instrument have been pointed out—its radical defect was, that it could not act upon, but only through the States. Its laws; substantially, were but recommendations. Special care was, therefore, taken by the Convention to guard against the recurrence of this evil. The Constitution being established by the people of the United States, not as a whole, but by the people in each State, in their sovereign capacity, (unlike the Confederation which was formed by the Legislatures of the States) it derives its authority from the

same source as the State Governments; it, therefore, possesses the same authority over *all* the States, *to the extent of the powers granted to it*, as does the Constitution of *each State, within its own limits*. From these premises, it necessarily follows: 1st. That the Constitution of the United States *is binding upon all the parties to it*: 2dly. That no part of it can be modified, changed or annulled, in any other manner, *than its provisions prescribe*. 3dly. That as by its provisions, it cannot be modified, changed or annulled, excepting by the Legislatures *of three-fourths*, or by Conventions of the people, *in three-fourths of the States, that power can, in no case, be exercised by a single State*. 4thly. That as by one of its provisions, the power is given to the Supreme Court to decide, finally, all cases arising under the Constitution, laws or authorities of the United States, *no State Legislature or State Court can, rightfully, invalidate, or interfere with the exercise of this power*.

That "the actual sovereign power resides in the States, in their separate and distinct political characters—that the sovereign power is divided between the States and General Government, and that the former holds its reserved rights, in the same high, sovereign capacity, which the latter does its delegated rights,"* are propositions, which I accede to; but that the residence of this sovereign power in the States, and the possession of their sovereign and reserved rights, unimpaired by the Constitution of the United States, "clearly implies a veto, or controul by the States, on the action of the General Government on contested points of authority; and that *this very controul is the remedy, which the Constitution has provided, to prevent the encroachment of the General Government on the reserved rights of the States,*"† I by no means admit. Should this reasoning prevail, the judicial power of the United States would be nugatory, where it was most essential; for where a State regarded a law to be unconstitutional, by the interposition of its veto, the tribunal authorized by the Constitution, to decide, finally, whether a law was constitutional, would be ousted of its jurisdiction; and for it would be substituted the judgment of any one of the twenty-four States. Let me illustrate this by an example. The State of South-Carolina deems the Tariff Act of 1828 to be unconstitutional, and by its veto, declares it to be null, and not binding upon her citizens. The Collector, regarding the Act as authoritative, refuses to deliver his goods to the merchant importing them, until he pays the duties, or gives his bond for the amount. This question is to be determined *by a construction of the Constitution*, over which, if the Federal Judiciary have not a final jurisdiction, tis not possible to conceive, in what case it can, *constitutionally*, be exercised; and if, in such a case, the Federal Judiciary can be deprived of its jurisdiction by a State, *virtually and practically*, tis in the power of a single State to *repeal the laws of the Union*.

"The Exposition" says, that "the 25th Section of the Judiciary

* The Exposition.

† Ibid

Act provides an appeal from the State Courts to the Supreme Court of the United States, *in all cases, in the decision of which the construction of the Constitution, the laws of Congress, &c. may be involved*; thus giving to that high tribunal the right of *final interpretation*, and the power in reality of *nullifying the Acts of the State Legislatures, whenever, in their opinion, they conflict with the power delegated to the General Government*: that a more ample and complete protection against the encroachments of the States by their Legislatures cannot be imagined; *and for this purpose, this high power may be considered indispensable and constitutional.*" I am at a loss to conceive how a power in "the Supreme Court," admitted to be "*indispensable and constitutional*, of nullifying, in reality, the Acts of the State Legislatures, whenever, in its opinion, they conflict with the powers delegated to the General Government," can be reconciled with a *constitutional* right in a State "to controul the action of the General Government, on contested points of authority;" whenever, in the opinion of the State, "the action of the General Government conflicts with the powers delegated to it." If these powers can co-exist in the General and State Governments, without the destruction of one or the other, contradictions are harmonious, and paradoxes are self-evident truths. If, nevertheless, a State possesses this power, it is not to be called in question. But it will not be controverted, that like all other constitutional powers, it must be shown to exist in the Constitution. Now "the Exposition" refers to no part of that instrument as granting it; but relies upon the sovereignty of the States—the reservation of their rights in the Constitution—the inability of the Federal Court to declare an unconstitutional law to be constitutional, and other arguments which I have already detailed.

That the States are sovereign, is undeniable, as they consist of the people of the States, who are sovereign. The reservation of the rights of the States, in the Constitution, is supererogatory: they would have remained undiminished without that reservation. Their recognition was inserted in the Constitution, as some other passages are, from excess of caution. All the rights of a State are equally sovereign, "and reside in the States in their separate and distinct political characters;"* *but such of them as they have granted to the General Government, they cannot exercise or resume, so long as that Government exists.* A sovereign State may enter into a compact with other sovereign States. Each of the States did enter into a compact with each other—that compact is the *Federal Constitution*. They are all, therefore, bound to comply with its conditions, among which are—that when questions arise under it, *they shall finally be decided by the Federal Judiciary*, created for that purpose; and that "the Constitution and the laws of the United States, which shall be made in pursuance thereof, &c. shall be the supreme

* The Exposition.

*law of the land, any thing in the constitutions or laws of the States, to the contrary notwithstanding.**

There are but two *constitutional modes* by which a State can “prevent the encroachment of the General Government on the rights of the States”^{*}—*an amendment to the Constitution and a reference to the Judiciary.* The States, or individuals, by remonstrances, by protests, by appeals to each other, or to the Press, or to Congress—or the people by changing their representatives, may endeavor to procure the repeal of obnoxious laws. These means are inseparable from all free governments. If an amendment to the Constitution cannot be obtained: if the Federal Judiciary determine that the law complained of is constitutional; and if the other means of redress which I have stated be unavailing, the people of the aggrieved State *must endure the burthen of the obnoxious law, or resist its execution by force of arms, or withdraw from the Union. There are no other alternatives remaining.*

“The Exposition” does not recommend an *unqualified* veto by the State, but that it shall continue of force, *until* the power under which the Tariff law was enacted, shall be sanctioned by an amendment to the Constitution. This amendment “the majority may invoke”[†]—to object to the amendment, if made, would be political heresy, and to oppose it would be rebellion. †

By what species of logic this paramount authority of an amendment to the Constitution is arrived at, I can neither discover from any lights afforded by “the Exposition,” nor from any which can be furnished by my own mind. If a State by virtue of its sovereign and reserved rights, can constitutionally, “controul the action of the General Government, on contested points of authority under the Constitution,”[§] it could equally “controul the action of the General Government” on contested points of authority under an amendment, which is a part of the Constitution. The ground taken in “the Exposition” is, that a State has a right to decide, whether a power exercised, has been granted by the Constitution; and if, in the opinion of the State it has not been granted, she may arrest any action under it. Now if a power should be exercised by Congress, under an amendment to the Constitution, which, in the opinion of a State, was not granted by it—the State might, by the same reasoning, deny that the power was granted by the amendment, and arrest any action under it. ’Tis scarcely possible for the nicest philological accuracy, so to frame an amendment, however specific be its object, as to avoid diversity of interpretation. The eleventh amendment to the Constitution was passed for a particular purpose; and yet more than one of the States have given to it constructions, directly, at variance with the decision of the Supreme Court of the United States. If an amendment introduced with the sole intention of providing for a single object, has received different meanings, the disputes between the States and the United States, would be interminable, should the States be entitled

* The Exposition.

† Ibid.

‡ Ibid.

§ Ibid.

to arrest the progress of a law, in their opinion unconstitutional. The adoption of an amendment, so long as this right continued, would not remedy the evil. This confusion and perplexity cannot be obviated, otherwise, than by adhering to the provision in the Constitution, by which *constitutional questions* are to be finally decided by *one tribunal*.

Whether the right to impose its veto upon a law of the Union, be claimed by a State, without any other limitation than its own construction, or with the qualification, that its veto shall be cancelled by an amendment recognizing or granting the disputed power, in the result, would be almost immaterial. The difficulty of obtaining any amendment to the Constitution is notorious. Amidst the clashing interests, and prejudices and parties, at this day, it is vain to expect it; and should seven of the States dissent from the proposed amendment, by the theory of "the Exposition," they could give the law and the Constitution to seventeen States. Is it republican, is it rational, that a single State should be able to controul twenty-three States? "If a single State can of right require three fourths of its co-States to over-rule its exposition of the Constitution, because that proportion is authorized to amend it, would the plea be less plausible, that as the Constitution was unanimously established, it ought to be unanimously expounded."* If a State has thus the power to interfere, the government would be paralyzed; for there is scarcely any great power exercised by Congress, the constitutionality of which is admitted in all the States. The Constitution, at different times, in the same State would receive different constructions—it would be interpreted, not according to its letter and its spirit, but the feelings and the passions of the day. The charter of the Bank of the United States, and the appropriation of money for Internal Improvements, now denied to be constitutional in South-Carolina, were formerly sanctioned by her. The very protective system, has been strenuously supported in Congress by the South-Carolina Delegation.

The right of a State to judge of the infractions of the Federal Compact, and to nullify the laws of that compact, by virtue of its reserved and inherent sovereignty, is attempted to be established, by the analogy of a similar right in sovereigns, who have entered into a league or a treaty. If sovereigns enter into a league or treaty, they are obligated to perform their conditions, by the laws of nature and of nations. Should one of them absolve himself from these obligations, the treaty or league would be at an end, and from necessity, the injured sovereign could only appeal to arms for redress. But our Constitution is not a league, as the Confederation was, nor a treaty, which is a compact between nations, acknowledging no superior, with separate and distinct governments and laws, and separate and distinct powers and interests. The Federal Constitution was formed by the States. By that Constitution, the United States are under the same government, are subject to the same laws, are controuled by the

same powers, and connected by the same interests. That Constitution, where differences arise between the parties to it, relating to its construction, designates a tribunal, by which these differences shall, exclusively, be decided. Without this provision, the only arbiter for these differences would be the sword. The States, by their own voluntary and deliberate consent, are mutually, bound to each other to comply with this provision. If a State violates it, that State resorts to the law of nature, and the Constitution is no more. To contend that the exercise of this ultima ratio, *beyond the Constitution*, is *constitutional*, is a palpable contradiction. A State cannot be *in* the Constitution and *out* of it, at the same time. *To be* and *not* to be, simultaneously, is not in the power of omnipotence itself.

The Resolutions and Report of Mr. Madison, in the Legislature of Virginia, which are cited as authority for the doctrines of "the Exposition," will be found, upon an attentive examination, to convey a very different meaning. They recognize *no constitutional right*, on the part of a State, to *nullify* an Act of Congress, but derive the exercise of such a right, from a source, which no Constitution can controul.

To extract from these Resolutions and Report, (which occupy forty-eight pages of a printed pamphlet,) those passages, which are necessary, fully, to substantiate their intention and import, would be a trespass upon your time, that I will not be guilty of. I shall merely submit to you, so much of them, in a few lines, as will, I trust, satisfy you of the correctness of my interpretation of them.

The Virginia Legislature, in their 3d Resolution declare: "that in case of *a deliberate, palpable and dangerous* exercise of powers, not granted by the Federal Compact, the States, who are parties thereto, *have the right, and are in duty bound, to interpose for arresting the progress of the evil*, and for maintaining within their respective limits, the authorities, rights and liberties appertaining to them." In the 5th Resolution, they denounce "the Alien and Sedition Acts" as unconstitutional exercises of power; and they, finally, protest against those Acts "as *palpable and alarming* infractions of the Constitution." By a "*deliberate, palpable and dangerous* exercise of powers not granted by the Federal Compact," the Virginia Assembly understood such violations of the Constitution, as manifested a *deliberate* intention on the part of the General Government, to assume powers so *palpably* usurped, for *dangerous* purposes, as to remove the possibility of doubt as to the motive and the object. As if Congress should suspend the writ of habeas corpus, in a time of profound peace, when neither rebellion nor invasion were apprehended—or pass a bill of attainder—or lay a tax directly on exports—or make it treason for the people to remonstrate against the proceedings of the Senate and House of Representatives, &c. That such acts as these were meant by the Virginia Legislature, and not the passage of a law deemed by a State, or by States, to be unconstitutional, is evident from their language and conduct. They declare, that "the Alien and Sedition Laws are *palpable and alarming* infractions of

the Constitution"—that a power to enact them is "no where delegated to the General Government." Had they considered these laws to have originated in a *deliberate intention* to usurp powers subversive of the Constitution, the crisis would have arrived, which is referred to, in their third Resolution, when they were in *duty bound* to arrest the progress of the evil, by appealing to the last resort—a secession from the Union. Instead of pursuing this course, they leave the Alien and Sedition Laws in full operation—do not, in any manner "*arrest their progress,*" and simply make their *protest* against them, *which, by their own declaration, is "an expression of their opinion unaccompanied with any other effect, than what it may produce on public opinion, by exciting reflection."* In enumerating the means which might have been employed "*within the limits of the Constitution,*" which are detailed at length in their Report, the Virginia Assembly neither express, nor in the remotest degree imply a veto upon, or a nullification of the obnoxious laws. The constitutional modes of interposing in the opinion of the Legislature of Virginia, were the following: "The Legislature of the States might have made a direct representation to Congress; or they might have represented to their respective Senators in Congress, their wish that two-thirds thereof would propose an explanatory amendment to the Constitution; or two thirds of themselves, if such had been their option, might by an application to Congress have obtained a Convention for the same object." Understanding these celebrated Resolutions, in the sense which I have stated, I yield to them my full assent, with this addition—that, in my opinion, the right of a State to separate from the Union, is not restricted to the case "of a deliberate, palpable and dangerous infraction of the Federal Compact;" but that a State has this right, whenever a power directly granted by the Constitution, is so oppressively exercised, as to render the Union an intolerable burthen to her, instead of a benefit. But this right springs not from the Constitution—it was coeval with the formation of society—it was proclaimed in the Declaration of Independence—and will continue, until torn by civil broils, or distracted by sectional jealousy, the liberties of these now United States, shall be crushed by the iron rule of a conquering despot.

I speak with unqualified confidence of the correctness of my construction of the Virginia Resolutions, as it is, in its utmost extent, recognized by Mr. Madison himself, who was the author of them, in a letter written by him in August, 1830. I cannot appeal to higher testimony; for perhaps there is no individual living, to whom the possession of solid learning, sound judgment, clear discrimination and unimpeachable integrity, will be more generally allowed, than to Mr. Madison.*

It may create surprize among some, that it should have been doubted, at the æra of the Virginia Resolutions, that a State had the right to secede from the Union, yet was this right then denied by distin-

* See Note E.

guished men—it was denied by General Washington—and it is still denied by many. The right of a State to protest or remonstrate against the acts of the General Government, was controverted by several of the States, as appears from the answers of these States to the Resolutions of Virginia; and a Special Committee of the Legislature of the State of South-Carolina, in 1824, reported; “whilst petitions from the people would be respectfully received and considered (by Congress) *the remonstrances of the State would be regarded as an usurpation of authority, unless made as your Committee have before observed, with a view to an amendment of the Constitution.*”

Were the principle to be conceded, that a State has the constitutional right to interpose its veto upon an Act, which was “a deliberate, palpable and dangerous” infraction of the Constitution, this could not be predicated of the Tariff Acts of 1824 and 1828. What is to be understood by a deliberate violation of the Constitution, I have already shown. That these acts are a *palpable* violation of the Constitution, can, surely, not be maintained, when it is recollected, that the policy which dictated them has been recommended by Mr. Jefferson, admitted to be the strictest of strict constructionists, and by every President of the United States.* But the distinction is, in fact, without a difference, whether a State claims the constitutional right to arrest the progress of a law, whenever deemed by it to be unconstitutional, or only where it is considered to be “a deliberate, palpable and dangerous infraction of the Constitution;” for its own discretion is its judge, in both cases; and even where it has, previously regarded a law to be constitutional, it would not be precluded from reversing that decision, and pronouncing that very law to be a deliberate, palpable and dangerous usurpation of power. The Act of 27th April, 1816, was as plainly within “the protective system,” as is the Act of 1828. When the Act of 1816 was passed, that of 1812 was in force, by which the duties were doubled, on account of the war with England. By the Act of 1816, some of those double duties were continued. Upon some articles, the duties were raised *beyond what they were by the Act of 1812*, and all of them, with a few exceptions, were very much higher than they had been before the war. The Act of 1816, was *avowed* to be for *the protection of the manufacturers*. It introduced *the minimum duty*, the most odious feature in “the protective system.”† The declared object of this minimum was to protect our cotton manufacturers from being exposed to a competition with the cotton goods of the East-Indies, upon which duties *were* paid, and to substitute for them those of the United States, upon which duties were *not* paid, to the necessary *diminution of our revenue*. Eight of our Representatives were present, of whom six voted for the Act of 1816, with the approbation, it must be presumed, of their constituents, as the members advocating it were, at the next election, returned to Congress, and no voice

* See Note F.

† See Note G.

against the law, or any of its provisions was expressed in any part of the State. When this Act "causa et origo malorum" was under discussion, New-England resisted it. Her interests were navigating and commercial. She persevered in her opposition to the protective system, until after the Act of 1824, when finding the adverse current too strong for her to stem, she diverted a large portion of her capital from commerce and navigation to manufactures, and now sustains a policy which she had intellectually endeavoured to suppress. During the debates upon the Act of 1816, not a syllable was heard against its constitutionality, either *in or out of Congress*. Even the minimum duty, which operated as a *prohibition* upon the cotton of the East-Indies, was not objected to as unconstitutional, although fifty-one Representatives voted against it. It may be, positively, asserted, that "the protective system" was not deemed to be unconstitutional, in South-Carolina, in 1816. With her authority, and that of the distinguished statesmen whom I have mentioned, it cannot, surely, be pronounced, that *subsequent laws recognizing and adopting that system are deliberate and palpable* infractions of the Federal Compact; and unless they be so, the case does not exist which "the Exposition" contemplates as justifying the interposition of its veto, by a State. The light in which I view "the protective system" I have, repeatedly, declared. I formed my opinion after long reflection; but without an intolerance equal to that of the Spanish Inquisition, in the reign of Philip the III. I could not presume to assert, that those who differ from me, are *deliberately, or palpably* wrong. Perhaps no individual is more hostile to the Tariff Acts than I am, or has expressed himself against them with more warmth and indignation. Carry their principle to the full extent, the foreign trade of South-Carolina would be destroyed, and the fruits of her industry and of her fertile soil, would be rendered, comparatively, valueless. Carry their principle to the full extent, I believe, that an overwhelming majority of the citizens of this State would be in favor—not of a veto—not of nullification—but of appealing to the "ultima ratio reipublicæ"—of cutting asunder the cords which bound them to an intolerable government—of standing upon their sole and self-protected sovereignty, however perilous and disastrous that experiment might be. Matters have not been pushed to this extremity. Not thinking the evil which we endure to be so great, as by others, and especially by those who framed "the Exposition" it is supposed to be—knowing that the protective policy has been sanctioned by wise and patriotic men, some of whom were among the most efficient in the formation of our Constitution, I cannot regard the Acts complained of, to be *deliberate and palpable* violations of the Constitution, though in my judgment, they are unconstitutional, partial and injurious. Entertaining these sentiments, my convictions are, that in our efforts to rescue ourselves from what we feel to be oppressive legislation, we should not transcend those means which are constitutional, among which cannot be included the interposition of a State to nullify an Act of Congress; and thus whatever be the motive, necessarily to

involve us in a contest with the General Government, unless we adopt the alternative—only justifiable, in the last resort—a secession from the Union.

The interposition of its veto by the State, “the Exposition” confidently announces, “would ensure the supremacy” of the Constitution over the laws, and preserve the due importance of the States, *without creating discord or weakening the beneficent energy of the Government.*” To test the soundness of this position, let us suppose it to be acted upon. The Legislature, either by its own authority, or by that of a Convention of the people, passes a law declaring the ‘Tariff’ Acts to be unconstitutional, null and void, not binding upon our citizens, and inflicting pains and penalties upon all persons carrying them into execution. The law to bear upon its face the semblance of a remedy, must be as strong as this. The bonds for unpaid duties are sued for in the Federal District Court, and according to its practice, unless the defendant will swear that an error has been committed in the calculation of the duties, judgment is entered up against him upon the motion of the District Attorney. Execution issues, the Marshal proceeds to enforce it, and is opposed under the law of the State. He calls for the assistance which the Act of Congress requires him to do, that assistance is overpowered, or is refused to be rendered, the facts are reported to the President of the United States, who by his official oath is “to take care that the laws be faithfully executed.” The President sustains the Marshal by force, this force is resisted, and *insurrection or civil war is the consequence.* But supposing that the merchant objecting to the payment of his bond, upon the plea of the unconstitutionality of the ‘Tariff’ Laws, is able (as I presume he would be) to bring his defence before a jury in the Federal Court. The judge, it is notorious, would pronounce the law to be constitutional. Many of the citizens of Charleston entertain this opinion, and many of them believe the law to be constitutional, though they condemn its policy: in some instances, therefore, the verdict of the jury would be for the United States. The results then would be as above stated. Suppose a different mode resorted to. A merchant refuses to give his bond for the duties upon the articles which he has imported. The Collector is bound to retain them, until the duties are discharged. To meet this emergency, the merchant brings an action against the collector. The question is submitted to a State Court, in which a verdict and judgment are obtained by the plaintiff. The Collector, under the 25th section of the Judiciary Act of 1789, appeals from this judgment, to the Supreme Court of the United States, where the judgment of the State Court is set aside. If the State Court declines to carry the mandate of the Supreme Court into execution, that Court would itself award execution. That execution would be resisted, and the same consequences would follow as have been mentioned. It is evident then, that the interposition of the veto of the State could not be a *peaceful remedy*, unless the President should fail to perform his duty.* When the bond

* See Note II

given for duties amounts to less than \$400, should a jury in the Federal Court find a verdict for the defendant, the United States could not appeal; but as bonds are rarely taken for so small a sum as \$400, a verdict in such cases would be unimportant, unless it should occasion an alteration in the collection-law, abolishing the credit which is now allowed, and requiring that the duties should be paid in cash.

To enforce the laws, the President has at his command, the army and navy of the United States, and the militia of the States. To avoid bringing our citizens directly into collision with the General Government, 'tis probable, that he would order the national vessels to blockade our ports and inlets, which would put a stop to our exports and importations. Thus subjected to the privation, and loss, and ruin, consequent upon the total stagnation of commerce, with the spirit of party which has spread so fiercely and bitterly over our State, is any one so sanguine or so dull, as not to foresee the lamentable condition in which we should be involved. Could we escape that direst of all calamities, intestine war? In such a struggle, victors are victorious without honor—the vanquished defeated, without sympathy. Amidst intestine feud, all the kindly feelings of the human heart would be eradicated, and for them would be substituted those burning and savage passions, which embroil the domestic fire-side—which pour rancours into the bosoms of friends—which convert the excitements of honorable rivalry into deadly personal hatred. Then as in the factions of ancient Greece and of the modern republics of Italy, in the contentions between York and Lancaster, in England, and between the Patriot and Orange parties in Holland, might we witness the spectacle of brother armed against brother, of parent against child, and of the child against his parent.

A formal secession from the Union might exempt us from these calamities. Granting that this was effected, (and what can hardly be calculated upon amidst the fury of parties now raging among us) peaceably effected. Have we the means of retaining our independence? Does history furnish the solitary example of any nation having preserved its independence, without the physical power to secure it? Could the Poles led by the desperate courage, and guided by the consummate skill of Kosciuski, maintain their independence? Does any one anticipate, however ardent his enthusiasm, that this same people conducted by the brilliant talents, and animated by the dauntless energy of Skrzynecki, can unassisted repel their ruthless invaders? Can the valor, the devotion to liberty, and the deep rooted attachment to their rugged mountains of the Swiss, the descendants of the Helveta—the conquerors in the fields of Morgarten and of Morat, secure their independence? Have they not been compelled by Austria, to banish their own citizens, and by Prussia, to silence the freedom of their press? Have we any reason to calculate upon a better fortune, than other States, in our situation? Could any human effort, if we stood alone, rescue us from the domination, or what might be termed the protection of some superior power? When

we no longer directed our own affairs—when our self-government would be destroyed, or exist only in name, should we not be at the mercy of those, whose will would be our law? I will not dwell upon such a scene. I will not contemplate the spectacle of the now free and brave—with their national banner torn—its stars shooting madly from their sphere—marching to the funeral of their own liberties by the lurid glare of the torch of discord. The dissolution of the Union I will not anticipate. He who, calmly, can—must be more or less than man.

I cannot refrain from briefly noticing the calumny which has been lavished upon those, who deny the constitutional right of a State to nullify the laws of the United States. Because they have availed themselves of the freedom of speech and of the press to proclaim their sentiments, they have been charged with want of patriotism—with tame submission to wrongs—with abject timidity. And yet among them I could recount the names of those who fought in the battles and participated in the victories, to which we owe our Independence—of those, who by their talent and integrity, have graced high offices, to which they were elected by their fellow-citizens—of those, who in their social and domestic relations, have discharged their duties with unimpeachable propriety; and who have been always ready, at their country's call, to afford to it all the aid in their power, promptly, faithfully, resolutely, and unostentatiously. Are such men justly to be denounced as unpatriotic—submissive—timid? I will not retort upon our antagonists. Many of them are united to me by the bonds of friendship—many of them I admire for the vigor of their intellect—many of them I respect for their private virtues and their public services. Believing them to be in error, I regard their error, in sorrow, not in anger. Instead of resorting to crimination, I would say to them in the language of one, who living in an age of great men, was, pre-eminently, great, that “fears for our country become the brave:” “that timidity with regard to its well being is heroic virtue.” The illustrious son of Chatham, brooding over the failure of the coalition against France, when stretched upon the bed of sickness, exhausted by debility, and wracked with pain, forgot his own sufferings, and exclaimed with his almost expiring breath, “Oh my country!” The philosophic Falkland, when England was distracted with civil war, reiterated the word “peace” with a sigh, and yet perished, intrepidly, in battle, defending that cause which his conscience told him was right.

The chivalrous Laurens, whilst the council were debating, whether the capital of his native State, should be surrendered to the enemy, was agitated and pale. The immortal Washington, as he expresses himself, trembled, when he anticipated the destruction of the Union, from the imbecility of the Confederation. Were these men unpatriotic? Would they have bowed to degrading submission? Would they have yielded to base timidity? The patriot, who in his country's cause, would meet death in the field or on the scaffold—with a cheek unblanched—with an eye unmoved—with nerves unquiver-

ing—and with a heart beating in its ordinary time—would not be insensible to apprehensions and fears, when dangers threatened that country with whose glory and whose shame he was identified.

Amidst our grievances, we should bear in mind, that we became a voluntary party to the Union—that the States are knit together by the common sufferings which they have shared, and the common renown which they have acquired—that a Federal Constitution, like ours, superintends various interests and connects together extensive and thinly populated territories—that no Government however guarded by definitions and limitations, by checks and counterchecks, can be exempt from occasional abuse—that any other substituted for it would not be perfect—that it could not secure us against party spirit—against the real or the supposed oppression of majorities, and the jealousy and discontent of minorities—that (in the language of Jefferson) “if on a temporary superiority of one party, the other is to resort to a secession of the Union, no Federal Government can ever exist; for if we reduce our Union to Virginia and North-Carolina, immediately the conflict will be established between the representatives of these two States, and they will end by breaking into their simple units.” Above all, those words of him, who was first in war, first in peace, and first in the hearts of his country, should be indelibly impressed upon our minds: “let me warn you in the most solemn manner against the baneful effects of party spirit. This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes, in all governments, more or less stifled, controuled or repressed. But in those of the popular form, it is seen in its greatest rankness, and is truly their worst enemy. The alternate domination of one party over another, sharpened by the spirit of revenge, natural to party dissention, which in different ages and countries, has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads, at length, to a more formal and permanent despotism.—The disorders and miseries which result, gradually, incline the minds of men to seek security and repose in the absolute power of an individual; and sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to his own elevation on the ruins of public liberty.”

Fellow-Citizens, the temple of our Constitution was erected by wise architects—they constructed it of durable materials—its parts are proportionate and symmetrical—it is formed to remain, and long will it remain a proud monument of rational liberty—unless those who are bound to preserve and defend it, with reverential fidelity, shall themselves undermine its solid foundation and prostrate it in the dust.

NOTES.

NOTE A. p. 6.

It might be objected to this statement of the cause of quarrel with Great Britain, that when Independence was declared, various oppressions were endured by the colonists, such as—quartering large bodies of troops among them—protecting those troops, by mock-trials from punishment, for murders committed by them upon the inhabitants—depriving them, in many cases, of trial by jury—transporting them beyond seas to be tried for pretended offences, &c. &c. But these and all other injuries inflicted upon the colonists, were consequences proceeding from their refusal to submit to taxation without representation. Had this principle been acknowledged, every grievance complained of, would have been instantly removed.

NOTE B. p. 10.

In estimating the proportion of the duties paid by the Southern or staple-growing States, and by the other States, "the Exposition" assumes, that *all* imports are liable to the protective duties. Now upon many articles, neither grown nor manufactured in the United States, such as silks, linens, lace, wines, tea, coffee, spices, &c. the duties are, solely for revenue. According to the Report of the Secretary of the Treasury for 1829, the value of *all* the dutiable articles retained for consumption, was, in that year, a little more than \$46,000,000, of which nearly \$20,000,000 consisted of commodities which were not protected. It thus appears, that in the year 1829 (the Report of the Secretary of the Treasury for that year being the last which has been published) not much more than one half of the imports were subject to any duties for protection.

NOTE C. p. 17.

To show the incorrectness of this allegation, I shall avail myself of an extract from a pamphlet, which was published in this city, some months ago, by a gentleman distinguished for the extent and the accuracy of his knowledge in political economy and statistics. "It is the greatest of all fallacies to estimate the relative loss, comparing one part of the Union with another, simply by a comparison of their domestic exports as they appear on the Returns of the Treasury Department. These Returns present a very imperfect notion even of the revenue which is, *directly*, derived from the foreign commercial intercourse of the Union, by its different sections. As to that portion of their income, *indirectly*, drawn from the foreign export and import trade, they afford no idea at all. Thus if the income directly derived from our commercial intercourse with foreign countries, were to be estimated from the Treasury Returns of the *domestic exports alone*, that income would stand nearly as thirty-two to twenty-two, in favor of the Southern and South-Western States. The value of the exports in cotton, rice and tobacco, are on an average about \$32,000,000 annually, and the exports from other parts of the Union about \$22,000,000. But on this principle of computing the income of the different parts of the country drawn from its foreign commerce, all the mercantile capital which is employed in purchasing, insuring and transporting the domestic produce of the United States, is excluded. We believe it will be admitted, that nineteen-twentieths of that capital is owned north of the Potomac. It was estimated in "the Boston Report," which is an authority in matters of this kind of the highest character, as the gentlemen engaged in preparing that work had been eminent merchants, that the income, including freight, interest on mercantile capital, and premium of insurance arising from the shipment of such portion of our cotton crop as was in 1826 exported to Europe, amounted at

that year to \$5,000,000. This, of course, does not include that portion of freight, interest on capital, &c. for the domestic exports to foreign countries of the rest of the Union; nor does it embrace that part of the freight, &c. derived from the carrying trade, in the re-export of foreign commodities. If, however, the export of a value of between twenty-nine and thirty millions of dollars in cotton alone yielded to the mercantile and shipping interests in 1826, an income of \$5,000,000, then as the domestic produce of the rest of the Union could not be computed at less than \$22,000,000, the revenue to those classes engaged in its purchase and transport could not be estimated at less than \$4,000,000 more. This would amount to an aggregate income from these sources of \$9,000,000; and as the proportion of the export of foreign articles is to the exports of the Union about one-third, this would form an addition of \$3,000,000 more. But the increase since 1826 of the tonnage of the country, employed in its foreign commerce, is about ten per cent. This would carry the national income from the sources above indicated to at least \$12,000,000. If this sum is added to the domestic exports of those States which are not classed among the great staple States, it would amount to an income of \$34 or \$35,000,000, *exclusively and directly* derived from and dependant on foreign commerce. This is about the value of the domestic exports of the South and South-Western sections of the United States. It is thus clearly seen, that the revenue of those parts of the Union, immediately interested in foreign trade, is *at least equal* to the income from the same source, of the large-exporting States. In this estimate we have not included the *indirect* revenue of the Northern and Eastern States derived from a coastwise commerce with the great staple States."

NOTE D. p. 17.

Taking three bales of short-staple cotton to the working hand to be the average of the product of a cotton plantation, a planter with 100 negroes would make about 50,000 lbs. At 8 cents per lb. (which is allowing for its carriage) 50,000 lbs. would produce

	\$4,000
Cost of articles necessary for the plantation, which are subject to protective duties, estimating them at 22 per cent. being the difference between the average of the highest duties under the act of 1816 and the act of 1828:	
100 Negroes, at 6 yards of Woollen each, at 55 cts. per yard,	276
4 dozen Hoes,	\$32
1 dozen Axes,	12
10 Ploughs, iron for,	30
Bagging and Rope,	140
Nails,	12
Cotton Cloth, 100 yards,	10
Salt, 60 bushels at 40 cents;	32
	268

Total expenses, - - - - - \$543

N. B.--Many planters of short staple cotton make all the clothing for their negroes upon the plantation, and the greater proportion of them, in the interior of the State, make from a half to three-fourths of it. Many planters make upon an average from 4 to 5 bales of cotton to the working hand; and some from 6 to 7.

NOTE E. p. 24.

As the Virginia Resolutions are, confidently, relied upon as a precedent for the measures now recommended in "the Exposition," I will state the substance of them and of their accompanying Report, more fully than I have in the body of the Address.

The Resolutions immediately pertinent, are the 3d, the 5th, the 7th and the 8th, which are in these words: 3d Resolution. "This Assembly doth explicitly and peremptorily declare, that it views the powers of the Federal Government, as resulting from the compact, to which the States are parties, as limited by the plain sense and intention of the instrument constituting that compact; as no farther valid than they are authorized by the grants enumerated in that compact; and that, in case of a *deliberate, palpable and dangerous* exercise of other powers, not granted by the said compact, the States who are parties thereto, have the right, and are in duty bound, to interpose, for arresting the progress of the evil, and for maintaining within their

respective limits, the authorities, rights and liberties appertaining to them." The 5th Resolution. "The General Assembly doth particularly protest against the palpable and alarming infractions of the constitution, in the two late cases of the 'Alien and Sedition Acts,' passed at the last session of Congress; the first of which exercises a power *no where delegated to the Federal Government*; and which, by uniting legislative and judicial powers to those of the executive, subverts the general principles of a free government, as well as the particular organization and positive provisions of the Federal Constitution; and the other of which Acts exercises, in like manner, a power *not delegated by the Constitution*; but on the contrary, expressly and positively forbidden by one of the Amendments thereto: a power which, more than any other, ought to produce universal alarm; because it is levelled against that right of freely examining public characters and measures, and of free communication among the people thereon, which has been ever justly deemed *the only effectual guardian of every other right.*" The 7th Resolution. "That the good people of this commonwealth, having ever felt and continuing to feel the most sincere affection for their brethren of the other States; the truest anxiety for establishing and perpetuating the union of all; and the most scrupulous fidelity to that constitution, which is the pledge of mutual friendship, and the instrument of mutual happiness; the General Assembly doth solemnly appeal to the like disposition in the other States, in confidence that they will concur with this commonwealth in *declaring, as it does hereby declare*, that the Acts aforesaid are *unconstitutional*; and that the *necessary and proper measures* will be taken by each, for co-operating with this State, in maintaining unimpaired, the authorities, rights and liberties reserved to the States respectively, or to the people." The 8th Resolution. "That the Governor be desired to transmit a copy of the foregoing Resolutions to the Executive Authority of each of the other States, with a request that the same may be communicated to the Legislature thereof; and that a copy be furnished to each of the Senators and Representatives, representing this State in the Congress of the United States."

The Legislature of Virginia, after receiving the answers of several of the States to their Resolutions, "Resolved, that the General Assembly having carefully and respectfully attended to the proceedings of a number of the States, in answer to their Resolutions of December 21, 1788, and having accurately and fully re-examined and re-considered the latter, find it to be their indispensable duty to adhere to the same, as founded in truth, as consonant with the Constitution, and as conducive to its preservation; and more especially to be their duty to *renew and they do hereby renew their protest* against the 'Alien and Sedition Acts' as *palpable and alarming infractions of the Constitution.*"

By keeping in view the rights possessed by the States, *beyond the Constitution, and consistently with the Constitution*, it seems to me, that there will be no difficulty in understanding the true nature of the Virginia Resolutions.

By the 3d Resolution, in case of "a deliberate, palpable and dangerous exercise of powers by the United States, not granted by the Federal compact," a State has the right to arrest the evil, and to maintain its rights and liberties, &c. The evil cannot be arrested, in any other manner, than by placing the State in such a situation, as that the evil complained of (an obnoxious law under usurped powers) shall not act upon it; and to effect this, the State must withdraw itself from the Union. This is a right, which *in the case supposed*, a State not merely possesses, but which she is *bound in duty to exercise*; but this right is neither expressly nor impliedly stated to be *constitutional.*" "The expediency of *making this declaration*," say the Committee, "may safely be left to the temperate consideration and candid judgment of the American people. It will be remembered that a frequent recurrence to *fundamental principles* is solemnly enjoined by most of the State Constitutions, and particularly by our own," &c. What are fundamental principles? Are they constitutional? No. They are such as are proclaimed in the Declaration of Independence; "That all men are created equal—that they are endowed by their Creator with certain inalienable rights—that among these are life, liberty, and the pursuit of happiness—that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute *new government*, laying its foundation on such principles, and organizing its power in such form, as to them shall seem most likely to effect their safety and happiness." A resort to these *fundamental principles* is declared in the Virginia Resolutions to be a right inherent in the State, "*in the last resort.*" That this inference of the

meaning of the Virginia Legislature, is correctly drawn, will be apparent from the consideration of those of their Resolutions, which contain the *constitutional* measures to be adopted by a State, when in its opinion, Congress has assumed an unconstitutional power. The 5th Resolution denounces the 'Alien and Sedition Acts' as "palpable and alarming infractions of the Constitution," and *protests* against them. The 7th Resolution expresses the confidence of Virginia, that "the *necessary and proper measures* will be taken by each State, for co-operating with Virginia, in maintaining unimpaired the rights reserved to all the States. That by "*necessary and proper measures*" Virginia contemplated those which were *constitutional*, will be seen by the report.

Objections to the Virginia Resolutions were made by several of the States. To them, the committee reply; "A *declaration* that proceedings of the General Government are not warranted by the Constitution, is a novelty neither among the citizens, nor among the Legislatures of the States. Nor can the *declarations* of either, whether affirming or denying the constitutionality of measures of the General Government; or whether made before or after judicial decisions thereon, be deemed in any point of view; an assumption of the office of the judge. The *declarations* in such cases, are *expressions of opinion, unaccompanied with any other effect, than what they may produce on public opinion, by exciting reflection.* The expositions of the judiciary, on the other hand, *are carried into immediate effect, by force.* The former may lead to a change in the Legislative expression of the general will, possibly, to a change in the opinion of the judiciary; the latter enforces the general will, whilst that will and that opinion continue unchanged. And if there be no impropriety in declaring the unconstitutionality of proceedings in the Federal Government, where can be the impropriety of communicating the declaration to the other States, and inviting their concurrence in a like declaration? It is lastly to be seen whether the confidence expressed by the Resolution, that the *necessary and proper measures would be taken by the other States for co-operating with Virginia* in maintaining the rights reserved to the States or the people, be in any degree liable to the objection which has been urged against it. The measures are expressed in the terms *necessary and proper.* A *proper object* was to be pursued by means, both *necessary and proper.* In the example given by the State of declaring the 'Alien and Sedition Acts' to be unconstitutional, no trace of improper means has appeared. And if the other States had concurred in making a like declaration, supported by the numerous applications flowing immediately from the people, it can scarcely be doubted, that these simple means would have been as sufficient, as they are unexceptionable. It is no less certain that other means might have been employed, which are strictly within the limits of the Constitution." The report thus enumerates these constitutional means; "The Legislatures of the States might have made a direct representation to Congress, with a view to obtain a rescinding of the two offensive Acts; or they might have represented to their respective Senators in Congress, their wish that two-thirds thereof would propose an explanatory amendment to the Constitution; or two-thirds of themselves, if such had been their option, might by an application to Congress, have obtained a Convention for the same object. These several means, though not equally eligible, in themselves, nor probably to the States, were all constitutionally open for consideration. These observations appear to form a satisfactory reply to every objection which is not founded in a *misconception of the terms* employed in the Resolutions." The Virginia Legislature, then, as before stated, "*protest* against the 'Alien and Sedition Acts,' as palpable and alarming infractions of the Constitution." What the General Assembly of Virginia understood by their own Resolutions, is manifest from their own language. It may nevertheless not be inappropriate to refer to the expressions made use of by members of that body, favourable to those Resolutions, whilst they were under discussion. "Nothing (said Mr. Mercer) seemed more likely to produce a temper in Congress for a *repeal*, than a *declaration* similar to the one before the committee, made by a *majority of States, or by several of them.*" Mr. Taylor, who introduced the Resolutions, said, "to what could they appeal for defence and support? To nothing but *public opinion*—if that should be against them, they *must yield.* They had uttered what they conceived to be truth, in firm, yet decent language; and they had pursued a system, which was only an appeal to public opinion. *Two-thirds of Congress may call upon the States, for an explanation of any such controversy as the present, by way of amendment to the Constitution, and thus correct an erroneous construction of its own*

acts, by a minority of the States, while *two-thirds of the States* are also allowed to compel Congress to call a Convention, in case so many should think an amendment necessary for the purpose of checking the unconstitutional acts of that body. The State was pursuing the only possible and ordinary mode of ascertaining *the opinion of two-thirds of the States, by declaring its own, and asking theirs.*" Mr. Cheves in his reply to a letter inviting him to a public dinner at Columbia, said; "on nullification, another of the specific modes of action which have been suggested, I think a construction has been put, *in this State*, different from that which Jefferson and Madison and the Virginia and Kentucky Legislatures intended it should bear. I do not say a less correct one. *They, as I suppose, considered it a mere declaration of opinion on the part of the States of the invalidity of the law. Nullification in this sense has already been adopted by the State and a majority of the Southern States. The "Interposition" of which these high authorities speak, and which they hold out as an ulterior remedy, if the moral influence of the nullifying declaration should not be effective, is simply the exercise of that power that belongs to and cannot be separated from a State which remains sovereign.*"

Mr. Jefferson who concurred with Mr. Madison in the Virginia Resolutions, in a letter from him to Mr. Giles, after dwelling upon the encroachments of the General Government, adds; "what is our resource for the preservation of the Constitution? Reason and argument? You might as well reason and argue with the marble columns encircling them, &c. Are we then to stand to our arms with the hot-headed Georgian? No. That must be the last resort, not to be thought of, until much longer and greater sufferings. If every infraction of a compact of so many parties, is *to be resisted at once, as a dissolution of it*, none can ever be formed which would last a single year. We must have patience and long endurance, &c. and *separate from our companions only*, when the sole alternatives left, are *a dissolution of the Union with them*, or submission to a government without limitation of powers. *But in the meanwhile*" (Mr. Jefferson then specifies the modes of redress for the States while belonging to the Union) "the States should be watchful to note every material usurpation on their rights, to denounce them as they occur, in the most peremptory terms, to protest against them as wrongs, to which our present submission shall be considered, not as acknowledgements or precedents of right, but as a temporary yielding to a lesser evil, until their accumulation *shall over-weigh that of separation*" Among his constitutional remedies, Mr. Jefferson does not hint at a right to arrest the progress of a law by the veto of a State—his remedy, in an extreme case, as in the Virginia Resolutions, is "a dissolution of the Union." Mr. Jefferson's political maxim was; "that absolute acquiescence in the decisions of the majority is the vital principle in republics, from which there is *no appeal but to force*, the vital principle, and the immediate parent of despotism." To remove all doubts as to the true meaning and intention of the Virginia Resolutions, I will refer to the interpretation of them by Mr. Madison himself, by whom they were prepared. In a letter written by him in August, 1830, he says; "The Constitution is a compact—its text is to be expounded according to the provisions for expounding it, making a part of the compact—*none of the parties can rightfully renounce the expounding provision more than any other part of it. When such a right accrues, as may accrue*, it must grow out of abuses of the compact *releasing the sufferers from their fealty to it.* In favor of the nullifying claim for the States, individually, it appears that the proceedings of Virginia in '98 and '99, against the Alien and Sedition Laws, are much dwelt upon. By keeping in view the distinctions between *the government of the States*, and the *States, in the sense in which they were parties to the Constitution*—between the rights of the parties in their *concurrent* and in their *individual* capacities—between the several modes and objects of interposition, *within the purview of the Constitution*, and interpositions appealing *from the Constitution, to the rights of nature paramount to all Constitutions*; with an attention, always of explanatory use, to the views and arguments which were combated, the Resolutions of Virginia, as vindicated in the Report on them, will be found entitled to an exposition, showing a consistency in their parts, and an inconsistency of the whole with the doctrine (of Nullification) under consideration. Concert among the States for redress against the Alien and Sedition Laws, as acts of usurped power, was a leading sentiment; and the attainment of a concert, the immediate object of the course adopted by the Legislature, which was that of inviting the other States to concur, in *declaring the Acts to be unconstitutional, and to co-operate by the necessary and proper measures.*

in maintaining unimpaired the authorities, rights and liberties reserved to the States respectively, and to the people. That by the necessary and proper measures to be concurrently and co-operatively taken, were meant measures known to the Constitution, particularly the ordinary controul of the people and Legislatures of the States, over the government of the United States, cannot be doubted; and the interposition of this controul, as the event showed, was equal to the occasion. The published Address of the Legislature to the people, their constituents, affords another evidence of its views. The Address warns them against the encroaching spirit of the General Government, &c. But nothing is said that can be understood to look to means of maintaining the rights of the States, beyond the regular ones, within the forms of the Constitution. If any further lights on this subject could be needed, a very strong one is reflected in the answers to the Resolutions, by the States which protested against them. The main objection of these beyond a few general complaints of the inflammatory tendency of the Resolutions, was directed against the assumed authority of a State Legislature, to declare a law of the United States unconstitutional, which they pronounced an unwarrantable interference with the Supreme Court of the United States." I will make no comments upon these explanations of Mr. Madison.

NOTE F. p. 25.

Extracts from General Washington's Speeches to Congress. "The safety and interests of a free people require that Congress should promote such manufactures as tend to render them independent of others for essential, particularly military supplies." 11th January, 1790 — "Congress have repeatedly, and not without success, directed their attention to the encouragement of manufactures. The object is of too much importance not to ensure a continuance of these efforts in every way which shall appear eligible." December, 1796.

On the 4th of July, 1789, General Washington signed an Act, the preamble of which was in these words: "Whereas it is necessary for the support of government, for the discharge of the debt of the United States, and the encouragement and protection of manufactures, that duties be laid on goods, wares and merchandize imported."

President John Adams, it is well known, in conversations and in letters expressed himself favorable to the protection of domestic manufactures.

Mr. Jefferson, in his Message in 1802, states, that "to cultivate peace; maintain commerce and navigation; to foster our fisheries; and protect manufactures, adapted to our circumstances, &c. are the landmarks by which to guide ourselves in all our relations." Extract from Mr. Jefferson's Message in 1808: "The extent of this conversion [of industry and capital to internal manufacturing improvements] is daily increasing, and little doubt remains that the establishments formed and forming, will, under the auspices of cheaper materials and subsistence, the freedom of labor from taxation with us, and protecting duties and prohibitions, become permanent."

Extracts from Mr. Madison's Messages. "A portion of your deliberations cannot but be well bestowed on the just and sound policy of securing to our manufactures the success they have attained, and are still attaining, under the influence of causes not permanent." 5th November, 1811. — "Under circumstances giving powerful impulse to manufacturing industry, it has made among us a progress, and exhibited an efficiency, which justify the belief, that with a protection not more than is due to the enterprising citizens, whose interests are now at stake, it will become, at an early day, not only safe against occasional competition from abroad, but a source of domestic wealth, and even of external commerce." 6th December, 1815.

Mr. Monroe in his Message in December, 1823, says: "Having communicated my views to Congress, at the commencement of the last session, respecting the encouragement which ought to be given to our manufactures, and the principle on which it ought to be founded, I have only to add, that these views remain unchanged, and that the present state of those countries with which we have the most immediate political relations, and greatest commercial intercourse, tends to confirm them. Under this impression, I recommend a review of the tariff, for the purpose of affording such additional protection to those articles which we are prepared to manufacture, or which are more immediately connected with the defence and independence of the country."

The sentiments of Presidents Adams and Jackson in favor of the protective system are so recent and notorious, that I shall make no extracts from their Messages upon that subject.

NOTE G. p. 25.

The nature of the minimum duty not being generally understood, I will explain it. By the Act of 1816, all coarse cottons below 25 cents a square yard, were subjected to a duty of 25 per cent. *on the assumed cost of 25 cents.* Thus cottons that cost six cents the square yard, are assumed to have cost 25 cents, and as the duty is 25 per cent. upon this assumed cost, it follows that the duty actually paid upon a square yard of cotton of which the price is six cents, is 100 per cent. This was the highest duty afforded to American manufacturers, *previously to the Act of 1828.*

Mr. Randolph, of Virginia, moved to strike out of the Bill the minimum valuation of cotton. Mr. Calhoun opposed the motion, and in the course of his argument observed—"The debate heretofore on this subject has been *on the degree of protection* which ought to be afforded to our cotton and woollen manufactures; all professing to be friendly to these infant establishments, and to be willing to extend to them *adequate encouragement.* The present motion assumes a new aspect. It is introduced professedly on the ground, that manufactures ought *not* to receive any encouragement; and will, in its operation, *leave our cotton establishments to the competition of the cotton goods of the East Indies, which it is acknowledged on all sides, they are not capable of meeting with success, without the proviso proposed to be stricken out by the motion now under discussion.*"

As before mentioned, the Bill of 1816, with this minimum, was voted for by six out of eight of the Representatives of South-Carolina, viz. Messrs. John C. Calhoun, John J. Chappell, William Lowndes, William Mayrant, Henry Middleton and William Woodward.

NOTE H. p. 27.

The doctrine of "the Exposition," that a State has the constitutional right to arrest the progress of an Act of Congress, that is, to absolve its citizens from complaining with it, has not, since its promulgation in 1828, been assented to, by a single State. Virginia is Virginia still. She is as jealous of Federal usurpation, as vigilant to detect and as prompt and able to oppose it, as she was in 1798; and yet although her example is held up, in South-Carolina, as a precedent for the constitutional right of nullification, she has not, in any manner, recognized it. A majority of the Southern States, whose interests are identified with those of South-Carolina, have signified their acquiescence in the unconstitutionality of the existing tariff, but not one of them has concurred in the South-Carolina remedy to prevent its operation. I have endeavoured to show that the sense of the Virginia Resolutions has been misconceived by the authors of "the Exposition," and shall add nothing on that head. But in various other publications, it is contended, that nullification has been resorted to by several of the States without disturbing the harmony of the Union; and therefore it is inferred, that a similar course pursued by South-Carolina, would be equally unattended with any injurious consequences. The precedents cited are so numerous, that it would be impracticable for me to comment upon all of them, within the compass of a note; I shall, therefore, restrict myself to those, which have been the most earnestly and frequently enumerated. They are: 1st. The Act of Assembly of Virginia, securing freedom of speech to the State Senators and Delegates. 2dly. The case of Olmstead in Pennsylvania. 3dly. The case of Georgia and the Indians within her limits.

1st. The Act of Virginia securing freedom of speech to the State Senators and Delegates. This Act was passed in 1798. Under it penalties are inflicted upon all persons arresting or prosecuting, or aiding in arresting or prosecuting a member of the Senate or House of Delegates, for words spoken or written, or any proceedings had in the Senate or House of Delegates, and the Judges are required to discharge any Senator or Delegate, arrested or imprisoned for the causes above mentioned. Until the passage of this Act, the members of the General Assembly of Virginia were not directly protected in freedom of speech and debate; for the Constitution of that State, then in force, was silent upon that subject. Almost every other State Constitution, specially grants this protection. The General Assembly of Virginia, therefore, put the freedom of debate upon a better footing than mere inference, and gave to its Senators and Delegates that security, by legislation, which had been omitted in the Constitution. No one ever imagined, that Representatives in a State Legislature were amenable to prosecutions under the Sedition Law. The Act of Virginia,

consequently, was not in opposition to the Act of Congress, nor did it, in all, interfere with, or impair any of its enactments. Had Virginia contemplated annulling the Act of Congress, she would not have excluded from the benefit of her law, the only persons, within her jurisdiction, who were liable to the penalty of that Act. She left her citizens, generally, precisely in the situation, after the passage of her Act of 1798, in which they had, previously, been. Such a proceeding cannot be termed a nullification of the Sedition Law, unless to do and not to do are synonymous. The Constitution of Virginia was also defective in omitting to exempt members of the General Assembly from arrests, &c. when attending upon, or going to and returning from the Legislature. To supply this defect, a special Act was passed, doubtless for the same reason as occasioned the Act of 1798. It has been said, that Virginia would have extended her Act of 1798 to all her citizens "if the Alien and Sedition Laws had been continued in force." What Virginia would have done, I have not the presumption to assert or deny. She never did so extend her law, although medicinal attempts were made in Congress to repeal the Sedition Acts, which continued in force, until the 3d of March, 1801, when it expired by its own limitation—and although after her own Act was in operation, Callender was tried before the Federal Circuit Court in Richmond, and convicted of a libel upon the President of the United States, under the very Act of Congress, which Virginia is said to have nullified.

2d. The case of Olmstead in Pennsylvania. Gideon Olmstead and others, in the revolutionary war, having fallen into the hands of the enemy, were put on board of a British sloop, as prisoners, to be conducted to New-York. During the passage, Olmstead and his companions took the vessel from the British crew, and steered for a port in the United States. When within five miles of such a port, a brig belonging to the State of Pennsylvania, captured the sloop as a prize, carried her to Philadelphia, and there libelled her in the Court of Admiralty of the State, then established under an Act of the State Legislature. Olmstead and his associates filed their claim, and a judgment was rendered, giving one-fourth of the prize to them, and the remainder to the brig; that is, to the State of Pennsylvania owning her. Olmstead appealed to the Court of Appeals, established by Congress, where the sentence of the Court of Admiralty was reversed, and the whole prize decreed to Olmstead and his associates. Process was issued, directing the Marshal to sell the sloop and cargo, and to pay the proceeds according to the decree. The Judge of the State Court of Admiralty delivered to David Rittenhouse, then Treasurer of the State, the sum to which the State was entitled by the judgment of that Court, but which by the decree of reversal belonged to Olmstead and his associates. This money, in the form of certificates, was in the possession of Mr. Rittenhouse at the time of his death, and then came into the hands of his daughters, as his representatives. The property was in this situation, when Olmstead filed his libel in the District Court of the United States, then established under the new Constitution, praying for the execution of the decree of the Court of Appeals. A decree, according to the prayer of the libel, was given by the District Court in January, 1803. Thus far the State of Pennsylvania had made no movement to assert her claim; but it was now necessary for her, either to surrender her pretensions to this money, or to come forward and defend her citizens who were holding it only for her use, and in doing so, were exposed to the whole power of the Federal Court. Accordingly, on the 2d of April, 1803, an Act was passed by the Legislature of Pennsylvania, requiring the representatives of Mr. Rittenhouse to pay the money into the State Treasury; and directing a suit against them should they refuse. The Governor of the State was also required to protect the just rights of the State by any further measures which he might deem necessary; and also to protect the persons and property of the females from any process which might issue out of the Federal Court, in consequence of their obedience to this requirement. The Act of Assembly declared, that the exercise of jurisdiction by the Court of Appeals was *illegally usurped, in contradiction to the just rights of Pennsylvania*, and that the decree of reversal, and the decree of the District Court of the United States, were null and void. Let me interrupt the narrative for one moment, to observe the positions in which the United States and Pennsylvania were placed. The United States were bound to support with their whole force the execution of the judgment of their Court, and the Governor of Pennsylvania was ordered by its Legislature to resist the execution of that judgment with the whole force of the State.

The District Court hesitated to proceed. The process was suspended, that the case might be submitted to the Supreme Court; which, after a hearing, stood firmly to the constitution and the law, and commanded the District Judge to issue the requisite process. The process was issued; the officer of the Court was bound to execute it; and to compel obedience to it by the means given to him by the law. Gen. Michael Bright, commanding a brigade of Pennsylvania militia, received orders from the Governor, immediately, to have in readiness, such a portion of the militia under his command, as might be necessary to execute the orders, and to employ them to protect the persons and property of the representatives of Mr. Rittenhouse from any process founded on the decree of the District Court of the United States. A guard was placed by General Bright at the houses of those females; and he, with others, opposed, with force, the efforts of the Marshal to serve the writ which had been issued. The process, however, was served; and the State relieved the daughters of Mr. Rittenhouse, not by waging war against the United States, but by paying the money according to the judgment of the Court. This history of a very long case is sufficient for the purpose of illustrating the doctrine of nullification. For resistance to the process of the Federal Court, General Bright and others of his party were indicted before the Circuit Court of the United States, in Philadelphia, and were convicted in the spring of 1809. The President afterwards pardoned them.-- I am satisfied that no statesman or constitutional lawyer will hesitate in pronouncing that the grounds taken by the State of Pennsylvania, were palpably wrong; and yet Pennsylvania, doubtless, considered, that she was resisting a deliberate, palpable and dangerous exercise of Federal usurpation. This was her conclusion, whilst acting under the impulse of excited feelings. Upon reflection, Pennsylvania thought differently; and by abandoning the contest, and not interfering with the proceedings of the Federal Court against her own officer indicted for executing her laws, she acknowledged her error, in the strongest possible manner. It may not be irrelevant to remark, that the Legislature of Pennsylvania, in 1809, Resolved, "That from the construction which the United States' Court give to their powers, the harmony of the States, if they resist encroachments on their rights, will frequently be interrupted; and if to prevent this evil, they should, on all occasions, yield to stretches of power, the reserved rights of the States will depend on the arbitrary power of the Courts. To prevent the balance between the General and State Governments from being destroyed, and the harmony of the States from being interrupted, Resolved, that our Senators in Congress be instructed, and our Representatives requested to use their influence to procure an amendment to the Constitution of the United States, that an impartial tribunal be established, to determine disputes between the General and State Governments." These Resolutions were submitted to all the States. Not a single State concurred in them; and they were expressly rejected by the following nine States, viz: New-Hampshire, Vermont, New-Jersey, Maryland, North-Carolina, Tennessee, Virginia, Kentucky, and Georgia.

3dly. Case of Georgia and the Indians within her limits. The United States, under the Constitution, claimed, and for many years indisputably claimed, the exclusive right of making treaties with the Indians, and generally, of regulating trade and intercourse with them. By an Act of Congress of the 3d of March, 1802, it was enacted, *inter alia*, that "if any citizen, &c. shall make a settlement on any lands belonging, &c. or granted by treaty with the United States to any Indian tribe, or shall survey, &c. such lands, the offenders shall suffer fine and imprisonment &c." Georgia, for a length of time, acquiesced in the powers exercised by the United States over the Indians within her territory--obtained lands through treaties between the U. States and those Indians--and avoided infringing upon the provisions of the Act of 1802. She afterwards insisted, that she possessed the sole right of legislating for the Indians within the State, in all cases whatsoever; and in 1826, surveyors, by the authority of her Legislature, were commissioned to survey the Indian lands, which had been secured to them by treaty. By the Act of 1802, the President was authorized to employ the troops of the United States to apprehend persons violating any of its provisions, and to deliver them to the civil authority, to be dealt with according to law; but, in the first instance, he directed the Attorney and Marshal of the United States, in the District of Georgia, to commence prosecutions against the surveyors, &c. In February, 1827, the President, in a special message, communicated to Congress, the measures which he had adopted, adding: "It is my duty to say, that if the Legislative

and Executive authorities of the State of Georgia, should persevere in acts of encroachment upon the territories secured by a solemn treaty to the Indians, and the laws of the Union remain unshaken, a superadded obligation, even higher than that of human authority, will compel the Executive of the United States to enforce the laws, and trust the duties of the nation, by all the force committed for that purpose to his charge. That the use of the military force will be resorted to only in the event of the failure of all other expedients provided for by the laws, a pledge has been given, by the forbearance to employ it at this time." In this state of things, the Legislature of Georgia, on the 20th of December, 1828, passed "an Act to add the territory lying within the State and occupied by the Cherokee Indians, to the territories of Carroll, De Kalb, &c. and to extend the laws of this State over the same." No proceedings under this Act took place in the administration of Mr. Adams; he therefore did not feel himself warranted in interposing the executive power. After President Jackson's election, the Legislature of Georgia, by various Acts, passed in December, 1829, and at subsequent periods, annulled all laws and ordinances made by the Cherokee Nation of Indians—ordered their lands to be surveyed and certain portions of them to be disposed of—inflicted penalties upon all persons attempting to obstruct the surveys, and declared void all contracts made with the Cherokee Indians, &c. &c. To sustain her jurisdiction over the Indians, the Legislature of Georgia authorized the Governor to call out the militia, and the Governor announced, that he should avail himself of their services, in the event of any forcible interference by the General Government. Had Mr. Adams been President when these laws were passed and acted upon, there can be no doubt, according to his Message, "that the military of the Union would have been employed, when a conflict must have ensued, which would, in itself, have inflicted a wound upon the Union, and have presented the aspect of one of these confederated States at war with the rest." The Indians feeling themselves aggrieved by the legislation and by the conduct of Georgia, applied to the executive of the United States for protection; but President Jackson being of opinion, that the power exercised by Georgia, belonged to her in her sovereign capacity, and that she had never ceded it to the United States, refused to interpose; and an appeal by the Indians to the Supreme Court, being also unavailing, Georgia pursued, unmolested, the course towards the Indians, which her own policy suggested. When she nullified treaties and laws of the United States, she expected opposition, and made preparations to repel force by force. She never entered into metaphysical arguments to prove that she could impose her vote upon Federal treaties and laws, and that this mode of acting was constitutional and peaceful, and conclusive until the power asserted by the General Government should be granted or acknowledged by an amendment to the Constitution. She manifested that she would maintain what she conceived to be her rights, however the Constitution might be expounded or amended. The ground which she occupied, had no connection with the Constitution—it was that of a sole, independent sovereignty, which she would have resorted to, had she never been a party to the Union—as appeal to the ultima ratio—to arms. Had President Jackson conformed to the Constitution as President Adams did, the sword must have decided the controversy between Georgia and the United States; and thus the first melancholy spectacle would have been exhibited of citizens of the Union tearing the bowels of their own land, and imbruing their hands in each others blood.

TO THE PEOPLE.

The celebration of our National Jubilee being over, the Union and State Rights Party of Charleston, feel it a duty which they owe to the people of their beloved State, to lay before them a more detailed account of their late Anniversary Proceedings than has yet been done, and to invite their attention to a dispassionate consideration of the subject.

In doing this, their object is not, simply to proclaim the triumph of correct doctrine and sound constitutional principles, in this part of our State, over the doctrines of Nullification or Disunion, but deeply to impress them also with the solemnity of the occasion under which they are called upon to act, and to intreat them as they value the peace, the happiness, and the substantial benefits of their own homes—the safety and prosperity of the State, and the glory of our common country, not to suffer the bias of respected names to lead them into the adoption of measures not approved of by their own intimate, deliberate, and serious conviction.

Whatever may have been our differences, or whatever may be our difficulties now, as to the merits of the whole “American System”—the nature of the remedy, the right, the mode, and the time—the question to be decided now is—*whether or not we shall suffer DISUNION and CIVIL WAR?*

It is in vain that we are told by some of our *great men*, that this is NOT THE FACT. That the remedy which is proposed is NULLIFICATION, and that Nullification is a *peaceful remedy!* This is their *opinion.* The question for us, however, is one of FACT, which essentially involves that of DISUNION or no DISUNION. Until the *trial is actually made*, ABSOLUTE certainty cannot be attained. The FACT, nevertheless, is a FACT still—a FACT in *anticipation*; and come when it may, will assuredly bring along with it its *necessary and meritable* consequences. Should it turn out to be peaceful, all may be well; but should it turn out to be CIVIL WAR—an event which the *majority* of our *great men* have confidently

foretold—all will not be well, and it will be too late to recede: for the evil is already at our doors, and we must bow in sorrow to its malign and destructive misrule. The question then, we repeat again, is essentially one of **DISUNION** or **NO DISUNION**. To disguise it from ourselves would be folly. Let us meet it then, as we should: the choice is with us.

In the annexed pages will be seen some of the reasons which have induced us to take our stand. Permit us to commend them to your individual, and unprejudiced perusal. It was said of Socrates that if heads could have been counted at Athens, he would not have perished. Let us not neglect the moral which this immortal lesson has taught us.

There is one feature in this affair, however, which we cannot permit ourselves to pass over. *Great names* are for Nullification, and *great names* are against it. A part and a very small part only of those who are for it—agree that it is peaceful, and these are, more or less, actors in the drama: the remainder, and all who are opposed to it, are unanimous in regarding it as warlike. We leave the inference to be drawn by yourselves.

In the late celebration of the two parties to this great question, we claim to have had a most decided and indubitable victory. And this we do, not from a *general estimate* of our numbers; but from the *actual* number of tickets received at our doors; from the representations of both parties, and from a variety of other circumstances. To assemble 1400 voters around the same table, out of 2500—the largest number ever polled at any of our general elections—is no equivocal evidence of the truth of our assertion. As irreconcilable then as it may seem to many to be, with the statements which have been published by the opposite party, we have no fear it will not be sustained by the ballot box. The seeming contradiction, which the account of the two processions present upon paper, is easily explained. One of the first Resolutions taken by the Committee of Arrangement, after their organization, was to invite none of the military companies—and none of the Societies of our city. Knowing that the political sentiments which divided the community, at large, prevailed also within these bodies, they were unwilling to become the instigators of any movement which might sow the seeds of discord in their ranks.

But our fellow-citizens, at a distance, may be disposed to ask, perhaps, why we resolved, "as a Party," to celebrate it at all. To this

we make the following reply; and we do it with the less reluctance, in as much as our motives have been misrepresented, and it is our right, on this subject at least, to interpret them for ourselves:

That a spirit of political intolerance is abroad--that an attempt to carry on a crusade against the opinions and character of all who are not unhesitatingly of the same way of thinking, in relation to what has been called the "second Declaration of Independence," no one will pretend to deny who has been an ingenuous observer of past and present events. When, therefore, men who have been foremost in the ranks of the intelligent and polite, can so soon forget what is due to their own self-government, as to attempt to trample upon that of their co-equals, it is time that an obvious line of distinction should be drawn between the one party and the other; and that he who feels himself aggrieved, should be permitted to do that which, in his opinion, is calculated to bring his aggressors to a proper sense of their mutual relation. The "right divine" to think for others, is no where to be found in any of our Republican Institutions. Now it cannot be denied that it has been a very common thing for the party, styling themselves the "State Rights and Free Trade Party," to heap all the obloquy they could upon their political adversaries, for *daring* to differ with them in opinion, in matters equally concerning the interests of both, and for opposing, with all legitimate means, the measures which, *they say*, are intended to relieve us of our political difficulties, but which we believe, with all humility, are disorganizing and rebellious. It is well known, too, that this vituperative mode of warfare, had not only found its way into the private circles of our community, but had been repeatedly exhibited from the rostrum in public places. That advantage had been repeatedly taken of their superiority in numbers, in the patriotic societies of our city--a superiority consisting altogether of young men who are known to be fond of excitement, and, therefore, easily misled by it, and either accidentally acquired, or purposely sought and obtained--to pervert them from the original and laudable purposes for which they were instituted, to the propagation of doctrines highly offensive to a very large proportion besides of our fellow-citizens; and which are believed by them to be fraught with all the consequences of "danger, death, and disunion."--That it had been a common thing of late, to hear our opinions furiously discussed, and our individual sentiments and patriotism violently assailed. That this was especially the case at the late dinner given to the Hon. Mr. McDuffie, and that there was every reason

to believe it would have been resorted to again at the approaching Anniversary, with all the animated zeal which his impassioned eloquence was capable of imparting to it. Under these circumstances, then, what was to be done? Go to the sanctuary to hear ourselves reviled? Quietly sit down under these wanton exhibitions of temper, and permit the declamation of a party to go forth to the world as the undivided sentiment of an undivided people? Permit our own voices to be smothered beneath the organized acclamations which they may have raised?—or to withdraw? When, in our estimation, civil war and rebellion were making rapid, but insidious strides throughout the land, would it have been manly or patriotic, to have pursued any other course than that which we adopted? Those who value the Union and Liberty, as they ought, must know that it would not. The issue was forced upon us and we accordingly availed ourselves of the choice. We united “as a party,” “in the spirit of our ancestors,” and rejoiced with our rejoicings.

Still this would not do. There was a something, rankling somewhere, which would not permit us to be at peace. In the determination to do that for ourselves which had been conceded to them, was discovered the generous design to hold them up to the gazing world, under the very imputations which had been the cause of our withdrawal from them. And as the event, too, was big with portents dire, it was a very obvious consequence, from this preliminary, that we were to be entitled to the exclusive responsibility of all the evils so confidently anticipated and predicted. With what truth or justice these allegations have been made, you yourselves will be the judges. How correct their predictions the event itself has sufficiently proved. It is thus that the veil which conceals the pretences of the unwise, is as it ever has been, weak and flimsy. When we look back upon the past, and consider the course of conduct, and the rules of propriety, which our dissentionists have observed towards us, we cannot but feel, at times, the re-action of some little resentment. The time we hope, however, is not far distant, when matters of this sort are to be at an end. Folly will have her day, though it be at the expense even of the wise and virtuous. Hers is nearly over. Nay, if we do not mistake the warning, it is already so. Her knell has just been sounded. We hear it in the distant breeze. And the impulse, as it fast approaches, tells us that the moment is even here, when these transient enmities must be exchanged for feelings of a deeper and more sympathizing character.

Celebration
OF THE
75TH ANNIVERSARY OF AMERICAN INDEPENDENCE,
BY THE
UNION AND STATE RIGHTS PARTY,
JULY 4TH, 1831.

*Resolutions of the Union and State Rights Party to celebrate
the Anniversary of American Independence.*

At a meeting of the "Union and State Rights Party," convened at Seyle's Hall, agreeably to notice, the Hon. DANIEL F. HUGER was called to the Chair, and ROBT. B. GILCHRIST, Esq. appointed Secretary.

The objects of the meeting having been stated, the Chairman, on motion, appointed Messrs, J. L. PETIORU; S. H. DICKSON, C. J. STEEDMAN, A. S. WILLINGTON and JOSEPH JOHNSON a Committee, who reported the following Preamble and Resolutions, which were unanimously adopted:—

The UNION AND STATE RIGHTS PARTY, zealously attached to the principles of the Revolution, would celebrate the approaching Anniversary of American Independence in the very spirit which animated the illustrious men who fought and bled for American liberty. Therefore,

RESOLVED, That a Committee of Arrangements, consisting of thirteen, be appointed by the Chair, to adopt such measures as may be necessary to effect the purposes contemplated by this meeting.

RESOLVED, That a Committee of five, of which the Chairman of this meeting shall be one, be appointed by the Chair, to request the Hon. WILLIAM DRAYTON to deliver an Oration on the 4th of July next.

RESOLVED, That twenty-four Stewards be appointed by the chair, to aid the Committee of Arrangements in ordering and conducting such entertainments as may be thought appropriate for the occasion.

RESOLVED, That the Committee of Arrangements be specially instructed to invite the surviving Patriots of the Revolution.

RESOLVED, That the Hon. JAMES R. PRINGLE be requested by the Committee of Arrangements to preside at the Dinner.*

The following Gentlemen were appointed a Committee under the second Resolution—Hon. D. E. HUGER, B. F. HUNT, THOMAS BENNETT, SIMON MAORWOOD and J. H. READ.

* In the adoption of these Resolutions, the party considered that they were only imitating the example which had been set them by their political opponents.

It was then unanimously resolved, that the thanks of this meeting be returned to the Chairman for his services on this occasion.

The following gentlemen were nominated by the Chairman as the Committee of Arrangements and Stewards.

Committee of Arrangements.

JOHN STONEY,
GEORGE WARREN CROSS,
RENE GODARD,
Dr. FRANCIS Y. PORCHER,
JOHN STROHECKER,
Dr. JAMES MOULTRIE, Jun.
DENNIS KANE,

JAMES ADGER,
Dr. S. HENRY DICKSON,
J. HARLESTON READ,
WILLIAM KUNHARDT,
Dr. JOHN WAGNER,
EDWIN P. STARR.

Stewards.

ROBERT PRINGLE,
JAMES H. SMITH,
L. G. CAPERS,
RANDELL HUNT,
WILLIAM PATTON,
ABRAHAM MOISE,
J. HARLESTON RUTLEDGE,
JAMES MARSH, Jun.
CHARLES LOWNDES,
JOHN B. LEGARE,
WILLIAM NEWTON,
E. S. DURVEA,

AUGUSTUS FOLLIN,
GEORGE BUIST,
ALBERT ELFE,
CORNELIUS BURCKMYER,
CHARLES R. CARROLL,
OGDEN HAMMOND,
THOMAS CORBETT, Jun.
J. B. THOMPSON,
WILLIAM C. HICHBORN,
JULS. TAVEL,
DANIEL HORLBECK,
JOHN B. ROBERTSON.

Assembly at the Market and Procession.

The day having arrived, the dawn of it was ushered in in the usual way, by the firing of cannon, ringing of bells, and the parade of the militia.

At 10 o'clock the Party began to collect in the Market, between Meeting-street and the Bay—this being the place designated by the Committee of Arrangements for that purpose, in the morning papers. In a short time the vast multitude which had assembled, so much exceeded expectation, that it became necessary to call in the assistance of two additional Marshals to assist those who had been already selected, and Messrs. Edward M'Creedy and Thos. Corbett, Jun. were accordingly added to Messrs. Henry Ravenel, Philip Porcher and Theodore Gaillard. The procession being organized, between 11 and 12 o'clock, moved onward to the First Presbyterian, or Scotch Church, at the corner of Meeting and Tradd-streets, (which was found too small to admit the numerous assemblage, the galleries having been reserved for the ladies,) where they opened in a double line extending at the same moment over a greater portion of the intermediate distance, and were received by a voluntary on the Organ by the venerable and accomplished Professor of Music, Mr. Jacob Eckhard—the whole moving through the lines from the rear.

Order of Procession to the Church.

1. THE TWENTY-FOUR STEWARDS, corresponding with the twenty-four States, bearing each a banner of blue silk, with the name of a State inscribed on it—and a suitable device.

2. **THE STANDARD OF THE UNITED STATES**, supported on the right and left by Col. Jacob Sass, and Mr. Solomon Legare, two Revolutionary soldiers, both of whom were at the siege of Savannah.
 3. **SIXTY YOUTHS**, who having hastily organized themselves, and requested to be admitted into the procession, were received by the Marshals.
 4. **SEVENTY SHIP MASTERS AND SEAMEN**, with banners on which were inscribed the names of distinguished nautical commanders and naval victories.
 5. **UNION AND STATE RIGHTS PARTY**.—The younger in front, the elder in the rear. This was composed of the industrious and independent of all classes, comprising the moral and political energies of the body politic. They were very numerous, exceeding 1200 souls. They also carried banners on which were inscribed the names of the battles of the Revolution and the last war—Fort Moultrie and Bunker Hill being in front, and others, Northern and Southern, conjointly following in the rear.
 6. **COMMITTEE OF ARRANGEMENT**.—Thirteen in number, conformably to the thirteen original States.
 7. **FOREIGN CONSULS**, with their badges and ensigns of office.
 8. **DISTINGUISHED GUESTS**, invited from various parts of the State.
 9. **THE CONSCRIPT FATHERS OF THE REVOLUTION**.—A patriotic band, who by their presence in goodly numbers, and the animation with which they joined in doing homage to the day, reminded us of the blood and treasure it had cost, and the duty imposed to transmit it unsullied to posterity.
 10. **THE CLERGY**.
 11. **THE TWENTY-FOUR VICE-PRESIDENTS**.—Each representing a State of our Federal Union.
 12. **Gen. DAN'L. ELLIOTT HUGER**, Reader of Washington's Farewell Address, sustained by Dr. Wm. Read, first Vice-President of the Day, and Vice-President of the Cincinnati Society of South-Carolina.
 13. **The Hon. JAS. R. PRINGLE**, Intendant of the city, and President of the day; and **the Hon. WM. DRAYTON, ORATOR**.
 14. **THE SECRETARY OF THE COMMITTEE OF ARRANGEMENTS**, with the beautiful blue silk Standard of the Party; inscribed in golden capitals with the words "UNION AND STATE RIGHTS, July 4, 1831;" and surmounted by a very splendid eagle.
- TWO BANDS OF MUSIC**, placed at proper distances along the line of the procession.

The whole formed a sublime and imposing spectacle, the moral grandeur of which it would be difficult to give an adequate idea of in words. It was the spontaneous movement of a vast multitude, assembled in the presence of their God, to sacrifice at the altars of their country, and to vow, before Him, their unalterable determination to defend her institutions and her laws, against the attacks of all her enemies, whether they exist in her own bosom, or come against her from abroad.

Order of Ceremonies at the Church.

PRAYER, by the Rev. Mr. RODGERS.

AN ORIGINAL ODE,

Sung by a Select Choir of four voices, accompanied by the Organ.

(All—The Star-spangled Banner.)

I.

We will gather, in pride, to the glorious rite,
In the faith of the free, from our sires that descended:
And who shall resist us, when thus we unite,
For the Union they won, and so nobly defended.

To hallow the hour,

When freed from the pow'r

Of Britain, our eagle first taught her to cow'r—

We will gather in triumph, in gladness and mirth.

And bless our free nation—free'st nation of earth.

II.

With a people unmatched—with a freedom, that now

Even now, while all Europe is wrapt in commotion:

And the brave bleed or conquer, refusing to bow,

Shines forth like a beacon across the broad ocean—

And with rapture they turn,

Where our altars yet burn,

Their chains are all broken, their tyrants they spurn.

And at the pure altar, and round the glad hearth,

They bless our free nation—free'st nation of earth.

III.

Where else is the temple of freedom—oh, where—

If not in the broad land, our sires have given?

For destiny's self brought our forefathers here,

And here, was the chain of the tyrant first riven.

And to conquer or die,

First appealing on high;

They dared, in his might, the fell monster defy;

While Europe, astonished looked on at its birth,

And bless'd our free nation—free'st nation of earth.

IV.

Forget not that time of commotion and toil,

And the glory that sprung from it, cherished forever,

Shall guard our freedom and shall hallow our soil,

And the foot of the tyrant shall trample them never:

For what folly would dare,

When our flag is in air,

And imbued with one spirit, we join in one prayer—

For the altar that hears it—for our home—for our hearth—

God save our free nation—free'st nation of earth.

WASHINGTON'S FAREWELL ADDRESS to the People of the United States, by General DANIEL ELLIOTT HUGER.

This was received with strong and repeated emotions—particularly those parts of the Address which are admonitory as to the causes that may, threaten **DISUNION**, and the attempts that would be made to effect it.

SECOND ORIGINAL ODE,

Composed at the request of the Committee of Arrangements for the occasion. Sung by two voices, accompanied as before.

(AIR.—Scots wha hae wi' Wallaro bled.)

I.

Hail, our country's natal morn,
Hail, our spreading kindred-born!
Hail, thou banner, not yet torn,
 Waving o'er the free!
While, this day, in festal throng,
Millions swell the patriot-song,
Shall not we thy notes prolong,
 Halloy'd Jubilee?

II.

Who would sever Freedom's shrine?
Who would draw the invidious line?
Though, by birth, one spot be mine,
 Dear is all the rest:—
Dear to me the South's fair land,
Dear, the central Mountain-band,
Dear, New-England's rocky strand,
 Dear the prairied West!

III.

By our altars, pure and free,
By our Law's deep rooted tree,
By the past's dread memory,
 By our WASHINGTON;
By our common parent-tongue,
By our hopes, bright, buoyant, young,
By the tie of country, strong—
 We will still be ONE.

IV.

Fathers! have ye bled in vain?
Ages! must ye droop again?
MAKER! shall we rashly stain,
 Blessings sent by THEE?
No! receive our solemn vow,
While before thy throne we bow,
Ever to maintain, as now,
 "UNION—LIBERTY!"

In the choruses of both Odes, the audience joined with a good deal of enthusiasm; but at the repetition of the four last lines of the last verse of the second, they simultaneously arose, and thus manifested the deep and swelling emotions with which their bosoms had been inspired.

This being ended the ORATOR OF THE DAY advanced to the rostrum which had been occupied by his predecessor, and delivered the preceding able, patriotic, and exceedingly beautiful oration.

At the close of these ceremonies the party adjourned.

Procession to and Description of the Bower.

The hour of dining having arrived, the Party again assembled in augmented numbers at the Market, and at the hour of 4 o'clock moved off, in an order the reverse of that which had been adopted in the morning, to the Union Bower at the corner of Meeting and George-streets; where dinner was in waiting to receive them.

The very extensive building erected by the Party for this especial purpose, covering a space of 45 feet in width by 150 feet in length, was found inadequate to accommodate all who had assembled, and from 200 to 300 persons were obliged, notwithstanding the erection of an additional table, the whole length of the building, on the outside, to stand up and exchange places, alternately, with those who were seated. The entertainment was abundant, and for so numerous a company, served up in superior style. The wines were excellent, and the whole company enjoyed "the feast of reason and the flow of soul." About 10 o'clock the party retired, highly pleased at the manner in which they had passed the day.

The lot and building in which the Party dined, were decorated with a taste, at once showy and becoming. Festoons of evergreens, encircled the pillars, which, though we cannot exactly consider or designate them as "Corinthian columns"—were, nevertheless, very neat and substantial. The Hickory entwined with the Palmetto and the Pine, were conspicuous as appropriate emblems, in illustrating the pride and strength of our country; and from the archways, one of which being appropriate to each individual, were suspended shields, bearing the names of Moultrie, Warren, Lafayette, Manning, Sumpter, Hampton, Lincoln, Motte, Pulaski, C. C. Pinckney, Thomas Pinckney, De Kalb, Pickens, Putnam, Marion, Rutledge, Lee Laurens, Steuben, Wayne, William Washington, Starke, Morgan, Knox, B. Hugor, Shepherd, Isaac Hayne, Montgomery, Jasper, Kosciuszko, Wilkens, Gist, Peter Horry, Gadsden, R. Lowndes, and many others who had distinguished themselves in the cause of Liberty, in the fields and on the shores of Carolina. Transparencies of Washington, Hancock, Franklin, and others, encircled with boughs and luxuriant foliage, hung at the upper end of the vast hall. In front of the building, the eye was attracted to the novel appearance in our streets of a Palmetto and Hickory tree, transplanted in full bloom, from the soil in which they originally grow, and waving in that of their adoption, as freshly as they ever did before. The front of the building was decorated with two full rigged frigates, manned and armed, mounting each 52 guns, and one rakish looking and elegant tender—all perfect models of naval architecture. These were each surmounted by a broad transparent archway, over the centre of which, appeared illuminated, the words—"Don't give up the ship."—Three other transparencies, allegorical and emblematic, directly beneath the archway, completed the decorations in front.

Ceremonies at the Dinner.

The viands and other eatables being removed, the President of the day called the assembly to order; when the following Toasts were drunk, accompanied by the reading of letters, and the delivery of suitable speeches.

Regular Toasts.

1st. **THE DAY**—Consecrated to American Liberty, by American Patriots—May this return of it revive American feelings in every American bosom. *Air—Hail Columbia.*

2d. **THE MEMORY OF WASHINGTON**—May his farewell advice be engraved on our hearts, and his whole life illustrated in our conduct. *Solemn Dirge.*

3d. **THE PATRIOTS OF THE REVOLUTION**—United they stood—divided we fall. *Ye sons of Columbia who bravely have fought,*

4th. **THE PRESIDENT OF THE UNITED STATES**—No will fill the measure of his glory, by preserving the Union, without impairing the Rights of the States. *The President's March.*

5th. **THE VICE-PRESIDENT OF THE UNITED STATES**—His political intimates have declared their sentiments of Nullification—will he shrink from an open exposition of his own? *Let every Pagan muse be gone.*

6th. **THE CONGRESS OF THE UNITED STATES**—Wisdom to their councils—harmony to their measures, and the happiness of the people for their only object. *The breeze was hush'd, a star was prone.*

7th. **THE GOVERNOR OF SOUTH-CAROLINA**—"The union of this confederation is the key-stone to the whole fabric of our political and national greatness, our civil and social prosperity. Let this sentiment enter with religious solemnity into all our public relations with our country, and form a theme of domestic instruction at our altars and fire-sides."—Oration 4th July, 1821, by James Hamilton, Jr. *Governor's March.*

8th. **THE PEOPLE OF SOUTH-CAROLINA**—They will preserve the Union—peaceably if they can. *Home, sweet home.*

9th. **THE UNION**—The foundation on which rests American Liberty—Destroy the one, and the other must fall. *Yankee Doodle.*

10th. **THE PEOPLE OF THE UNITED STATES**—Let them never forget that an injury to one State, is an injury to all; and that the power which shall crush one, may destroy all. *Meeting of the waters.*

11th. **THE AMERICAN SYSTEM**—The offspring of a wily ambition which would corrupt the people at their own expense. *'Tis all but a dream.*

12th.—**THE GOVERNMENT OF A MAJORITY—STATES AND PEOPLE**—If this will not do, what will? *Garry One.*

13th. **THE SENATE OF THE UNITED STATES**—The Palladium of State Rights—they have a veto on the proceedings of the Representatives of the People. *As a beam o'er the side of the waters.*

14th. **THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES**—The Palladium of Democracy—they have a veto on the proceedings of the Senate. *See from ocean rising.*

15th. **THE JUDICIARY OF THE UNITED STATES**—Nominated by the President, the agent of the People and States, and confirmed by the Senate, the agents of the States, to settle all differences under the Law and the Constitution. *The Light-House.*

16th. **THE LAW OF NATIONS**—The guide of Sovereign Powers—Better administered by a Court arranged by the parties, than by conflicting armies or artful diplomatists. *The Legacy.*

17th. **THE DECLARATION OF INDEPENDENCE**—"If governments do not

answer the ends for which they were intended, they ought to be changed, but not for light and transient causes." *Jefferson's March*

18th. STATE SOVEREIGNTY—If one State has a right to change the government, the others have a right to prevent it.

Ye mortals whose fancy and troubles perplex.

19th. "STATE RIGHTS AND FREE TRADE"—Preserve the Union and both are safe. *America, Commerce and Freedom.*

20th. THE "TARIFF"—A tax upon all—a benefit to but few—it must soon be smothered in its own accumulations. *The day is departed.*

21st. THE MEMORY OF WILLIAM LOWMEDES—a patriot pure—for power he never sought—from duty he never shrunk.

A Solemn Dirge.

22d. "NULLIFICATION"—"SECESSION"—AND "PUTTING THE STATE UPON ITS SOVEREIGNTY"—Revolution in disguise. *Blade's Job's*

23d. THE HONORABLE WILLIAM SMITH—Proscribed in 1830, by the proselytes he made in 1825—May the day not be at hand when he may say in the language of Milton:—

"I did but prompt the age to quit their eds—

By the known rules of ancient Liberty—

When straight a haughty noise environs me;

They brawl for Freedom, in their senseless mood,

And still revolt; when truth would set them free,

License they mean when they cry Liberty.

Keen blows the blast.

24th. CHARLES CARROLL, OF CARROLLTON—The last surviving Apostle of Independence—In the morning of life, he beheld his country ushered into existence; God forbid that the evening of his days should be clouded by her destruction. *The last Rose of Summer.*

THE HONORABLE WILLIAM DRAYTON—who with more than Roman virtue, sacrificed the dearest ties of personal and family friendship, for the good of his country.

Letters and Speeches.

As soon as the applause with which the 4th toast was drunk had subsided, Col. G. W. CROSS, a member of the Committee of Arrangements, rose, and begged leave to read for the gratification of the people the following correspondence with the President of the United States, inviting him to participate in the celebrations of the day, which was received with loud and reiterated cheers.

CHARLESTON, (S. C.) JUNE 5.

HIS EXCELLENCY ANDREW JACKSON,
PRESIDENT OF THE UNITED STATES.

SIR—The undersigned, on behalf of their fellow-citizens of "the Union and State Rights Party," have the honor to invite you to a Dinner given on the approaching Fourth of July, in celebration of the Anniversary of American Independence.

Had we regarded this return of the birth-day of our nation, as an era of merely ordinary import, we should not perhaps have taken the liberty to present ourselves to you. But the case is far otherwise.

As a native of the State of South-Carolina, and one whom she has always delighted to honor, we do not doubt, Sir, that you have felt such interest in the expressions of sentiment and opinion, which have been

elicited during the progress of affairs among us, as to be fully aware of the great lines of distinction drawn between the several parties in the State, as well as of the portentous omens which threaten us with civil convulsion. It is well known to you and to the world, that the late political discussions and events, have tended to loosen those bonds of fraternal affection which once united the remotest parts of our great empire. Geographical limits are familiarly referred to as connected with separate and disjoined interests, and too many of our youth are growing up, as we fear, and deeply lament, in the dangerous belief that these interests are incompatible and contrasted.

We conceive it, Sir, to be a matter of infinite importance to our country, that these fatal errors should be promptly corrected, and the feelings which they engender thoroughly eradicated, that the ancient ties of friendship may once more knit closely together the several members of our happy confederacy. It is our special aim to revive in its full force, the benign spirit of Union—to renew the mutual confidence in each other's good will and patriotism, without which the laws and statutes, and forms of government of these States, will exist in vain. We disclaim from the bottom of our hearts, all political or party purposes of local nature or circumscribed extent. We esteem as brethren and associates all who cordially unite with us in devotion to our common country, and in the firm resolution to defend her institutions, and transmit them unimpaired to the generations that shall succeed us. Your sentiments in relation to this subject are well known, and have been repeatedly announced, and we are proud to regard you, Sir, as one of our fathers and leaders.

In this spirit, and with these views, we request the honor of your presence on the approaching occasion. The citizens of Charleston have flattered themselves with the hope that you would be able, without inconvenience, to comply with their invitation, urged some time since through the municipal authorities. May we be permitted to indicate the period of your visit, so far as that it shall include the Anniversary of the Declaration of Independence.

With the most respectful consideration, Sir,

We have the honor to be,

Your Excellency's obedient servants,

JOHN STONEY,
 GEORGE WARREN CROSS,
 RENE GODARD,
 FRANCIS Y. PORCHER,
 JOHN STROHECKER,
 JAMES MOULTRIE,
 DENNIS KANE,
 JAMES ADGER,
 S. HENRY DICKSON,
 J. CHARLESTON READ,
 WILLIAM KUNHARDT,
 JOHN WAGNER,
 EDWIN P. STARR.

Committee
 of
 Arrangements.

The letter from Gen. ANDREW JACKSON, in reply to the above, was read, from the centre right by Col. CROSS, from the left by Capt. E. P. STARR, and from the great extent of the Bower and assemblage, it not having been heard at the extreme ends, it was there read, severally by the Hon. THOS. LEE, and the Hon. THOS. S. GRIMKE.

WASHINGTON, CITY, JUNE 14th, 1831.

"Gentlemen—It would afford me much pleasure, could I at the same time accept your invitation of the 6th inst. and that with which I was before honored by the municipal authorities of Charleston. A necessary attention to the duties of my office, must deprive me of the gratification I should have had in paying, under such circumstances, a visit to the State of which I feel a pride in calling myself a citizen by birth."

"Could I accept your invitation, it would be with the hope that all parties—all the men of talent, exalted patriotism, and private worth, who have been divided in the manner you describe, might be found united before the altar of their country, on the day set apart for the solemn celebration of its independence—independence which cannot exist without Union, and with it is eternal."

"Every enlightened citizen must know, that a separation, could it be effected, would begin with civil discord, and end in colonial dependence on a foreign power, and obliteration from the list of nations. But he should also see that high and sacred duties which must and will, at all hazards, be performed, present an insurmountable barrier to the success of any plan of disorganization, by whatever patriotic name it may be decorated, or whatever high feelings may be arrayed for its support. The force of these evident truths, the effect they must ultimately have upon the minds of those who seem for a moment to have disregarded them, make me cherish the belief I have expressed, that could I have been present at your celebration, I should have found all parties concurring to promote the object of your association. You have distinctly expressed that object—"to revive in its full force the benign spirit of Union, and to renew the mutual confidence in each other's good will and patriotism." Such endeavors, calmly and firmly persevered in cannot fail of success. Such sentiments are appropriate to the celebration of that high festival, which commemorates the simultaneous declaration of Union and Independence—and when on the return of that day, we annually renew the pledge that our heroic fathers made, of life, of fortune, and of sacred honor, let us never forget that it was given to sustain us a *United*, not less than an *Independent* people."

"Knowing as I do, the private worth and public virtues of distinguished citizens to whom declarations inconsistent with an attachment to the Union have been ascribed, I cannot but hope, that if accurately reported, they were the effect of momentary excitement, not deliberate design; and that such men can never have formed the project of pursuing a course of redress through any other than constitutional means; but if I am mistaken in this charitable hope, then in the language of the father of our country, I would conjure them to estimate properly "the immense value of your national Union to your collective and individual happiness;" to cherish "a cordial, habitual, and immoveable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity, watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts."

"Your patriotic endeavours, Gentlemen, to lessen the violence of par-

ty dissension, cannot be forwarded more effectually than by inculcating a reliance on the justice of our National Councils, and pointing to the fast approaching extinction of the public debt, as an event which must necessarily produce modifications in the revenue system, by which all interests, under a spirit of mutual accommodation and concession, will be probably protected.

The grave subjects introduced in your letter of invitation, have drawn from me the frank exposition of opinions, which I have neither interest nor inclination to conceal.

“Grateful for the kindness you have personally expressed, I renew my expressions of regret that it is not in my power to accept your kind invitation; and have the honor to be, with great respect,

“Your obedient and humble servant,

(Signed)

“ANDREW JACKSON.”

To JOHN STONEY, GEORGE WARREN CROSS, RENE GODARD,
F. Y. PORCHER, JOHN STROHECKER, JAMES MOULTRIE,
DENNIS KANE, JAS. ADGER, S. H. DICKSON, J. H. READ,
WM. KUNHART, JOHN WAGNER, and E. P. STARR, ESQS.

Speech of the Hon. T. R. Mitchell.

Dr. WILLIAM READ, the first Vice-President, gave the following:—

The Hon. Thomas R. Mitchell—The uniform and consistent advocate, both of State Rights and of the integrity of the UNION.

To which Mr. MITCHELL, made the following reply, during which he was frequently interrupted by highly approving acclamation.

Mr. President and Gentlemen—

I know not how to thank you for the kind sentiment which you have just expressed. The approbation of so large a portion of my fellow-citizens of Charleston, the great capital of the South and of our beloved South-Carolina, is a boon given by your kindness, not due to my merit.

When I look around me, and consider those who compose this meeting and its objects, I am overwhelmed with sadness and with joy—with sadness at the occasion of the meeting, the distractions of our once united and harmonious State—with joy at beholding such an assemblage of intelligence, of virtue, of firmness, and of patriotism. We have truly met under the most interesting circumstances. Not only to celebrate the most sublime and momentous event of our history, the Declaration of Independence—but to declare before God and our country, that we and ours will maintain, to the utmost of our power, the Union of the States, the Constitution of the United States, and that of our own beloved State, in their perfect integrity. These are the objects of our meeting—these form the bond of our Union. Differing, as many of us do, on important points of policy and constitutional construction, the magnitude of these objects is paramount to them all—suppresses every discordant sentiment, and unites us as a band of brothers, by ties stronger than those of blood.

We have been charged, (and it has been often repeated,) with harboring imaginary fears on these subjects. Imaginary fears! when we have been gravely told by a high dignitary of the State, on a most solemn occasion, that it is time to calculate the costs of the Union! When the Hartford Convention, the only blot in our history, and which has hith-

erto called forth the execration of every Carolinian, is held up to the people as an example for their imitation and emulation! When one of our Representatives, in and out of Congress, in the back country and the low country, has been endeavoring by misstatements and sophisms, to prove the utter incompatibility of the interests of the North and South; to disaffect our people towards the General Government—and to present in the most deceptive colours the advantages of a separation of our State from the Confederacy!—When the General Government has been called, in an official communication, by the highest authority of the State, a *Foreign Government*. Finally, when we daily and hourly hear the raven sounds of Disunion and Civil War rung in our ears in changes on the word Nullification. Are not these signs?—Signs, not of political peril—not of the destruction of our Constitutions of Government—not of the conflagration of our towns—and of the devastation of our fields—for could we suppose that these misguided people had the will, they surely have not the power to effect their objects; but sure and veritable signs of the loss by our State of the sympathy and good will of the rest of the Union, more especially that of the South—of her degradation to the low estate of Massachusetts, when under a similar influence, she refused to muster her militia at the call of the President, and convened her Hartford Convention:—And signs of the fall of our State from that high and prominent stand in the Confederacy which she once held, when her sons gave proof of the utter nothingness of wealth and numbers, when opposed to virtue and talent—when, though small in representation and still smaller in physical force, she stood in the National Councils, in point of influence, equal to Virginia, and superior to New-York. Oh! had you witnessed the noble bearing of our little State in the Government at Washington, when her chosen son, WM. LOWMEYER, guided and governed her Councils. WM. LOWMEYER! Name most cherished—most dear to every Carolinian—spotless patriot! In thee we beheld the rare rivalry between goodness and greatness. These are the effects of what has been miscalled the Carolina doctrines—as the pernicious theory of HENRY CLAY has been called the American System, when it is well known that before its adoption, freedom was the living principle of our commercial policy. Where, and by whom have these doctrines been recognized and adopted? By Georgia? No!—she has solemnly disclaimed them. By North-Carolina? Her Legislature has put them down by a vote of 5 to 1. By Alabama, a Cotton State, and the youngest of the Southern sisterhood? They have shared there a like fate. By Virginia, the leading State of this great Southern equinoctial region—the land of genius and liberty—the first and most strenuous advocate of State Rights? No! Her Legislature has passed them by with studied neglect, while she has not a newspaper of any character which is not levelled against them. Where then, and by whom, I ask, have they been recognized and adopted—shall I say by the one half of our people? If I were to tell you that they were recognized by the one-fourth or the one-twentieth of our population, you would charge me with exaggeration. I sincerely and honestly believe, (and this belief is founded on laborious researches, extended as far as I could,) that if the nature and tendency of these doctrines were fully explained and developed to all the people, that its advocates would, in a very short time, be reduced to a handful of factious and disorganizing politicians.

Do not mistake me when I speak thus of the Carolina doctrines. I am, and have ever been, through good report and through evil report, without change or deviation, openly and above-board, an advocate of State Rights as understood and explained by Jefferson and Madison. I was proud to be an humble disciple in that school when the majority of the Delegation, with which I then served, denounced them as radical; and Calhoun and M'Duffie stigmatised them as the worst and most stupid of all heresies. But the faith of the Christian is not more different from that of the Turk, than the doctrine of State Rights is different from that of the Carolina, as it is termed. The doctrine of State Rights opposes only the abuses of the Constitution—the Carolina doctrine opposes the Constitution itself. The doctrine of State Rights considers the Constitution, when administered according to its legitimate end and design, as the best of all Governments. The Carolina doctrine considers the Constitution under any circumstances as the worst—and sneers at it as a mongrel—half horse, half alligator—half national, half Federal. The doctrine of State Rights considers the action of the Constitution on the people of the States, as a new and beautiful idea—as one of the great inventions and improvements of the eighteenth century. The Carolina doctrine considers *this action* as a fungus, as an excrescence, and in all its reasonings and conclusions, places the State in the same attitude in which she stood under the articles of the old Confederation. Were I to be asked what is necessary for the preservation of State Rights, I should say a strict and literal interpretation of the Constitution. State Rights admit of no constructive powers, but what are essentially necessary to the execution of the enumerated powers—and the word *necessary* is here understood in a strict philosophical sense—while the Carolina Doctrine, to sustain its favorite theory of Nullification, is compelled to resort to a latitude of construction, which will make any and every thing of the Constitution. Can this now light then be true light? The doctrine of State Rights is as old as the Constitution itself. It was the foundation of the first division of parties. It has been investigated, analyzed and discussed by patriots of transcendent minds, who revered State Sovereignty as the palladium of liberty and property.—Yet who among them ever imagined, much less affirmed, that a State had a right to put her veto on the proceedings of the General Government. This discovery was reserved for Mr. Calhoun, who, his most consistent friend, M'Duffie, has proclaimed to be the father of the great system of Internal Improvement; and who, when at the head of the War Department and in expectation of the Presidency, was the zealous and uncompromising advocate of high taxes, conscription, and the most lavish expenditure of the people's money. But I will tire you no longer with a discussion so dry. Brothers of South-Carolina! supporters of the Constitution!—Under the banner of the thirteen stripes, the sacred emblem of the Union of the twenty-four States, which waved triumphantly over Washington in our war for Political Independence, and over Jackson in our war for Commercial Independence—under those glorious stripes, which have been to our country, by sea and by land, a cloud by day and a pillar of fire by night—under those glorious stripes, whose political influence is now operating on the continent of Europe, from the Bosphorus to the Mediterranean—under those sacred stripes, which floated over the dead and mangled bodies of our fathers of the

Revolution, we are celebrating the 4th of July. What sentiment, in accordance with this occasion, and with the feelings it calls forth, can I better give, than the following:—

The Union—The Constitution—Liberty—The true and natural order of things—
For without the Union we can have no Constitution, and without the Constitution no Liberty.

Speech of Hugh S. Legare, Esq.

The Hon. THOMAS LEE offered the following voluntary Toast:

Hugh S. Legare—An enlightened Jurist and sound constitutional Lawyer—A friend to the Union, and an able and efficient advocate of State Rights.

On which Mr. LEGARE rose, and addressed the meeting in the subjoined admirable Speech:—

Mr. Legare said he was obliged to the meeting for the opportunity offered him, according to an established usage, of saying what he thought and felt upon the momentous occasion, (for so it seemed to him) that had brought them together, and would gladly avail himself of it to speak very much at length, were it not physically impossible to make himself be heard in so vast an assemblage. He thought it due to himself and to those who were of the same way of thinking, that their sentiments should be fairly and fully expressed—for he had no doubt that they were such as would meet the hearty concurrence of a great majority of the people of South-Carolina. He felt the less regret, however, at the self-denial he was obliged to practice, because the able speech of the Orator of the day, had maintained the doctrines which he (Mr. L.) professed, and for which as the representative of the people of Charleston, he had strenuously, and, he flattered himself, not unsuccessfully, contended in the Legislature of the State during several successive sessions. These doctrines they had heard expounded and enforced, that morning, by a man and in a manner worthy of the proudest days of this proud city, nor did he think that any one could have listened to that discourse, without being the wiser and better for it.

It has been frequently thrown out of late, in the language of complaint and censure, (said Mr. L.) and on a recent occasion, very emphatically, by a gentleman for whom on every account, I entertain the profoundest respect, that there is a certain party among us, who seem much more intent upon "correcting the errors of some of our Statesmen" (as they are said modestly to express it) than upon putting their shoulders to the wheel along with the rest of their fellow-citizens, in an honest and manly effort to relieve the State from the burthens under which it is thought to be sinking—in plain English, that their pretended hostility to the Tariff Acts is all a sham. Sir, this would be a severe rebuke, if it were deserved. I for one should be very sorry to think that the part I am taking in the proceedings of this day, were open to that construction. God knows it was with extreme reluctance that I made up my mind to take this step. But what was I to do? What alternative has been left us by those who have the constructive majority of the State, that is to say, the majority of the Legislature at their back? They have chosen to narrow down the whole controversy concerning the American system to a single point. They have set up an issue and demand a categorical expression of opinion upon the expediency of immediately interposing,

the sovereign power of the State, to prevent the execution of the Tariff law. That is to say, according to Mr. M'Duffie's reading, (the only possible reading) of that rather ambiguous phrase, to raise the standard of the State, and to summon her subjects, by the allegiance which they owe to her, to gather around it in order to resist a law of Congress. Sir, if I do not misunderstand all that we have recently heard from men in high places, (and if I do misunderstand them, it is not because I have not most anxiously and patiently examined whatever they have said and done) this, and this alone, is the question now before us. In such a question all minor considerations are swallowed up and lost. Upon such a question, no man can, or ought to be—no man in the face of a community, excited and divided as this is, dare be neutral. It is propounded to us, after the fashion of the old Roman Senate—you who think thus, go thither—you who are of any other opinion stay here. The country calls upon every individual, however humble he may be, to take his post in this mighty conflict. Sir, I obey that paramount command, and be it for weal, or be it for woe, be it for glory, or be it for shame, for life and for death, here I am.

But, Sir, I repeat it, I should most deeply regret that what we are now doing should be thought to give any countenance to any part of the "American System." It is known, I believe, to every body present, from various publications which have been long before the community, that I think that system unconstitutional, unjust and inexpedient. This opinion I did not take up hastily—for with regard to the Tariff, I, in common with every body else in the State, once thought it within the competency of Congress. But more mature inquiry has resulted in a change of my opinion upon that subject, and although I dare not express myself so confidently in respect to it as it is the habit of the times to do; I must be permitted to say that I am more and more strengthened in that conviction by every day's experience and reflection. Sir, if I had any doubt about the matter, the proceedings of this day would be sufficient to dispel it. It is melancholy to think of the change which has been made in the feelings and opinions of some of the best and ablest men among us, by this pernicious system—to reflect that alienation and distrust, nay, in some instances, perhaps, that wrath and hostility now possess those bosoms which were but a few years ago warmed with the loftiest and the holiest enthusiasm for the government of their own and their fathers' choice. The authors of this policy are indirectly responsible for this deplorable state of things, and for all the consequences that may grow out of it. They have been guilty of an inexpiable offence against their country. They found us a united, they have made us a distracted people. They found the Union of these States an object of fervent love and religious veneration; they have made even its utility a subject of controversy among very enlightened men. They have brought us not peace but a sword. It is owing to this policy that the government has to bear the blame of whatever evils befall the people, from natural or accidental causes—that whether our misfortunes spring from the barrenness of the earth, or the inclemency of the seasons, or the revolutions of commerce, or a defective system of domestic and rural economy—or, in short, from any other source, they are all indiscriminately imputed to the Tariff. The decay and desolation which are invading many parts of the lower country—the fall in the price of

our great staple commodity—the comparative unproductiveness of slave labor—are confidently declared to be the effects of this odious and tyrannical monopoly. Sir, firmly convinced as I am that there is no sort of connexion, (or an exceedingly slight one) between these unquestionable facts and the operation of the Tariff Law, yet I do not wonder at the indignation which the imposition of such a burthen of taxation has excited in our people in the present unprosperous state of their affairs. I have sympathized and do sympathize with them too deeply to rebuke them for their feelings, however improper I deem it to be to act upon such feelings, as recklessly as some of their leaders would have them do.

Sir, it is not only as a Southern man, that I protest against the Tariff Law. The doctrine of Free Trade, is a great fundamental doctrine of civilization. The world must come to it at last, if the visions of improvement in which we love to indulge are ever to be realised. It has been justly remarked that most of the wars which have, for the last two centuries, desolated Europe, and stained the land and sea with blood, originated in the lust of colonial empire, or commercial monopoly.—Great nations cannot be held together under a united Government by any thing short of despotic power, if any one part of a country is to be arrayed against another in a perpetual scramble for privilege and protection, under any system of protection. They must fall to pieces, and if the same blind selfishness and rapacity animate the fragments which had occasioned the disunion of the whole, there will be no end to the strife of conflicting interests. When you add to the calamities of public wars and civil dissensions, the crimes created by tyrannical revenue laws, and the bloody penalties necessary to enforce them, the injustice done to many branches of industry, to promote the success of others, the pauperism, the misery, the discontent, the despair, and the thousand social disorders which such a violation of the laws of nature never fails to engender, you will admit, I think, that the cause of Free Trade is the great cause of human improvement. Sir, I can never sufficiently deplore the infatuation which has brought such a scourge upon this favored land—which has entailed, so to speak, the curse of an original sin upon a new world, and upon the continually multiplying millions that are to inhabit it. Most heartily shall I co-operate in any measure, not revolutionary, to do away with the system which has already become a fountain of bitter waters to us—which threatens to become to another generation a source of blood and tears—and I heartily rejoice at the dawn of hope which has opened upon us in the proposed Convention at Philadelphia. Not that I am sanguine as to the immediate results of such a meeting; but if it be filled, as it ought to be, with leading and enlightened men from all parts of the country, which think as we do upon this great subject; it will awaken the attention of the people, it will lead to general discussion, it will give scope, if I may so express it, for the operation of those momentous truths on which we rely, and I cannot, and will not despair of the Republic, as it came down to us from the most venerable band of sages and heroes that ever laid the foundation of a great empire, until I become satisfied by much better evidence than any I have yet seen, that it is in vain to appeal to the good sense and kindly feelings of the American people. Meanwhile, to the measure which is now under consideration, and which, by whatever name

it may be called, is, in my opinion, essentially revolutionary, I am, as I ever have been, decidedly opposed. I regarded it, when it was first mentioned in 1828, as an ill-omened and disastrous project—calculated to divide us among ourselves, to alienate from us the minds of our natural allies in such a struggle, the agricultural States in our neighbourhood, and to involve us in difficulties from which we should not be able to retreat without dishonour, and in which we could not persevere without inevitable and irretrievable ruin—I might have been wrong, but I acted upon deep and solemn conviction, and I thank God, from the bottom of my heart, for being permitted to indulge in the consoling persuasion, that my humble labours on that memorable occasion did contribute in some degree to avert these calamities.

Sir, this is no occasion for going into a detailed analysis of the doctrine of Nullification, a doctrine which, as taught in “the Exposition,” I undertake to say involves just as many paradoxes and contradictions as there are topics relied on to maintain it—but I cannot refrain from presenting a single view of it, which is of itself entirely conclusive. You will observe, Mr. President, that the difference between us and the advocates of this doctrine, is not as to the question how far a State is bound to acquiesce in an unconstitutional act of Congress; or (which is the same thing) how far it has a right “to interpose to arrest the progress” of such legislation. We admit this right in the most unqualified manner; for if the law be unconstitutional, it is no law at all. So far there is no difference and can be no difference between us. The question is not as to the right, nor even as to the remedy, but as to what shall ensue upon the exercise of the right, or the application of the remedy. The advocates of Nullification insist upon it, that the interference of the States in such a case would be a peaceful act—we say it would be, even upon *their own showing*, an act of war—a revolutionary measure—a remedy derived from a source above all law, and an authority which bows to no arbiter but the sword—and this is susceptible of as rigorous demonstration as any point within the whole compass of public law.

For the sake of argument, I concede all that the most extravagant writers in our newspapers have ever assumed, and a great deal more than the most able of them can prove—I will grant that the government of the United States is no government at all—that it is not only a compact between independent States, but that it is a compact of no peculiar solemnity or efficacy—conveying no powers not usually granted by international treaties, establishing no intimate relations between the different parts of the country, not subjecting the citizen, in the least, to the jurisdiction of the Federal Courts, not binding upon his conscience, not imposing upon him the obligations of allegiance, not making him liable in any case to the penalties of treason. I will put the case as strongly as possible for the advocates of the doctrine. I will suppose that this constitution, of which we have been boasting so much for near half a century, is found out to be a league between foreign powers, and that every question that can arise under it, is in the strictest sense of the word, a merely political question. What then, Sir? Did you ever hear of one party to a league having a right—not to judge for himself of its meaning, mark the distinction—but—to bind the other party by his judgment? I admit that there is no common arbiter—that each of

the parties is to judge for himself—does that mean that he shall judge for the others too? A compact between States is as binding as a compact between individuals—it creates what is called by text writers “a perfect obligation”—there is no doubt but that a sovereignty is obliged before God and man scrupulously to fulfil the conditions of its agreements. But sovereignties with regard to each other are in a state of nature—they have no common superior to enforce compliance with their covenants—and if any difference arise as to their rights and liabilities under them, what says the law of nature and nations? Why what can it say, but that each shall do as he pleases—or that force shall decide the controversy? Is there any imaginable alternative between the law and the sword, between the judgment of some regularly constituted umpire, chosen before hand by the common consent of the contracting parties, and the *ultima ratio regum*? Sir, we have been told that State sovereignty is and ought to be governed by nothing but its own “feelings of honorable justice”—it comes up in the declamation of the day, to the description of that irascible, imperious and reckless hero, whose wrath and the woes it brought upon his country are an admirable theme for an epic or a tragic song, but would not I suppose, be recommended as the very highest of all possible examples in morality.

*Impiger, iracundus, inexorabilis, acer
Jura negat sibi nata, nihil non arrogat armis.*

Yet strange to say, the very men who point to us the sovereignty of the States in such colours, and would cavil about the ninth part of a hair where their own rights and interests are concerned, forget entirely that there are any other parties to the compact but South-Carolina, or that those parties have any right to exercise, or any interests to maintain! “We have a right to judge for ourselves,” say they, “how far we are bound by the Constitution, or how far we shall comply with it.” Grant it. But what of the other twenty-three parties? Are they bound by our decision? Shall they not think for themselves, because we say that an act, which they have all declared (or the great majority of them) to be within the meaning of the treaty and binding upon us, is not so? If our opinion is just we are not bound. Admit it. But if their’s is just we are bound. Now the whole fallacy of the argument on the other side consists in coolly taking for granted the very matter in dispute—in blotting out this *if*—in denying to others the very right of judging which we claim for ourselves—and in expecting them, exacting it of them, to act upon our convictions instead of their own.

Sir, it may be that they will do so. Instances upon instances have been laboriously compiled of late by a writer in one of the leading journals of the country, to show how often the Government has been forced, right or wrong, to yield to the resistance of the States. I shall say nothing of these examples—except that some of them have never been mentioned until recently but with scorn and indignation. But I maintain that not one of them—no, not one—goes to show that the other parties to the compact might not, if they had been so minded, have rightfully insisted upon enforcing their construction of the contract. I will only remark as to Georgia and the Cherokees, that as that State was clearly right in her pretensions from first to last, so she main-

tained her rights by open force, and made no scruple about professing to do so.

Mr. President, the argument which I now advance is too clear for controversy. It addresses itself to the common sense of mankind, and the bare stating of it is sufficient to show how uncongruous and absurd the doctrine of the *relò is*, so far as it rests upon general reasonings, and the law of nature—the only law acknowledged by sovereigns. But if any authority be wanted to confirm it, then is abundance of it at hand. Look into the writings of publicists—they are all full of it. By the established law of nations, each party construes a treaty for itself—but then it allows the other to do the same, and if the difference between them be deemed important enough that other has the option either of *re-voiding the whole treaty*, (in the case before us, putting the state out of the Union) or making war to enforce it. “If one of the allies fails in his engagements, (says Vattel,) the other may constrain him to fulfil them; this is the right derived from a perfect promise. But if he has no other way but that of arms to constrain an ally to keep his word, it is sometimes more expedient to disengage himself from his promises and break the treaty. *He has undoubtedly a right to do this*; having promised only on condition that his ally shall accomplish on his side, every thing he is obliged to perform. The ally offended or injured in what relates to the treaty, may then choose either to oblige the perfidious ally to fulfil his engagements, or declare the treaty broken by the violation.”—*Vall. Sec. 200.* This civilian then proceeds to lay down the rule, that the violation of one article of the treaty is a violation of the whole. He admits that this ought not to be rashly done, and says, that the sovereign deeming himself aggrieved “is permitted to threaten the other to renounce the entire treaty—a menace that may be lawfully put into execution, if it be despised. Such is, doubtless, the conduct which prudence, moderation, the love of peace and charity would commonly prescribe to nations. Who will deny this, and madly advance that sovereigns are allowed suddenly to have recourse to arms or only to break every treaty of alliance for the least subject of complaint? But the case here is about a right, and not about the steps that ought to be taken besides the principle upon which such a {contrary} decision is founded, is *absolutely unsupportable*,” &c. and he goes on to demonstrate this more at large. He quotes Grotius to show that the clause is sometimes inserted, “that a violation of some one of the articles shall not break the whole, in order that one of the parties should not get rid of the engagement on account of a small offence.”—*See Sec. 202.*

Now it would be mere cavilling to say, that Vattel allows of this appeal to arms only, where the party that has recourse to such measures is, in fact, injured: for the question recurs who is to judge of that? Each party judges for itself at its peril, and war alone can “arbitrate the event,” or if a peaceful course be preferred, the whole compact is at an end.

Shall I be told, in answer to this reasoning and the concurring opinions of all publicists of respectability, that Mr. Madison and Mr. Jefferson did not think so in '98? Sir, if they taught any other doctrine, I leave it those who have better understanding than mine, to explain what they meant. But if it be affirmed that the purport of their resolutions was, that by the inherent attribute of sovereignty, any single party to

the Federal Compact may interpose in order to prevent the execution of a law passed by the rest, and that the *others may not maintain their construction of the constitution*, either by coercing that single State into acquiescence, or shutting her out of the Union altogether, at their option, then I have no hesitation in declaring it, as my opinion, that they advanced a proposition, inconsistent with every principle of public law, without a shadow of foundation in the Constitution of the United States, and utterly repugnant to the common sense of mankind. And what, if they did advance such a paradox, so novel, so singular, so incomprehensible? Are the opinions of two men—however respectable and distinguished—speculative opinions, too, for neither Virginia nor Kentucky made a case by acting upon these notions—are the adventurous and speculative opinions of two individuals, conceived and put forth in a time of great excitement, to settle the public law of this country, every thing in our constitution, and our books, and our common sense to the contrary, notwithstanding? Why, sir, even under the feudal system—a scheme of organized anarchy, if I may use the expression—the most that an injured feudatory ever claimed, was the right to make war upon his lord, who denied him justice, without incurring the penalties of treason. But it was reserved for the nineteenth century to discover that great secret of international law and to deduce it, too, by abstract reasoning, upon the fitness of things—a right of war in one party out of twenty-four, whenever the mood prompts, or of doing what amounts to an act of war, accompanied by the duty of implicit acquiescence in all the rest! But the truth is, that neither Mr. Jefferson nor Mr. Madison had any such wild and chimerical conceits; as, I think, perfectly demonstrable from the very text cited, to maintain the opposite opinion.

I have had occasion, frequently, to examine this subject, and I speak with confidence upon it. And, assuredly, that confidence is not diminished by the emphatic declaration of Mr. Madison himself—by the contemporaneous exposition of the resolutions in the Virginia Assembly—by the disavowal of the doctrine by all the leading members of the democratic party, with Mr. Livingston at their head—and by the unfeigned surprise which the whole country, Virginia and Kentucky included, expressed upon the first propounding of this extraordinary proposition, in 1828. The Virginia resolutions talk of the right to interpose—do they say what is to ensue upon the exercise of that right? No, Sir, they thought that intelligible enough—they were asserting no more than what has been so expressively and pointedly designated as the “right to fight,” and they meant, if they meant anything, no more than a declaration of opinion, to back their declarations by 100,000 militia, as I understand the phrase of the day to have been. This is the plain English of the matter—and one ground of objection to the “Carolina doctrine,” as it has been called, (though I doubt, not very accurately,) is, that it is not in plain English—that the people may be led by a fatal deception, to do what they have never seriously contemplated, and what no people ought to do, without a solemn self-examination, and a deliberate view to consequences.

Sir, we have heard of “nursery tales of raw head and bloody bones.” I am sorry that such an expression escaped the lips of the distinguished person who uttered it, and I lament still more that he gave it to the world in print. I am sure when he comes to re-consider, he cannot

approve it—unless, indeed, he means to declare that the rest of the States are too cowardly or too feeble even to attempt to enforce their construction of the compact. This may be so, but for my part, I cannot consent to act upon such a calculation. If we do what we firmly believe it is our duty to do, let us make up our minds to meet all consequences. If there is any feature of the American Revolution more admirable than another, it is that our fathers had fully counted the costs before they took a single step. The leaders of the people were at great pains to inform them of the perils and privations which they were about to encounter. They put them upon their guard against precipitate determinations. They impressed it upon their minds that a period was at hand, which called for “patience and heroic martyrdom”—they had not as yet a country to save, or a government worth to be transmitted to posterity, or how much more anxious would their deliberations have been! The language of a great, popular leader at Boston, before the first overt act of resistance, has made a deep impression upon my mind, and deserves to be repeated here. “It is not the spirit that vapours within these walls, (said Mr Quincy) that must stand us instead. The exertions of this day will call forth events which will make a very different spirit necessary for our salvation. Look to the end. Whoever supposes that shouts and hosannas will terminate the trials of this day, entertains a childish fancy. We must be grossly ignorant of the importance and the value of the prize we are contending for—we must be equally ignorant of the power of those who are contending against us—we must be blind to that malice, inveteracy, and insatiable revenge which actuate our enemies, to hope we shall end this controversy, without the sharpest, sharpest conflicts—to flatter ourselves that popular resolves, popular harangues, popular acclamations and popular vapour, will vanquish our foes. Let us consider the issue. Let us weigh and consider before we advance to those measures which must bring on the most trying and terrible struggle this country ever saw.”

To this complexion it must come at last, and the only question now submitted to the people of South-Carolina, is—Are you ready to absolve yourselves from your allegiance to the Government of the United States, and to take and maintain your station, as a separate commonwealth among the nations of the earth?

I have confined myself, in the discussion of this subject, to a single point in one branch of it. I have said nothing about the extent of our grievances, so enormously exaggerated by the “Exposition.” Even in regard to the proposed remedy by Nullification, I have chosen to take up the question as it is presented by the warmest advocates of that doctrine—and I submit that I have made it plain, that even on *their own showing*, it is necessarily an act of war—a revolutionary measure. But in doing so, I have conceded a great deal too much—I have allowed them to treat our elaborate and peculiar polity, which we have been taught to regard as one of the master pieces of human invention—as if it were the coarsest and loosest of those occasional expedients to preserve peace among foreign powers, leagues, offensive and defensive. If their argument is wholly inconclusive, and indeed manifestly incongruous and absurd even in this point of view, what shall be said of it, when it is thoroughly and critically examined with reference to a true state of the case? Sir, I have no language to express my astonish-

ment, that such a doctrine should have found any countenance from the able and enlightened men who have given in their adhesion to it.

We have been taunted as *submissionists*—I am not afraid of a nickname—“’Tis the eye of childhood that fears a painted devil.” It would be easy—very, very easy to retort—but I prefer accepting our own denomination and putting my own interpretation upon it. I give you, Sir,

The Submission men of South-Carolina—

“They dare do all that may become a man,
Who dares do more, is none.”

Speech of James L. Petigru, Esq

By JAMES ADGER, Esq. one of the Vice-Presidents.

James L. Petigru—Enlightened—able—faithful—fearless. His country looks to him in the hour of need—and she will not be disappointed.

This toast was most cordially received.

Mr. PETIGRU rose and addressed the meeting in an eloquent, patriotic and fearless speech, and was frequently interrupted by the cheering enthusiasm of the company. The following is the speech:

Fellow Citizens—

I receive with deep sensibility this expression of your approbation, perfectly conscious that the sentiment is due not to any merit of mine, but to the cause in which I am devoutly engaged with so many better and abler men. In defence of the Union, Constitution and Liberties of the country, my fellow citizens may indeed count upon me to the full measure of all the aid that I can bring. I will be excused for saying a few words on the subjects connected with our party.

To love our country in the most extended acceptation of the word, and to honor her free institutions, was till very lately the character of every one aspiring to the praise of a good citizen. Those institutions are now the subjects of reproach and obloquy to that degree, that we are from certain quarters daily urged as a matter of duty to resist the laws of the Union.

And why should we resist? Because, it is said, that the Tariff of Protecting Duties is unconstitutional and ruinous to the South. These are grave charges; but we ought to be clear in our own minds that we proceed on sure grounds, before we take a step, by which we put at stake our honour and the peace and happiness of our country. That the Tariff of Protecting Duties ought never to have been passed—that it is contrary to the spirit of amity and mutual concession in which the Constitution was conceived, and in which the Government ought to be executed, I freely admit—that it is injurious to the South, I firmly believe; but, that it is unconstitutional, I wholly deny—and that it is ruinous in its operation on the South, is no more than a rhetorical flourish. In such an address, a very brief view is all that can be attempted.

Passing over the power of imposing duties, which is granted exclusively to Congress—though I never can concede that the enumerated objects of this power refer to any thing more than the purposes to which the revenue arising from these duties is to be applied—or that Congress

have no discretion to make a difference between the objects of taxation on account of the resulting and incidental effects of imposts in their operation on the country—I will place the question on the power to regulate commerce. This power is given exclusively and absolutely. Now, although we may justly condemn the mode and manner in which it has been done, all my dislike to the measure itself, all my unfeigned deference for the opinions of some who think differently, cannot shake me in declaring as my settled conviction, that the obnoxious laws are to all intents and purposes regulations of commerce; and such regulations too, as all commercial nations have invariably made. Let it be admitted that these regulations were made expressly with a view to their effect on manufactures. The resulting and incidental effect of such regulations, is within the discretion of Congress. The intent of commercial regulations is not to benefit the merchant only, but to consult the interests of all, and the lawgiver must take into consideration the resulting consequences as well as the direct effect of the law. Where there is discretion, it may, from the nature of things—it must be frequently, badly exercised; and in the late revenue laws, I firmly believe that it has been much abused. But take away the supposed inequality of these laws, in the unequal burthen imposed on the South, and the constitutional objection vanishes. Suppose the benefits of them to be equally felt in this and in every other State, and it is incredible that any man would believe they were not within the province of the General Government.

Then, admitting that the Tariff presses unequally on the States, and imposes a greater burthen on the South than on the rest of the country, will this prove it unconstitutional? Such a state of things is highly improper; but the constitutionality of a law cannot possibly be determined on this ground. We can draw no other line than the Constitution has drawn—that imposts shall be equal in all the States, and no preference given to the ports of one State over those of another. If from extrinsic causes some States pay more than others, or pay with less facility, it is a difficulty, in a great measure, inseparable from the nature of the thing; and a risk of which our forefathers were neither ignorant nor regardless when they entered into the Federal Compact. While we take the benefits of that compact, we must stand to its terms, and abide by it like men. I have great repugnance to the idea of construing a written instrument one way to-day, and another way to-morrow, as interest predominates. The construction, I maintain, is not now; it is the same that was placed on the instrument by those who made it, and was sanctioned again and again; and even recently, by the voice of South-Carolina. It is certainly an unpleasant thing, after giving a deliberate opinion in a matter, in which one either is, or thinks himself disinterested, to find that with the discovery of his interest, comes the discovery of new light, and a total change of opinion. Let us place our opposition on the true ground, on the excess and impolicy of the protecting duties, and abide by our bargain. When the evil becomes enormous, the remedy lies in the principle of self preservation, and the resort to revolutionary force.

But is the evil of that magnitude as to induce us to give up all the advantages of a stable Government—all the ennobling associations of our common history, and the endearing ties of blood, as the price of

relief from its pressure? On this point, I appeal with confidence to the transactions of America, native and adopted. They will not weigh their allegiance against dollars—nor calculate for how much money their country may be sold. The monstrous exaggerations of the State Rights and Free Trade Party, have been exposed to day by a master's hand. Our Orator has abolished the flimsy theory of Nullification, and poured a flood of light on the mysterious darkness that filled the land of the producers with baleful images of ruin and tyranny, and boundless exaction. I rely on the republican virtue of our countrymen. Stripped of the prejudice arising from the supposed unconstitutionality of the measure, notwithstanding all the exaggeration with which the subject has been surrounded, the amount of the protecting duties would never justify in their hearts, the contemplation of disunion and fratricidal discord. In this hope I shall rely, with the assurance that supported our countrymen in the darkest day of our history. But if the worst must come, if this Union, formed by the wisdom, and cemented by the blood of the Patriots of the Revolution, must be torn asunder, and its fragments given to the winds, my earnest prayer shall be, that before the fatal day that sees America a divided people, I may sleep in the silent grave, far from "the dissonance of that wild rout," that shall announce the triumph of misrule, and the downfall of my country's glory.

Mr. P being called on for a sentiment gave—

*The Constitution of the United States—*May it continue to the latest ages a monument of the truth, that Mankind are capable of self-government.

Speech of the Hon. Daniel Elliott Huger.

By Dr. JAMES MOULTREY, Jr. one of the Vice-Presidents:

*The Hon. Daniel Elliott Huger—*Honor to the man, and success to the principles of him, who seeks to save the State, and not to rule it.

In this toast the company recognized a compliment to one they knew to be highly deserving of it, and accordingly it was received with the warmest manifestations of their approbation.

Gen. HUGER, after acknowledging the compliment with which he had been honored, said—

It was not the less gratifying that I am obliged to attribute it to your partiality and not to any merits of my own. If, gentlemen, I am authorized to claim any merit, it is that in which you all participate; the merit of loving our Country—our whole country—that country which the fathers of American Liberty and Independence had won with united swords, and cemented into one people, with their united blood. It is the benefit of such an Union, we have been called upon to calculate. We, gentlemen, cannot calculate the benefits of *loving our country*—it must be left to such as are more cool, more dispassionate, more or less of men than we are, to apply the rules of Geometry to our love of country—nor am I disposed to sympathize, on this great national day, with such as are hunting out the lines which once divided British provinces, but now obliterated with the blood of our patriot fathers, in the hope of finding some flaw in the title of the American people to that Union, which the Father of our country had so emphatically recommended to us, as

essential to the existence of our Liberty and Independence. In the earlier days of the Revolution, these lines were more visible, as well as those nice distinctions between British power and American rights; but, as the Revolution advanced, these differences and distinctions faded, and at its close, when that proud banner (the American flag) waved over the heads of the conquerors of the conquerors of Europe, and more, conquerors over themselves, no other claim to Union, Liberty and Independence was pretended, than the *will of our fathers*, and their ability to enforce that will.

As yet, we have had no cause to resort to such distinctions, to sustain our rights, or defend the honor of South-Carolina. What the Constitution of our common country will not afford, the Declaration of Independence will. These are the muniments of our title to Liberty and Independence, and by these; and these alone, are we willing to be governed. To these our fathers subscribed; and by these we are in honor bound. These too, are the great charters of this great Confederated Republic. As long as we, all, North, South, East and West, resort to these common sources of our rights and faith, we shall be united and free; but if new lights are followed, if schismatics are encouraged, the unity of our faith must be destroyed, and all the confusion and evils which sectarian zeal and rage have produced in religion, will be experienced in our political concerns. We are now equal with all; but will continue so no longer than our great charter shall be preserved. It is not enough that we feel inconveniences, and are dissatisfied with the measures of Government, to authorize its destruction. With no Government can we be always satisfied, as long as we are free. When all are permitted *to think*, and to *act* as they think, differences of opinion and action must follow. For this, the first and best care, is a submission to a majority of the people. If this will not do, Republicanism is a cruel fallacy. If the minority cannot submit to a majority, by whom are they to be governed? Themselves? How? Still a majority must govern, or all *must be governed* by a Despot. There are evils, against which the wisdom of man cannot provide. We must meet them when they come. When this or any other Government shall so oppress the minority, as to render it insupportable, that minority must break off—but this will be an evil, come when it may. No people yet have ever changed their Government by virtue of their sovereignty, without great privations and sufferings. Let the Constitution be changed in the mode prescribed by the Constitution, and no civil war can follow; but to force a State from the Federal Union, must shake Society to its foundation—life, liberty and property must be put at hazard. This may become necessary; but has that necessity occurred? When it shall occur, Carolinians will not look to metaphysicians for their rule of conduct; they have a better in the Declaration of Independence.

Could I believe, with a much respected Representative of the State, that of our bales, we are robbed by forty's out of hundreds, to enrich the Northern Manufacturers, I too would be for "putting the State on her sovereignty." I love his boldness—he says what he thinks, and would do what he says. He thinks we are robbed, and should "at every hazard" defend our property. But has the robbery been proved? This is a question for the country; and if they are not adequate to the decision of this question, they should be despoiled of their Liberty.—

The people can and ought to decide this question; and if the robbery be found, my voice will be for war. As one of the people, I will never abandon my right to understand our statesmen. The only security for freedom is jealousy. Let the people be indifferent as to their rights, and they will soon have a guardian. There are always kind, generous, chivalrous men enough to carry on Government, and take good care of the people, without the smallest disposition to ask for advice, or explain their conduct. Sufficient proof has not been given of the robbery charged. I shall now endeavor to show that no robbery has been committed; and if I succeed in this, as I hope to do, my friend must be by my side.

That a tax on imported cotton goods, may lessen the price of cotton wool, is not denied: this effect, however, will only follow, when the tax lessens the consumption of the goods. If the price of goods be so much advanced by the tax, as to diminish the consumption, this must necessarily diminish the demand for cotton wool—and the price of cotton, like every thing else, must depend upon demand and supply. If the supply is the same, and the demand be lessened, the price of cotton wool will fall; and so if the demand be the same, and the supply be increased, the price must fall. If the consumption of cotton goods be diminished, and the price of cotton wool consequently falls, this fall will affect equally all the cottons in the general market. Liverpool is the general market of all cottons that compete with ours. A fall in the Liverpool market must affect, not only American cotton, but the cottons grown in Europe, the Indies, and South-America. Whatever injury, therefore, is done by this supposed reduction in consumption of cotton wool, must be divided between all the cottons in the general market. If the reduction in consumption be 10, 20 or 30 per cent. in America, where are consumed from 253 to 300,000 bales, the 10, 20 or 30 per cent. on these 300,000 bales, must be divided between all the cottons, the price of which is regulated by the Liverpool market, which is supposed to be from 1,760,000 to 2,000,000 bales. Our duty, therefore, can affect but slightly the price of American cottons. How much, Mr. Say is of opinion, it is difficult to decide, and I, therefore, shall not attempt to do so. I have said that the price of cotton wool cannot be affected but by a diminished consumption of cotton goods. I shall now attempt to show that so far from the consumption of cotton goods having been diminished since 1824, the date of the first objectionable Tariff, it has increased, probably, one-third. On reference to the reports of the Secretary of the Treasury, it will be seen, that no diminution has taken in the importation of cotton goods since 1824. At the nominal or money value of cotton goods, the average importations since 1824, are equal to the average importations before; but taken at their exchangeable or real value, the quantity of cotton goods imported since 1824, is greater than it was before. That is, as cotton goods sell much cheaper now, than before 1824, the quantity of cotton goods valued at \$8,000,000 now, is greater than the cotton goods valued at \$8,000,000 before 1824. If this statement be correct, the importation of cotton goods has not diminished, since the adoption of the present protective system.

But on reference to the speech of the distinguished statesman already alluded to, it will further appear that \$16,000,000 of cotton goods are now manufactured in the United States, which in conjunction with the

\$8,000,000 imported, makes the present consumption \$24,000,000.— The production of our manufactures has probably doubled since 1824. If so, the consumption then must have been \$8,000,000 imported, and \$8,000,000 manufactured at home, making in all \$16,000,000; the present consumption being 24,000,000, leaves an increased consumption of one-third, or \$8,000,000 in the last 6 years. This increased consumption is at least equal to the increased population of the United States. It does not appear then that the protective system, as far as we can follow it, has diminished the price of cotton. The price of cotton has been diminished by other and adequate causes. In the last few years we have nearly doubled our production; probably 450,000, have been added to our former production, and the increased production elsewhere has kept pace with ours. It is probable that 750,000 bales have been added in the last few years to the former supply in the Liverpool market; so great an increased production must have diminished the price of cotton wool. If the consumption had not also increased, the price have been still more diminished. The consumption has been increasing every where, and must be forever checking the effects of over production; the lower cotton is, the cheaper cotton goods become; the cheaper cotton goods become, the greater the consumption; the greater the consumption, the greater the demand for cotton; the greater the demand for cotton, the higher the price. This is the circle in which it must move, and if it be true that the consumption had been diminished by our protective system, and thus lowered the price of cotton in Liverpool for a moment, it would soon be met by increased consumption elsewhere, which would in turn raise the price of cotton wool. If we suffer no more from the protective system, than do the consumers, throughout the United States, can we, ought we, to complain of burthens imposed by the Representatives of all, upon all? It may be impolitic to encourage manufactures at the expense of the consumers, the great body of the people; but to the discretion of Congress as to every other legislature, much must be trusted; they may abuse the trust, so will others—the only security we can have, is the responsibility of the Representative to his constituents, and a common interest between them. Are we to enlist in a crusade against the people of the United States, for permitting their Representatives to conform to their wishes? or are we to submit to such laws as are common to all, and affecting all in like degree? I am disposed to leave Carolina where she is, the equal, not the superior of other States. When she shall be oppressed, when unequal burthens are imposed upon her, then, and not till then, let her be forced from the Union. It cannot be for the honor of South-Carolina, to claim for her more than an equal share in the Government; and if she sometimes suffers in common with the people of the other States, we must submit, or resort to the right of Revolution; one or the other is demanded by the honor of Carolina.

Honor of Carolina!! who now ministers at thy altar! Who is it that points to Carter's Mountain, when to Mount Vernon we ought to go? If this must be, then have the days of her chivalry gone by; then are we recreant to the glory of our Fathers.

Judge LEE being called upon by the meeting to address them, obeyed the call unexpected as it was. He began to say, that the call being made at a late hour, &c.

submitted some decursive observations, which he thinks it quite unnecessary to publish. In all that he may have said, he considers himself as completely forestalled by the able and eloquent Orator of the day, and by many of his distinguished friends who preceded him in their addresses to the meeting at the Dinner. What they said was, he thinks, so much better said by them than by himself, that he declines the publication of his speech.

Speech of Col. B. F. Hunt.

Col. B. F. HUNT having been called on, without premeditation, said—

Fellow-Citizens—I feel this to be the proudest day of my life. The friends of Union and State Rights have on this day, unawed by the denunciations of political adversaries, and with feelings high above the distractions of party discord, assembled to lay upon the altars of liberty the pure sacrifice of unfeigned thankfulness for those national blessings which the valor, and devotedness of our fathers, have secured by their toils, and hallowed by their blood. I have on this day seen the men of Charleston—the republican citizens of Carolina—without distinction of birth place, or the adventitious differences of rank or fortune, assembled together as a band of brothers, and bowing before that only throne, to which a freeman pays his homage, devoutly thanking God that we still continue a free, united, and prosperous people. In all this vast assembly, I see none, no, not one, who has ever “bent his knee before created man”—not one whose blood would leave his manly cheek amid the embattled hosts of his country’s foes. Yet the foul brand of “submission” has been attempted to be impressed upon such men. Does this assembly, these banners, our proud aspiration, savour of submission? Let not our adversaries calculate upon our submission. We know and appreciate the distinction between that obedience which is due to the Government of our choice, and what would ensue if the foundations of that Government were undermined, and all the securities of regulated liberty crushed under its ruins. All the licentious passions of the human breast, unrestrained, and kindled to very madness by deluded leaders, would leave to our people no alternative but to submit our lives, our homes, our altars, and our little ones, to the tender mercies of a heartless, irresponsible mob. We are resolved to submit to no tyrant, whether he be a crowned Emperor or a lawless demagogue. We now feel all that security for our rights which an established Government affords, and contrasted with any other people on earth, we know that the career of our beloved country has been one of unexampled prosperity—and we know, too, that we owe all to that proud submission to the Laws and Constitution of the Republic, without which every free Government is powerless, and inadequate to its ends.

We know that our Federal Government, like every human Government, is liable to be badly administered; and when its evils overbalance its benefits, we are prepared to encounter all the vicissitudes of revolution, still to be free. Experience, however, teaches us to beware how we hastily throw off a Government which has been fruitful of so many blessings, to listen warily to those, who would excite our jealousy against a friend that has stuck to us closer than a brother in the hour of our utmost need. The Constitution of the United States is wholly unlike treaties between independent sovereign nations. It is a frame of

government, and it acts not on the sovereign bodies of the States, but upon the people of the United States. A treaty or compact between sovereign nations may be abrogated, and it still leaves each with its form of Government entire—its executive, its naval, military and diplomatic establishments in perfect organization, according to the ancient Constitutions of the respective countries, and recognized in the list of nations. Not so the United States of America. Their ancient General Government was the Monarchy of Britain, and once loose the bands of the Constitution, and twenty-four new nations must be organized. All history warns us of the blood and misery which it would cost. And for what cause are we urged to the fearful experiment—certain abstract theories, insisted upon by enthusiastic speculators, whose title to implicit confidence rests upon the facility with which they can “change sides and argue still.”

We do not believe that the duties are paid by any but the consumer of the articles on which they are imposed. We know, that if incidentally high duties are injurious to free trade, and we admit the fact, they have been adopted upon the very principle of latitudinarian construction, which owe their success to those politicians who now so strenuously inveigh against them. We know that the Tariff has not affected any one quarter of the Union exclusively; and that it was forced upon those who are now calumniated for its existence. Yet we will never cease, light as its evils are, compared with the distractions and miseries of a revolution, to struggle to bring back our National Legislation to the safe, simple and democratic rules of the old Republican school. We trust to the virtue of that people, which has hitherto been found capable of appreciating the value of our Union, without our aid of transatlantic arithmetic, and we shall not misplace our confidence; we will trust our whole country.

The enjoyments, the recollections and the hopes which this day brings with it, we owe to the united sacrifices and the combined valor of the patriots of the Revolution, from every section of our extended Republic. On this day we bear in our banners the emblems and the names of all that was profound in council—brave and heroic in the field in “those days which tried men’s souls.” Nor are the achievements of the second war of Independence forgotten. We see the Oak of New-England, the Palmetto of Carolina, and the Hickory of New-Orleans, interwoven in that bright wreath which binds together the North, the South, and the West—long, long may they flourish in unfading verdure, affording to the aged patriot the cheering emblems of the great results of all his toils and sacrifices, and impressing on our generous youth the deep sense of gratitude which they owe to those sires, who, under God, have secured for them such a rich inheritance.

Fellow-Citizens—Long may the services, the feelings and the resolves which we have this day performed, and experienced, and made, be preserved in our memories. They will enlighten our understandings justly to value, and strengthen our hearts firmly to support the Laws and Constitution, and hand down, unimpaired, to our children, the inestimable blessings of Regulated Liberty.

Being called on for a sentiment, he gave

Fort Moultrie, the glorious conquer of Bunker Hill.—The unconcerted and almost simultaneous offerings of the North and the South in the great cause of National Independence.

Speech of R. Yeaton, Jun. Esq.

R. YEADON, Junr. Esq. having been called on to address the meeting, said--

That he had observed with regret, strong indications that we were about to split on the very rock against which the immortal Washington, in his parting admonition, had prophetically warned us. That geographical distinctions were now the watchwords of parties, distracting our once peaceful country and causing our Union to totter on its base. That the South seemed now prepared to put on its armour against the North, and the East might soon be ready to hurl its thunderbolts against the West. That feelings so dangerous to the harmony of our Union and the durability of our institutions, were to be seriously deprecated, and a more generous and enlarged patriotism ought to animate the bosom of every American. He said that he had observed with equal pain, that it had become the familiar custom of those who arrogated to themselves, exclusively, the principles and feelings of Carolinians, to heap opprobrium upon the name of Yankee; and that our youth were even taught to hiss it with execrations. That it was strange indeed, that while in Europe, the name of Yankee is identified with every thing great in action and sublime in liberty, here it should be the subject of contumely and reproach. That the people of the South should remember that those who unfurled the virgin flag of liberty, and fought her first battles at Lexington and Bunker Hill, were the inheritors of a common glory with those who achieved her victories at the Cowpens and the Eutaw. He added, that in language partly borrowed from the beautiful anthem composed by a minister of the gospel for this day's celebration of the holy festival of Union, those who inhabit the "fair plains" of the South--those who dwell in the "central mountain" region--those who people New-England's rock-girt strand--and those who roam "the prairied West"--are all one people--and let them come from what quarter of the Union they may, when once they touch the sacred and hospitable soil of South-Carolina, they should be hailed and welcomed as *brothers*. He concluded by saying, that as appropriate to these remarks and to the occasion which had brought so great and patriotic a concourse together, he would offer the following sentiment--

Our Country--Our Whole Country.--Not circumscribed within the narrow confines of a single State--but co-extensive with the broad expanse of our glorious confederacy.

A call having been made for the editor of the *Gazette*, W. GILMORE SIMMS, Esq. rose, and, after observing to the assembly, that enough of prose having been already spoken, he should take leave, with the aid of the muse of patriotism, to offer them some little verse--he delivered the National Ode which follows:

OUR UNION--A NATIONAL ODE.

I.

"Breathes there a man with soul so dead,
Who never to himself hath said,
This is my own, my native land"--[SCOTT.
Who, gazing on each valley round,
Exults not in that daring band,
Which made it--consecrated ground!

Who, drinking in the generous air
 That feeds the freeborn spirit here,—
 Climbing the mighty rocks that gird
 The rich profusion of our soil,
 Fruits, flowers, that spring but a word—
 Delights not in that hardy toil,
 Which, in defiance, stern and dread,
 Of wanton steel and felon tree,
 Unfearing fought, and bravely bled,
 To break its chains, and make it free!

II.

Beneath whose heaven-directed stroke,
 Pour'd forth, in streams, the fetter'd rock,
 While gathering nations came to bless,
 As freely of its waves they drank,
 The waters of the wilderness!
 Though many a spirit died to gain,
 That land of promise, seen afar—
 And, worn with fell fatigue, that rank,
 Unburied on the desert plain,
 Still, God and nature press'd the war—
 And where they perished—in their place,
 With treble strength, and spirit turn'd
 To the same state, for which they burn'd,
 And died—sprung up a mightier race—
 With eyes, whose wide, unblenching glance,
 Far, from the moral Pisgah, saw
 The land, in whose deliverance,
 They drew the sword, and brought the law.

III.

Not in the vain pursuit of power,
 The conquest of some fleeting hour,
 They marshall'd forth in might—
 No idle foray for revenge,
 No lust of rule, no love of change,
 Impell'd them to the fight.
 They came—as comes the ocean wave,
 When gather'd navies find a grave,
 And fiercely-mounting billows rave,
 While humbled man grows dumb—
 They sought the fight—as in the skies,
 The lightnings flash, the tempests rise,
 And rolls heaven's thunder-drum.
 Not theirs, the panoplied array,
 The skill of Europe's better day—
 With sling and stone they stood;—
 And well heaven's blessing prosper'd those,
 That hour, who fought 'gainst Nature's foes,
 And cheered their hearts, and nerved their blows.
 While Lexington run blood,

IV.

There Freedom drew her battle blade—
 There blazed her living beams, which made
 Amidst the darkness gathering round,
 Her stars, resplendent, shine through all,
 In glory, o'er that battle ground.
 Whilst chafing at his fearful all,
 Robed in his dark funereal pall,
 The tyrant howl'd in shame;—
 A thousand lights are kindling fast,
 And, at the wildest of the blast.
 The crescent orb, that deign'd to smile,
 Gave light unto the deadly aim,
 That hurl'd its fierce and fatal flame,
 In triumph, from our Mother's Isle!
 Nor there alone—our country yields
 A thousand well-contested fields.
 Where Freedom, in her mood,
 From Cowpens, to the Hanging Rock,
 At every nameless acre, took
 Large toll of traitor blood.
 Still, in her youth—protracted long,
 The war, against repeated wrong;
 Each spot of land, in time, became
 A theme for Freedom's choral song,
 A monument of Britain's shame.

V.

Whence came that band, the brave, select,
 The shores of Freedom to protect,
 Or, clothe her streams in blood?—
 What prurient soil of olden time,
 Whose deeds are chronicled in crime,
 Pour'd forth the generous flood?
 Meet for that virgin land, they came
 Obedient to her matron claim,
 When Liberty awoke—
 When, sickening at old Europe's guilt,
 The chains she wore, the blood she spilt,
 She bared her falchion to the hilt,
 And dared the deadly stroke.
 Her signal banner waved in air,
 And, from all climes, the brave repair,
 Rich in the heritage of thought—
 Far, in our western forests deep,
 Their shrines to build, their faith to keep,
 And, as their fathers' taught—
 Free, as their native winds to own
 No foreign potentate or throne—
 To scorn among all other things,
 That fain would clip the spirit's wings
 That dogma of the slave—

Who, in the "right divine of Kings,"
Digs his own vellein gravel

VI.

No isolated spot sent forth,
That argosie of human worth,
That, to thy well-found land,
Old Génoese! the treasure brought,
Of noble soul and giant thought,
And firm, unyielding brand.
Spirits, with freedom's self impress'd,
And, by her pray'r and presence, bless'd,
Could neither be enslaved nor bought—
Whom no example could mislead,
To wrongful just, or shameful deed—
No rank enticement win astray,
From truth and reason's better way—
No Capuan luxury beguile,
Though rough the path they else pursue,
By license sweet, and harlot-smile,
From the all-glorious goal in view.

VII.

What boots it now, though lofty stands,
Among Earth's high and living lands,
The country of our pride,
To tell each tale of triumph o'er—
The fields we fought, the blows we bore,
And how the gallant died!
The world shall be their chronicle—
And myriads, yet unborn, shall tell,
How, in the western sky,
Our banner of bright stars, became
A cheering ray, a guiding flate,
For Europe's chivalry!
The gallant Pole—Heaven bless his cause!
The victim of unequal laws,
To do it honor, bled—
Our Southern bulwarks, still retain,
The rich, and yet impurpled stain,
The brave Pulaski shed—
Oh, let it not be shed in vain!
Then came the high-soul'd brave of France.
And Erin's generous sons advance,
And England's cavalier—
And, in the choice of every land,
Thus gather'd in one sacred band,
We see and honor God's own hand,
And who shall then despair!
Though dark the night, our planets shine—
A DRAYTON leads th' embattled line,
Our banner, bears HUGER—

And, cheering all our dauntless crew,
 Comes the frank-hearted PETIGRU,
 The talented LEGARE.

Well may the Tyrant, in his sway,
 Dread to behold the approaching day,
 When, gem by gem, thus torn away,
 His coronet is bare---

When Valor breaks his sword in twain,
 When Genius flies his despot train,
 And casting off their spirits chain,
 They seek for freedom here.

A glorious hope for every clime,
 Unfolded in the march of time,
 When man their might shall know---

When Portugal and Spain, alike,
 Shall lift their thousand hands, and strike,
 And freedom, have no foe!

VIII.

Our conquest made---let him, who looks
 This day upon its glories wide;

To whom, its vallies, cities, brooks,
 Are sources of an honest pride---

Who sees its waters stretch afar,
 Their swollen billows, where the West,

Peers forth, beneath a kindred star,
 With giant form and golden crest---

Who, glancing o'er th' extended whole,
 Surveys its mighty rivers roll,

In vallies of the sun;---

With spirit, large enough to scan,
 The triumphs of his fellow man,

And own them, every one---

All glories of that rule, which makes,
 The nations near, the world around,

Impatient, of each step it takes,

And heedful of its every bound:---

Who sees our flag's extended folds,

Sweep proudly in the eastern air,
 Among the Pirate's crescent holds,

A thing of more than mortal fear---

Nor, to such humble sway, confined,

Who views it, out on ocean, spread,
 Stream; like a meteor to the wind,

That freemen love and tyrants dread---

Let him, whose eye, not wholly blind,

Survey these triumphs---let him hear,

The voice of myriads, far and near,

Forever, in his listening ear,

In honor of his land---

And longing for the approaching hour,

When they too, shall assert the pow'r,

And, for themselves—for nature—stand,
 United, like ourselves—awake,
 The race to run, the prize to take,
 Despight the tyrant's ban—
 Let him, who sees all this—the fruit,
 From our proud Union's glorious root,—
 The offspring of whatever state,—
 Let him come forth, and calculate
 Its value—if he can!

Speech of the Hon. John Harleston Read.

Mr. SMITH offered the following sentiment:.

The Hon. John Harleston Read, the Senator from Prince George, Winysw.—
 He has borne the brunt of persecution, may he reap the reward of perseverance.

Upon the delivery of which, Mr. READ rose and spoke in language nearly as follows:

Fellow-Citizens—I should be wanting in candor, did I not acknowledge my high sense of obligation for the friendly notice taken of me in the toast which has just been given. This unexpected attention meets me unprepared to respond to it in a manner that would be satisfactory, either to you or to myself. Yet I cannot but feel deeply sensible to the sympathies you offer me, under the trying circumstances to which allusion has been made. It adds another consolation to that of being conscious that I have suffered in a just cause, and in the vindication of those principles which I am proud to profess. But, as these are matters which interest another District, I will not occupy your attention with them, further than to assure you, that I rely with confidence upon those good feelings which have always characterized the constituents whom I have the honor to represent, and which they are ready to evince in behalf of those who have suffered in their service.

The subjects which the present situation of our State, in relation to the General Government, forcibly suggests to the consideration of every true lover of his country, have been so ably and amply dilated upon, by those distinguished Statesmen who have already addressed you this day, as to leave me nothing further with which to engage your attention.

I will, therefore, only say, on the present occasion, that while I am opposed to a law so partial in its operation, (in this land of equal rights) as is the present 'Tariff' Law for the protection of Domestic Manufactures—while I cannot but regard such a law as conferring privileges upon the North, in which we of the South cannot, from the nature of things, participate; while I regard that law as injuriously affecting our commerce, and consequently, also our agricultural products; yet, I cannot approve of the remedy prescribed by our political opponents. I cannot hold to the monstrous doctrine that any single State has the right under the Constitution, to put her veto upon a law of the General Government, passed under all the prescribed forms, and yet remain a member of the Federal Union;—that one of a confederacy of twenty-four States, can by her sole voice check the action of the Government, and

stay its arm in the vital operation of collecting its revenues. This doctrine seems to me to lead to consequences, which threaten anarchy and misrule—it puts the State in direct opposition to those constituted authorities which are sworn to enforce the laws, and sets at defiance the very powers which were appointed to settle differences. To such a doctrine it is impossible for me to assent—nay, I feel bound utterly to reprobate a scheme, which (unless arrested by the intelligence and patriotism of the people of this State,) will bring ruin upon our happy institutions; for I see in it the rising tempest which threatens to overthrow the altar consecrated to Liberty and Union by the immortal WASHINGTON himself.

In conclusion, I offer you the following sentiment, which touches that subject which is nearest our hearts at the present time:

The American Constitution—The Ark of our National Covenant; it will be preserved by the combined exertions of the Union and State Rights Party throughout the State, from the profane influence of delusion and of faction.

Speech of Abraham Moise, Esq.

ABRAHAM MOISE, Esq. having been called upon to address the meeting, rose and said—

Being requested, Mr. Chairman, unexpectedly and without notice to address my fellow-citizens, I propose, with your leave, to offer a few brief remarks.

Previous to this Festival, one of the journals of the city anticipated great and alarming excitement from such an assemblage. It was said that the consequences might be dreadful to relate—father would be set against son, and brother against brother, even unto blood; for such was the meaning of the dark-forebodings, if any meaning could be attached to them. Thank God, Sir, the period has arrived, and no such dreadful consequences have ensued. I see around me an overwhelming band of brothers, sacredly attached to the Union; and determined to maintain it at all hazards. The bone and sinew of the country constitute this great party. Sir, it is animating in the highest degree, to witness the old and the young—citizens from all parts of the community—from all sects and denominations, assembling around the altars of their common country, to preserve by all virtuous means, the institutions of that country; and if ever there was a period when it was expedient and necessary that every good citizen should join in the performance of a duty so solemn and important, that period has arrived, it is a duty consecrated by the love we bear our country; by the blood and treasure that country has lost us and our forefathers, for more than half a century. In what bold relief stands all this to the condition of *France*, the distractions in *England*, and the waste of life and the pouring out of blood in *Poland*. If this be excitement, as an American citizen I glory in such excitement—as a native Carolinian I rejoice to behold it—it is a wholesome excitement, it serves to purify our political atmosphere—it is an excitement worthy of those engaged in it, worthy of the great occasion, worthy the effort to maintain regulated liberty, and put it beyond the reach of those who would innocently or wickedly impair the smallest part of it.

Sir, this is no ordinary struggle—it is a contest in which all we have to boast of is concerned, and indeed all that the world has to boast of—our bright example to suffering humanity, our invaluable institutions, it may be our homes and our firesides. The value of our Union can only be known by the benefits it has conferred: It has furnished an asylum to all nations; to every inhabitant of the world—whether he be an Englishman, an Irishman, or a follower of Moses, the moment he sets his foot upon these shores, he is free as the freest, lofty as the loftiest; when he lifts his voice and claims the title of American citizen, he is inferior in civil and political rights, to no being in the *habitable globe*.

And shall we yield up all these invaluable blessings upon a mere experiment, for a doubtful evil? Are we quite sure that while we lay the axe at the root of one evil, we are not opening an avenue to greater evils—a new form of government may, perhaps, bring upon us oppressions and errors in legislation, far greater than those we suffer; for if we are to draw our lessons from history, we shall not always find that the successful party are most competent for self-government, or that the conqueror is the most generous of enemies.

But, Sir, if I mistake not very much the temper of the times and the indignation of our citizens, the true cause of much of the excitement now pervading our city, may be traced to a matter differing very widely from this festival. Sir, much has been said of oppression—of imposition—of the abuse of power. Has not the Speaker of the House of Representatives refused to the people their writ of election? Have they not asked for it and been refused? Have they not demanded it, and has not their demand been treated with contempt and scorn? And shall the organs of the *Mercury* party complain of excitement, with this palpable and unquestionable act of oppression, imposition and abuse of power fastened upon them? Sir, it cannot, it will not be denied that many of our citizens, equally distinguished for private worth and public duty, will be deprived of the privilege of voting, by a scheme of party management and *manœuvring*—can oppression be greater than this to those who value this great privilege, and whose only crime it has been, that they opened not their eyes South of the Potomac, or that a Southern sun burned not on their heads. Sir, I will dwell no longer on a subject so painful to those who love justice, and who, I persuade myself, would equally dispense it to all classes and conditions. Nor will I offer any comment upon other topics already so ably and eloquently disposed of. Let the advocates of Nullification only read and honestly digest the sentiments of WASHINGTON, and all their visionary schemes must vanish like mists before the sun.

Permit me to offer you a sentiment:

General Jackson and the Disunionists—General Washington and the Whiskey Insurrection.

Speech of Major Paul S. H. Lee.

Major PAUL S. H. LEE, being called on for an expression of his sentiments, rose and observed:

Gentlemen:—I have been called on for an expression of my sentiments. I am unaccustomed to public speaking, and unprepared. But

On an occasion like this, when we are assembled to celebrate the birthday of our country, and particularly to show our devoted attachment to the Union of these States, I will obey the call.

I sincerely believe that the measures of the opposition party, however pure their motives, have a direct tendency to destroy the Union of these States. We were told about twelve months ago, by a leading member of that party, to "tremble not at Disunion." However high and respectable the source from which this expression emanated, in my humble opinion there is not a word in our whole vocabulary that should make an American citizen tremble, if it is not that word Disunion.

"Tremble not at Disunion?" Shall we see that noble edifice which has been the pride of our country, and the admiration of the world, torn to the ground, crushing in its fall so many votaries at the shrine of Liberty, and we remain unmoved spectators?

"Tremble not at Disunion?" Shall we see the torch of civil discord lighted, and our land fertilized with the blood of its citizens, shed by a son's, a father's, or brother's hand, and our own not become palsied?

"Tremble not at Disunion?" Is there a curse under Heaven, that could more effectually blight our happy land, destroy our fairest prospects, and convert this blooming Eden into a howling wilderness, than the besom of destruction—Disunion.

"Tremble not at Disunion?" The nations of the earth who are now struggling for freedom, would tremble, if that beautiful constellation which is lighting them to the blessings of Civil and Religious Liberty, were extinguished.

"Tremble not at Disunion?" The Goddess of Liberty, who had left the glaciers of Switzerland, the last abode of freedom, and was returning to her native skies, but beholding the struggles and devoted patriotism of the heroes of our revolution, descended on our happy land, would tremble at the Disunion of those States, and wing her flight from the world forever. Gentlemen, our fathers, to achieve the glorious work of American Independence, pledged their lives, their fortunes, and their sacred honor. Shall we hesitate, in order to perpetuate the work of their hands, to give a pledge less solemn? No! I, therefore, with the fullest confidence give you

The Union of the States—We will protect it with our lives, our fortunes, and our sacred honor

Letter from Gen. Blair.

RED OAK CAMP, JUNE 15, 1831.

SAMUEL H. DICKSON,
J. HARLESTON READ,
E. P. STARR, } *Committee of Invitation.*

Gentlemen—I thank you for the polite invitation to dine with you and your fellow-citizens of the "Union and State Rights Party," in Charleston, on the approaching 4th of July, and regret that the delicate and precarious health of my family, the hazard of so long a ride through the low country at this time of year, and a variety of other circumstances, will prevent my attendance. However, if my presence were of any importance, my absence will be compensated, no doubt, by a brief disclosure of my political views.

You obligingly express a belief "that a community of sentiment in relation to the great political questions which now agitate our beloved State, and a common feeling of devoted attachment to our country, unite us closely together." Of this you can judge more correctly when I present you a synopsis of my opinions, in relation to the topics which now agitate the public mind.

I view a "Protecting Tariff," as not only unconstitutional, but highly injurious to our best interests. Indeed, I am willing to regard it in as bad a light as the most violent "Nullifier" can place it; yet it is not a whit worse than the "National System of Internal Improvement." If it is possible for me to dislike one branch of the American System more than the other, I bear, a greater hatred to "Internal Improvement" than I do to the "Tariff"—but I regard the two as one. Indeed, a distinguished individual of our State, who claimed to be "the Father of Internal Improvement," not many years ago, coupled it with the Tariff, and advocated both with the utmost zeal, as the "*true policy of the Country*." To prove the alliance between the "Tariff" and "Internal Improvement," would be superfluous. They are as inseparably connected as "*the Siamese Twins*." I am, therefore, surprised that while some of our ablest orators are pouring out such volleys of invective upon "*the Tariff*," they have not one word to say about "*Internal Improvement*"---while they darken our vision by the flight of their arrows against the former, they throw not a single shaft at the latter. They would move heaven and earth, and hazard the integrity of the Union to suppress "*the Tariff*"---while they seem to regard "*Internal Improvement*" as a harmless thing!!! Every one must draw his own inference; but it seems to me if I was not deeply committed in favour of the one, I could not confine my raillery exclusively to the other branch of the "American System."

To this system, I take it for granted, we are all opposed, and that our most anxious inquiry is, *how and when* shall we resist it? Is "Nullification" the proper remedy? It seems to me a political axiom, that whilst South-Carolina remains a member of the Federal family, she must refer every controversy between herself and the General Government to the adjudication of the Supreme Federal Court. When she objects to the intervention of that tribunal, provided by the Federal Compact---decides the question for herself; declares this or that law of Congress inoperative within her limits, and endeavours to carry her views into operation, it is, virtually a resumption of all her former sovereignty; and she is "*ipso facto*," out of the Union---at least, she may be so considered, and so treated by the Federal Government. But if South-Carolina should undertake to arrest the operations of a Law of Congress, without a formal act of secession, the Government has the option of another process, and one that will probably be resorted to. It would have the right to say to South-Carolina---"You seem to have forgotten that our Government was founded in the spirit of compromise and concession. You must remember that every law cannot be made to suit your particular interest; and you must bear in mind, that while you remain under my protection, and avail yourself of the benefit of such laws as you deem advantageous and constitutional, you must submit to those that are inconvenient, and which you may even think unconstitutional, or refer the disputed law to the decision of the constituted tribunal. Should

that tribunal decide against you, and you refuse to acquiesce, I must use all the power vested in me by the Constitution, to enforce obedience." And it does appear to me that, under such circumstances, the President of the United States would be bound by his oath, and by every consideration of official duty, to carry the law into full operation, be the consequences what they may.

While, therefore, South-Carolina remains in the Union, I can imagine no mode of procedure by which she can defeat the Tariff Laws, without bringing her militia in conflict with the troops of the General Government. But suppose we could, by any civil process, enable our merchants to evade the payment of the duties—what measure would then be resorted to by the General Government? It would either require the duties to be promptly paid in cash; and establish a sufficient military force in our seaports to ensure their collections; or our harbors would be blockaded by a detachment from the Federal Navy, prohibiting entirely the import of foreign goods, or the export of our produce. What then would be our remedy? Either unconditional and disgraceful submission, or a foreign alliance. And I doubt whether Great Britain or any other European nation would think the commerce and friendship of South-Carolina of sufficient importance, under such circumstances, to induce them to encounter the hazard and expense of such relations.

Thus I have tested the doctrine of "Nullification," by what I think would be some of its natural and unavoidable operations; and I am bound, therefore, to reject it as impracticable and dangerous, and must discard it as an absurdity.

But those of us who object to "Nullification," are asked by the "Nullifiers," with an air of triumph—"What remedy do you propose?"

Were I an absolute Federalist of the "National Republican School," ready to "sacrifice the substance to the shadow," to permit the vital interests of my country to be destroyed under the forms of the Constitution, while the spirit of that instrument was disregarded, I might deem it a sufficient answer to refer to the provisions of the Federal Compact; and in ordinary cases this would be the correct reply—but in a case like the present, supposed to involve an ultimate extremity similar to that of *life and death*; I would be guilty of no such *mockery*. I should say, that when the Public Debt is paid; and all pretext for a high Tariff thereby destroyed, should "the American System" still be adhered to with stubbornness—should the "Tariff" still be regarded as absolutely intolerable, and all hopes of relief from Congress be entirely annihilated, we should then redress our wrongs in our own way. How would that be? Let all the Anti-Tariff States, or at least the Atlantic portion of them, South of the Potomac, make common cause; as they have a common interest, they should be actuated by the same political impulse and feeling. Let, therefore, Virginia, North and South-Carolina, Georgia, Mississippi, Alabama, and as many of the adjacent States as choose to join us, assemble, in convention, if you please, and, acting in concert, present to the Federal Government the alternative of receding from its unjust and oppressive legislation, or submission to our separation from the Confederacy. I am fully aware of the hazard of such a proceeding. Should Congress adhere to its iniquitous policy, and we are driven to the necessity of pursuing the last and worse branch of the

alternative, it is easy to imagine many dangers, difficulties, and expenses we should have to encounter. In such event, I can readily conceive the necessity we should be under of keeping up a large Navy to protect our commerce, a formidable chain of military posts to protect our inland frontier, together with a powerful standing Army, to repel invasion, and suppress insurrection. It is also obvious, our Liberty would be endangered by such powerful armaments, nor can I hide from my mental vision the certainty, that even in this little Republic, a rivalry of interest, and a struggle for political predominance would soon arise, that would shake our newly formed Government to its centre. I say, therefore, the experiment will be dangerous, and is only to be resorted to in the last extremity. Yet I would resort to it rather than we should become the mere stewards and overseers of Northern Monopolists and Manufacturers, and entail slavery upon our posterity. But for South-Carolina, divided within herself, to attempt such an enterprize, not only without the aid or co-operation of any of her adjoining Sister States, but under the rebukes of all, would be madness and folly in the extreme.—It would, indeed, be a species of political insanity, that could only be exceeded by the absurd idea of a single State arresting the laws and operations of the General Government with impunity, and still remaining a member of the Federal family.

But, after all, may we not ask who were the authors of this infamous "American System?" and who they are that have mounted "the rider on the pale horse?" that bringeth in his train all the ills of prophecy.

I am unwilling to wound the feelings of individuals by a minute enquiry, as to who are most culpable; or were the most efficient advocates and zealous agents in fixing this ruinous policy upon us. Fortunately, no such enquiry is necessary: It is universally known, and 'tis as strange as true, that the leaders of that party, called the "Nullifiers"—of that party who have stolen from us the appellation of "State Rights," and have modestly arrogated to themselves, all the courage and patriotism of the South—yes, the very men who now wish South-Carolina, single handed and alone, to run a premature, dangerous, desperate tilt with the Federal Government, on account of its oppressive legislation, are the self same men who have done more than any others to bring those evils upon us. They have introduced the robbers into the house; and, because we object to the instant burning of the building, we are charged with all the plunder committed—Satan like, they would first seduce, and then mock us—they involve us in a ruinous and dangerous dilemma, then point out what they call a mode of escape, but which we consider certain destruction; and when we refuse to pursue their mad and hopeless scheme, they denounce us as fools, cowards, and traitors. Great God, how much longer are the People to be thus gulled and deluded!!!

But perhaps you are desirous of knowing, whether I have any hope the alternative to which I have alluded, will not be forced upon us. I have no hesitation in saying, even at the hazard of a sneer, I do entertain such a hope.

It seemed to be conceded, on all sides that the duty on Sugar, as well as several other items of the Tariff, would have been reduced or repealed if there had been time, at the last Session, to obtain the final action of Congress on those propositions. But the Session being

limited to the 4th of March, and much of its scanty time unavoidably taken up by the trial of Judge PECK, no proposition of that kind could be definitely acted upon. Beside we had still in Congress the same old materials that constituted it the twelve months before; and, therefore, not much was to be expected from them more than had been done at the preceding Session. In the next Congress I trust the case will be somewhat different: several changes have already been made for the better in the representation of some of the States, as you are no doubt aware. In addition to this, it is the opinion of older and more experienced members than myself, that "the monster" is staggering with its deformity, and tottering under the weight of its own iniquity. They speak of the downfall of the system with absolute certainty—and say that its final overthrow cannot be postponed much, if any, beyond the payment of the Public Debt. The friends of the system, *themselves*, look to the extinction of the National debt as the grand crisis of their favourite policy—they look to it "with fear and trembling"—and with a view to keep off their evil day as long as possible, they vote for every appropriation of the public money, no matter how large—regardless of the object, or from whence the application.

I have thus briefly presented you some of the reasons on which my expectations of a change for the better is founded. I have done it frankly—and have addressed you throughout in a spirit of candour—not only because I regard equivocation, on these subjects, *unarrantable*, if not *criminal*—but because I consider you my political friends. I would not thus descant upon these topics were you an assembly of "Nullifiers"—were I to hold out hopes and favourable expectations, concerning the "Tariff," to that class of politicians, and my predictions (as they would call them) should not be promptly and literally fulfilled by Congress, the nullifying gentry would be disposed to "nullify" me for the disappointment. They would be ready to visit upon me all the penalties due to the original sins of their own favourite politicians. Therefore, although I neither *make* nor *regard* threats, I do not wish to be understood as promising or predicting what the future operations of Congress may be upon the "Tariff." The State, which I in part represent, is composed of reading and intelligent freemen, as capable of judging for themselves as I am—and I wish all my fellow-citizens, and especially the "Nullifiers," to make their own calculations of "the prospect before us."

About President JACKSON, and the prospect of his re-election, I have but little to say—I consider that event to be as *certain* as it is *indispensable* to the welfare of our common country. Some blame him for doing *too little* to overthrow the "American System," others blame him for doing *too much* in that way; perhaps the best evidence of his honesty and patriotism is, that he is a little blamed by all parties. All know, whatever they may say to the contrary, that Gen. Jackson will do what he believes to be right—and no man is blessed with a more infallible judgment, or a more fearless spirit. The great body of the American people know this, and they know besides, that no other man, under existing circumstances, could hold this confederacy together five years longer. They are aware that the crisis demands the re-election of Andrew Jackson, as President of the United States—and they will be "faithful to themselves and to him." Let no one suppose me desi-

ious of flattering Gen. Jackson—character and disposition apart, I have no motive for such sycophancy. To say nothing of my want of qualifications, I do not wish, nor am I in a situation to accept, any office in the gift of the President, neither would I beg office at his hands for my best friend. I wish, indeed, the Constitution prohibited every member of Congress from taking any appointment under the Federal Government. It is a slander on the American people to say, that competent men cannot always be found, except among their Representatives. A Representative of the people should have no motive to court the smiles or dread the frowns of any but his constituents.

Pardon me for troubling you with such a long letter, and allow me to conclude by proposing to your meeting the following sentiment:

Gen. Jackson and the People of Carolina—They cannot be divided while he continues honest and they remain free.

Very respectfully, your obedient humble servant,
JAMES BLAIR.

After reading the above, the following Toast was offered:

By Col. Steedman. *General James Blair*—A man of the people—a firm and consistent advocate of their rights and interests; he has this day portrayed the true connexion between the Union and his native State.

Letter from the Hon. R. J. Manning, late Governor of this State.

FULTON POST OFFICE, JUNE 30.

SAMUEL H. DICKSON, }
 J. HARLESTON READ, } *Committee of Invitation.*
 E. P. STARR, }

Gentlemen—You have kindly invited me in the name of the Union and State Rights Party, to partake of a public dinner, and to join in the celebration of American Independence, in the City of Charleston, on the approaching 4th of July. Accept my thanks for the respectful remembrance of me on the occasion, and be pleased to convey them to those whose organ you are, with my regret that the season of the year, and the sufferings of a sick family forbid me to attend.

In the conflicts and war of opinions which have unhappily divided our beloved State, the character of my own opinions, has placed me in the ranks of the Union and State Rights Party. In taking this position with a party, I find myself, in opinions, at variance with the dearest and best friends of my youth and manhood. The political separation from these, is decidedly among the most painful circumstances of my life. However much we may differ in public matters, nothing but unkindness shall ever cloud the recollection of my past life, or impair my admiration for those good and talented men, from whom I am now politically separated. I rejoice, that over the affections of the heart, neither parties, nor laws, nor constitutions, have any controul. These are the free and blessed and eternal gifts of God to man.

The doctrine that the majority shall govern, with all the evils that appertain to it, is better and safer, (especially in an age of light and knowledge) as a fundamental principle of Government, than the other, where the minority shall controul and govern the majority. The admirable operation of this is, that when the majority who govern are wrong, their errors will produce evils; these, as soon as they begin to

act extensively, will sink under the influence of an enlightened public opinion, and the irresistible power of the Press, will bring up the minority into the ranks of the majority, and thus evils will be corrected, and the government again be restored in practice to a sound and healthy action.

I am one who very much rely upon the power and final triumph of truth, and on the purifying influence of an enlightened public opinion, and its dissemination by the press. By the operation of these, on European countries, abuses which have been tolerated for ages, will shortly be corrected; and liberal principles and regulated liberty will modify the frame works of all the Governments in Christendom.

It was a profound remark of Talleyrand, when he said "that there is something, which has more wisdom than even Bonaparte or Voltaire"—"which is public opinion." On this we can rely for the final triumph of truth.

The Tariff must be modified in a short time. There are causes which will work out this result. The American System must go down, the evil be corrected, and the Government be again placed on its sound and solid foundation—tyranny cannot exist in this country, nor can it under the march of events and the power of existing causes, much longer exist in the old world. The doctrine of Nullification, in the present understanding of it, is destructive and ruinous. That one State, moved perhaps by a faction, at the head of which may be placed even one designing and talented man, should have power to arrest the operation of the whole government of the Union, is paradoxical and ruinous—however well this might answer in ordinary times of peace, the Government could never sustain and hold itself together at other and difficult times. An extensive Government like our own, when it shall be shaken by foreign or internal convulsion, will fall to pieces under the operation of this doctrine.

We hold with the doctrines of the United States Constitution. We hold that existing evils must either be corrected under that sacred instrument, or according to the Republican doctrines of JEFFERSON, contained in the Declaration of American Independence—viz. "that whenever governments shall fail to answer the ends for which they were instituted among men, it is the right and duty of the Government to establish such other forms as seem most likely to secure their safety and happiness."

I beg leave to offer the following—

The doctrine of Nullification—unsustained and unsustainable.

I am, Gentlemen, your obedient servant,

RICHARD J. MANNING

Letter from the Hon. Chancellor Desaussure.

COLUMBIA, JUNE 18th, 1831.

SAMUEL H. DICKSON, }
J. HARLESTON READ, } *Committee of Invitation.*
E. P. STARR, }

Gentlemen—I had the honor of receiving your polite letter, inviting me to dine with our fellow-citizens in Charleston, of the Union and State Rights Party, on the 4th July.

You do me no more than justice in believing that I am greatly attached to the Union of the States, as the solid foundation of the national greatness and prosperity; as the sure guarantee of our internal tranquility and of our external peace, as well as of the public liberty. These were the sentiments of Washington, the Father of his Country, who, in his Farewell Address, warns his fellow-citizens, "That the Unity of Government which constitutes us one people, is a main pillar in the edifice of our real independence; the support of our tranquility at home, our peace abroad; of our safety, of our prosperity, and of that very liberty we so highly prize." To which he adds, "That it is of infinite moment that we should properly estimate the immense value of our national Union, to our collective and individual happiness; and that we should cherish a cordial, habitual, and immovable attachment to it; accustoming ourselves to think of it as of the palladium of our political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may even suggest a suspicion that it can be in any event abandoned." These opinions and this solemn advice from him, who acted the greatest of all parts in the great drama of human affairs, is entitled to the profoundest veneration from his fellow-citizens, for his experience was great, his sagacity instinctive, and his patriotism unbounded. The history of all confederations proves the truth of his maxims and the wisdom of his advice. They have been always destroyed, and the country ruined for want of attention to these *maxims*. They have my entire concurrence; and I rejoice in the belief that this sentiment pervades the minds of a vast majority of the citizens in all parts of the U. States. And the Union well deserves the affection of the citizens, for it has preserved our country in peace and prosperity during a longer period than is usual in the annals of the human race, at a time too when almost all the nations of the earth have been disturbed by internal commotions, or distressed by foreign wars.

It is not, however, to be dissembled, that this inestimable Union is now put to a severe trial. A series of the acts of Congress, operating most injuriously on the interests of the South, for the protection of Northern manufactures, have produced deep dissatisfaction in the minds of the citizens of a large section of the United States. The evil is so great, and the injustice is so gross, that the attachment of the South to the Union is gradually weakening, and ere long will be almost obliterated, unless relief be obtained. Yet Congress does not seem to have discovered that the affections of the citizen is the best support of all governments. It has denied most pertinaciously the relief sought by the South. How long the pressure will be endured cannot be foreseen. Many ardent spirits, impatient of the wrong, are prepared for strong action to throw off the yoke. On the other hand, many of our citizens cannot yet give up the Union, so precious for the past time. They continue to hope, almost against hope; and in this state of mind, they are not prepared to act with their brethren. This difference of opinion, honestly felt and conscientiously expressed on both sides, has produced most unhappy effects. It has divided the citizens into violent parties, gradually producing bitter animosities. This is most deeply to be regretted, not only as it disturbs the harmony of society, even in members of the same families, but as weakening our efforts to get rid of the oppression of which we complain. The ablest, wisest and best men of

our country are as much divided in opinion, as to the right course of conduct, as those of inferior endowments. Would to God that they could be united in common counsels, and in a common plan, to obtain redress, without hazard to the Union. Could not all our citizens be induced to unite together in one grand celebration of the ever memorable Fourth of July; and could not the leading men on both sides, who have the confidence of the country, meet in friendly counsel, and devise some plan which would obtain the support of the whole State? I most sincerely and anxiously wish this could be done. Without it, nothing can be done.

My public duties will carry me into the upper country immediately, so that it will not be in my power to accept your polite invitation to the Public Dinner. Permit me, however, to offer you a toast for the occasion.

The Union of the States—May it never be dissolved by unjust, oppressive and sectional Legislation; or by rash and violent measures of resistance to the laws of our country.

I am, gentlemen, with great respect,
Your most obedient servant,

HENRY WM. DESAUSSURE.

Letter from the Hon. Judge Richardson.

MANCHESTER, JUNE 26, 1831.

SAMUEL H. DICKSON, }
J. HARLESTON READ, } *Committee of Invitation.*
E. P. STARR, }

Gentlemen—Your invitation to a Dinner on 4th July, to be provided by the Union and State Rights Party of Charleston, is received. The season of the year, and the distance of my residence, alone prevent me from attending a celebration so just, patriotic, and praiseworthy; and rendered, in my judgment, necessary at this time, from circumstances attending the political parties in Charleston. I beg your acceptance of the following sentiment, which exhibits my conviction of the correctness of your political principles.

The State principles of Moses, that made Agriculture the basis of national stability; and the policy of Solomon, that ingrafting Commerce on the stock of the Farmer, left the Domestic Arts to their natural aliment, found in Free Trade and Tillage.

With great respect, your obedient servant,
J. S. RICHARDSON.

Letter from Thos. Williams, jr. Esq.

YORK DISTRICT, JUNE 18.

SAMUEL H. DICKSON, }
J. HARLESTON READ, } *Committee of Invitation.*
E. P. STARR, }

Gentlemen—I have the honor to acknowledge the receipt of your favor of the 10th inst. as a committee on the part and behalf of the Union and State Rights Party of your city, inviting me to dine with them on the 4th July next.

I am bound to acknowledge it as one of the highest honors of my life, to be identified with that party; whose wisdom and patriotism have

constantly induced the course best calculated to save our country in her times of greatest peril. Of late, I have thought the evidence to establish one of the so much hooted "eight points," is not of that doubtful character which was once supposed—for language is now used, and in the most public manner, and by our most distinguished men, which at one time would have been thought disgraceful and treasonable; but which is now held by gentlemen, as not only correct, and proper, but even praiseworthy. Yet I trust the Union and State Rights Party, guided by such men as Drayton, Smith, and Huger, will, while they always point to every encroachment on rational and constitutional liberty, also point to the proper remedy, without endangering the safety of the Union. I regret extremely, the particular season will not allow me to join with you, in celebrating the day so sacred to our liberty. You have my earnest desire for the full and triumphant success of the doctrines maintained and insisted on by the Union and State Rights Party. Believing they are essential to our safety, for their zealous and steady defence our fellow-citizens will yet bless us.

Respectfully, your obedient serv't.

THOS. WILLIAMS, Jr

Letter from Alexander Speer, Esq.

ABBEVILLE, JUNE 27, 1831.

SAMUEL H. DICKSON, }
 J. HARLESTON READ, } *Committee of Invitation.*
 E. P. STARR, }

Gentlemen—I have this moment received your kind invitation to join the "Union and State Rights' Party" of the city of Charleston, in celebrating the returning Anniversary of our country's Independence.

For this act of attention and kindness, permit me to return my thanks, and at the same time to assure you, and through you the party with whom I am proud to act, that although distance and season will prevent my personal attendance, yet my heart and best wishes are with you. I rejoice that Charleston has not yet determined to "calculate the value of the Union"—and that a goodly number of noble spirits are yet found, who are unwilling to place our beloved State in a situation, from which it will be "legal and constitutional treason" in her citizens to take sides with, or support that Federal Government, to establish which cost our ancestors so much blood and treasure.

Be assured, (whatever you may hear to the contrary) that whenever the curtain is fully raised, so as to make the question of Union or Disunion fully and fairly, the people of Abbeville will not be found wanting—and nullyism, with all its *et ceteras*, will fall to rise no more. In conclusion, Gentlemen, permit me through you to offer a toast, which I flatter myself will meet with your entire approbation.

The Hon. William Drayton, who with more than Roman virtue, sacrificed the dearest ties of personal and family friendship, for the good of his country.

With the highest respect, I remain, Gentlemen,
 Your obedient and humble servant,

ALEXANDER SPEER.

Letter from the Hon. John L. Wilson.

CHARLESTON, JULY 2, 1831.

SAMUEL H. DICKSON,
J. HARLESTON READ,
E. P. STARR, } *Committee of Invitation.*

Gentlemen—I have received your kind and polite invitation, to join the procession of the Union and State Rights Party, enclosing a ticket of admission to dine, for which polite attention, permit me to return you my thanks. After a public service of more than twenty years, I have determined to devote myself entirely to professional engagements and domestic retirement—with this resolution taken, I admit the principle that the Republic has a right to demand at all times the services of her citizens, and whenever such a crisis shall arrive, and I am called upon to act, I shall obey the summons with promptitude and zeal. Although, for the last two years, I have taken no part in the political excitement which now agitates and convulses my beloved State, I have not been insensible to passing events. To me, it is a source of deep regret to witness this unhappy division, which, at the same time it serves to weaken our just influence in the National Councils, arrays in hostile ranks the same family, breaking asunder former political friendships and connexions, and poisoning the foundations of social and domestic happiness. Notwithstanding the present array of contending parties, my confidence in the intelligence and virtue of the people remains undiminished; and, I confidently hope, by mutual forbearance, and free and friendly discussion, the prosperity and political happiness of our State may be the ultimate result.

The political sentiments I have heretofore with more than usual ardor advanced and supported, I still cherish and maintain. In other situations they have been frankly and freely avowed, and the public are in possession of them. They are briefly these—

The perpetuity of the Union, in the spirit and terms of the National Compact.

The sovereignty of the States, and the inviolable security of their reserved rights.

If these cardinal points are observed with scrupulous integrity by the confederate and State authorities, I shall have no fears for the Republic; and we may all yet live to witness the prosperity and happiness of the people of these United States—the Temple of Liberty will be undefiled by the demon of discord, and our beloved country, which has been emphatically styled the refuge of the oppressed, shall still continue to be the sacred sanctuary of all who seek the inestimable rights of man.

The day you are about to celebrate is sacred to Liberty. In your commemoration of the great events to which it gave birth, I most heartily unite in feeling, and tender you the following sentiment, as appropriate to the occasion:—

The *Patriotism* that engendered, the *Firmness* that resolved, and the *Wisdom* that planned the Declaration of 1776: may the same *Patriotism*, *Firmness*, and *Wisdom*, forever animate, nerve and direct the people of these United States.

Be pleased to present my respectful consideration to the Union and State Rights Party, and at the same time receive for yourselves the assurances of the regard with which I am, Gentlemen, your fellow-citizen, &c.

JOHN L. WILSON.

Letter from the Hon. Henry Middleton.

CHARLESTON, JUNE 10, 1831

SAMUEL H. DICKSON, }
 J. HARLESTON READ, } *Committee of Invitation.*
 E. P. STARR, }

Gentlemen—I have the honor to acknowledge the receipt of your polite invitation to dine with the “Union and State Rights Party,” on the 4th July next.

Few circumstances could be more gratifying to me than assisting at the celebration of that Anniversary surrounded by my friends and fellow-citizens. But considerations relative to the health of my family, (long estranged from our climate) force me to seek a more mild temperature during the summer months, and our embarkation for the North, fixed for the middle of this month, will necessarily prevent my acceptance of the invitation.

I therefore pray you, Gentlemen, to convey to my fellow-citizens of the Union and State Rights Party, the expression of my regret on this occasion, and to accept for yourselves my most friendly salutations and good wishes.

HENRY MIDDLETON.

Letter from Hon. John B. O'Neill.

SPRINGFIELD, JUNE 28, 1831.

SAMUEL H. DICKSON, }
 J. HARLESTON READ, } *Committee of Invitation.*
 E. P. STARR, }

Gentlemen—I received on my return from Columbia, your invitation to participate with the Union and State Rights Party, in commemorating the 4th of July, in Charleston.

I regret that it is out of my power to unite with my friends in Charleston, in doing honor to the day, which above all others, should be honored by every citizen of the United States. On that day I am compelled, in the discharge of my official duties, to be at the extra Court, ordered then to commence its session at Newberry Court-House.

You thought truly, that my sentiments accorded with those of your party. I regard the Union of the States as essentially necessary to the preservation of the liberty and happiness of this, as well as all the other States. Any thing which is calculated to destroy it, or weaken the attachments of our citizens to it, has, and I trust always will, meet with my decided disapprobation.

Permit me to give you a sentiment.

“Our Country, our whole Country, and nothing but our Country.”

Accept, Gentlemen, the assurances of the great respect and consideration, with which I subscribe myself, your obedient servant,

JOHN B. O'NEALL.

Letter from Mr. Stephen Thomas, a Revolutionary Soldier.

CHARLESTON, JUNE 17, 1831.

SAMUEL H. DICKSON, }
 J. HARLESTON READ, } *Committee of Invitation.*
 E. P. STARR, }

Gentlemen—I have to acknowledge the receipt of your kind communication of the 4th inst. informing me that you are instructed to invite me

to partake of the feast, to be given by the Union and State Rights Party, on the 4th July next. As I am entirely of the same opinion with my fellow-citizens who compose that very respectable party, I feel myself highly gratified to have the honor of associating with the real and true friends of our beloved country, in celebrating that (ever to be remembered) National Anniversary. I accept with great pleasure their very polite invitation, and shall attend (if a kind Providence please to spare my life and health) wherever they have appointed to meet.

Be pleased to present to that honorable body my sincere thanks for their kind favour, and to you, individually, Gentlemen, permit me to offer my grateful sense for the very polite manner with which you have been pleased to communicate the invitation.

I am, with real esteem and regard, very respectfully yours,
STEPHEN THOMAS.

From Mr. Morton Waring, a Revolutionary Soldier.

CHARLESTON, JUNE 10, 1831.

SAMUEL H. DICKSON, }
J. HARLESTON READ, } Committee of Invitation.
E. P. STARR, }

Gentlemen—It would indeed, gentlemen, be peculiarly gratifying to me to unite with so respectable a portion of my fellow-citizens, in celebrating the anniversary of our country's Independence—but in obedience to the admonitions of age, I have long since withdrawn myself from the society of large and crowded assemblies. For this reason alone, I most respectfully decline your very polite and flattering invitation for the approaching 4th of July. In doing this, I cannot but avail myself of the opportunity which it affords, of assuring you that I reciprocate most heartily with you and "the Union and State Rights Party," all the feelings and sentiments which should animate Americans on every recurrence of their glorious Anniversary. Permit me, gentlemen, to offer a sentiment, in which I hope all will accord.

The principles and spirit of '76—We will cherish and perpetuate them.

With great respect, Gentlemen, I remain your obedient servant,
MORTON WARING.

From Mr. B. Lanneau, a Revolutionary Soldier.

CHARLESTON, JUNE 25, 1831:

SAMUEL H. DICKSON, }
J. HARLESTON READ, } Committee of Invitation.
E. P. STARR, }

Gentlemen—Were it not for the infirmities of extreme old age, which now confine me to the precincts of my own habitation, it would give me unfeigned pleasure to accept, through you, the very polite invitation of the Union and State Rights Party, in the proposed celebration of the approaching Anniversary of American Independence—a day which you have proudly recalled to my recollection, by alluding to the feeble services I may have rendered our common country in her glorious struggle for Independence and Liberty.

The remembrance of the eventful 4th July, '76, will not, cannot, fail

to awaken the warmest gratitude of a nation of enlightened freemen—and although denied the privilege of uniting with you in person on the return of that memorable day, I shall, nevertheless, be with you in spirit.

Permit me, however, gentlemen, in conclusion, to assure you of my honest attachment to the interests of the cause you are engaged to promote—and to offer through you, on the approaching celebration, as the sentiment I feel, in the words of the motto you have adopted as designating your party—

“Union and State Rights.”

With sentiments of respect, I remain your obedient servant,
BAZILE LANNEAU.

Letter from the Hon. Starling Tucker.

LAURENS COURT-HOUSE (S. C.) JULY 6, 1831.

SAMUEL H. DICKSON, }
 J. HARLESTON READ, } *Committee of Invitation.*
 E. P. STARR, }

Gentlemen—Your kind invitation of the 4th June last, I received at Laurens Court-House on the 4th inst. It would have afforded me much pleasure to comply with your kind invitation, but I never received your letter until the day you invited me to attend. In regard to the great political question, &c I very much regret that there is so great a difference among us. I believe, however, if we act prudently and re-elect Gen. Jackson, President, and I think Judge Smith, Vice-President, that our beloved country will yet be saved. I am for State Rights and the Federal Union. I am for Gen. Jackson's re-election to the Presidency, and Judge Smith, Vice-President.

I am, Gentlemen, in haste,
 Your obedient humble servant,
STARLING TUCKER.

Letter from Joseph Koger, Jr.

ST. GEORGES, JULY 6, 1831.

SAMUEL H. DICKSON, }
 J. HARLESTON READ, } *Committee of Invitation.*
 E. P. STARR, }

Gentlemen—Your invitation to dine with the Union and State Rights Party in Charleston, on the 4th of July, has this moment come to hand. It would have afforded me much pleasure to celebrate the day with you had your invitation been received in time, but as I have been, through unavoidable circumstances deprived of that pleasure, permit me to offer the following sentiment, nunc pro tunc.

*The Union and State Rights Party of South-Carolina—*Nothing is lacking but unity of action. Let our motto be *measure not men*. Let us take a pull, a strong pull, and a pull altogether, and with the blessings of Providence the victory will be ours.

I am, Gentlemen, very respectfully,
 Your friend and servant,
JOS. KOGER, Jr.

Volunteer Toasts.

By the Hon. William Drayton, the Orator of the Day. *The counsels of Washington*—The observance of them their highest eulogy.

By J. R. Pringle, President of the Day. *South-Carolina*—Our affection to her is best evinced by our attachment to the Union.

By Gen. Daniel E. Huger, Reader of Washington's Farewell Address, and one of the Vice-Presidents. *The States and People*—The depositories of reserved power—the only constitutional check upon Federal Legislation. One of the States can no more apply this check than one of the people: a majority of either may.

By Col. Jacob Sass, a Revolutionary Officer, and one of the Vice-Presidents. *The Union of these States*—Devised by the wisdom of Franklin, cemented by the blood of patriots, and enjoined in the Farewell Address of our beloved Washington; may the prayers of the few survivors of our Revolutionary struggle be heard, that God may forever preserve us a free and united people.

By Thomas Corbett, one of the Vice-Presidents. *The Union, Popular and Federal*—We know its cost, perceive its wisdom, and feel its value. We will cherish it with patriotic devotion.

By Judge Lee, one of the Vice-Presidents. *The City of Charleston*—True to the Union, she has always "frowned indignantly on the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts."

By Dr. Philip G. Prioleau, one of the Vice-Presidents. *The Farewell Address of Washington, the Father of his Country*—May it be remembered with reverence, and its precepts held sacred.

By William Bell, one of the Vice-Presidents. *My Country, my whole Country, and nothing but my Country.*

By R. Godard, one of the Vice-Presidents. To our political opponents we have neither enmity or ill-will; we join and concur with them in reprobating the system that weighs upon us, and only differ as to the means of redress.

By James L. Petigru, Esq. one of the Vice-Presidents. *The memory of Abraham Nott, an able and upright Judge*—His mind was enlightened by knowledge, and his judgment equally free from the disturbing influences of passion, or the blind admiration of theory.

By the Hon. Thomas Bennett, one of the Vice-Presidents. *Our Delegates to the Anti-Tariff Convention to be held at Philadelphia*—May their measures vindicate the motives of those who send them, appease the political strife that affects us, and secure the permanent interests of our beloved State.

By the Hon. Thos. Lowndes, one of the Vice-Presidents. *The Union*—Its friends may differ as to the expediency of measures, but never as to its value or preservation.

By James Marsh, one of the Vice-Presidents. May the excitement of political opinion in South-Carolina be moderated to a healthful state by the zephyrs of Wisdom and Patience.

By the Hon. Thomas S. Grimke, one of the Vice-Presidents. *The Union*—We will calculate its value, when we have forgotten its founders.

By the Hon. James Lowndes, one of the Vice-Presidents. *The Union of the States*—Nothing short of insufferable oppression actually felt, and not inferred from false or doubtful premises, should make a wise man wish for its dissolution.

By M. King, Esq. one of the Vice-Presidents. *Agriculture, Manufactures and Commerce*—Equal protection to all; exclusive privileges to none.

By Dr. James Moultrie, jr. one of the Vice-Presidents. *The memory of General Washington*—The man who was "among the first to discover the cause and point out the remedy" for the following evils:—

"From want of vigor in the Federal head, the United States were fast dwindling into separate sovereignties, &c.—Dr. David Ramsay, (*Ramsay's Life of Washington*, p. 216)

"Requisitions are actually little better than a jest and bye-word throughout the land. If you tell the Legislatures they have violated the treaty of peace, and invaded the prerogatives of the confederacy, they will laugh in your face."—George Washington. (*Ramsay's Life*, &c. p. 219.)

By George Edwards, Esq. one of the Vice-Presidents. *The Federal Constitution*—Conceived in wisdom, may it be preserved in its purity, and all its provisions executed with firmness—true guarantees of Union and State Rights.

By Dr. V. Le Seigneur, one of the Vice-Presidents. *The Hon Wm. Drayton. Orator of the Day*—May the force of his arguments, backed by the splendour of his eloquence, gather under one banner the chivalric sons of the South. May internal dissensions never compel them to call upon others for that assistance which they once so generously extended to the unfortunate exiles of St. Domingo; and may that banner be forever unchanged and undimmed—the brilliant stars and stripes which now so proudly float over our heads—Liberty and Union forever!

By Col. Simon Magwood, one of the Vice-Presidents. *Our Country, the seat of Happiness*—May we long continue to appreciate its blessings, and keep at bay new doctrines that might bring on premature decrepitude.

By Col. Cross, one of the Vice-Presidents. *Agriculture, Commerce, Manufactures*—Even-handed Justice to them all.

By Col. B. F. Hunt, one of the Vice-Presidents. The enlightened patriot trembles with holy fear for his Country, at the ill-boding “ward disunion”—for it implies an exchange of a government of the majority of the representatives of an enlightened and virtuous people, restrained by a written Constitution and their own responsibility—for *revolutionary tribunals*, which in every age and in every country have been “governments practically without limitation of powers.”

The following letter from NICHOLAS HARLESTON, Esq. one of the Vice-Presidents, was read:

BOSSIS, JULY 1, 1831.

To the Committee of Arrangements---

GENTLEMEN---I much fear that the indisposition of one of my sons, who is at this time in the country with me, and whose situation claims my immediate attention, will deprive me of the pleasure that I fully had in expectation of dining with the Union and State Rights Party, to commemorate our National Independence, on a day that should have met all true Americans united as they were heretofore, in support of the laws of their common country.

You will, therefore, Sir, have the goodness to excuse me before the Committee of Arrangements, and to say to them, that although I shall be unavoidably absent, yet my heart will beat in perfect unison with those sentiments that the Union and State Rights Party have ever maintained in support of the honor and prosperity of our happy Country as yet it stands. Should a toast be expected from me, which is sometimes the case, I beg the favor of you to offer those which I shall enclose---but by no means to push them forward, as undoubtedly there will be an over sufficient number of superior merit. Wishing you all, on the great day of rejoicing, much pleasure, good humor and friendship,

I remain, dear sir, very respectfully,
Your obedient servant,

NICHOLAS HARLESTON.

By Nicholas Harleston, Esq. one of the Vice-Presidents. A perpetual confederation of these United States, and a speedy downfall to all intriguing and ambitious demagogues who would insiduously or openly mislead the virtuous citizen from his contented and happy State.

By Col. Cross, in behalf of the Committee of Arrangements. *The Constellation of the American Union*---May its brilliancy never be diminished by the occultation of a single Star.

By the President of the Day. *Our respected guests*---Consuls from France, Portugal, Prussia, Sweden, Norway and Denmark, the Netherlands, Brazil, and the two Sicilies.

Mr. TRAFMANN, Consul of Prussia, rose and said:

Mr. President, Gentlemen of the Union and State Rights Party---In the name of my respected brother Consuls, and for myself, I thankfully acknowledge the honor you have just conferred upon us, and beg leave, in return, to offer the following toast:

The Constitution and Government of the United States---May they continue undisturbed, what they have now been for more than half a century, the admiration of the world.

By M. Hersant, the French Consul. *The Union of the States*---May that beautiful fabric, whose corner stone was laid on the 4th of July, 1776, whose construction was afterwards cemented by American and French blood, and completed on the

19th October, 1781, stand forever, to serve as a beacon for the lovers of rational Liberty.

By Jacob R. Valk, Consul of the Netherlands. *The Farewell Address of the Great and Good Gen. Washington*—May its admonitions be cherished with filial veneration, by and engraven on the hearts of every American, as the rock of their political peace, happiness, and prosperity.

By Jas. H. Ladson, Vice Consul for Denmark—*The United States of America, the admiration of Foreigners*—The Union of its parts and harmony of the whole, are best appreciated at a distance.

By Judge Johnson. *The New Cabinet*—It commands the confidence of the people; the old Republicans look to it with anxious expectation.

By W. Hasell Gibbs, Esq. a Soldier of the Revolution. The memory of Major Charles Shephard and others, of the Charleston Militia, who fell in the attack on Savannah. Also, of L. ut. Wilkins, and others, who fell in the attack of the enemy on Beaufort Island.

By Isaac Course, a Citizen Soldier of '76. *The real Patriots of the present day*—Emulating their illustrious sires of old in perpetuating the blessings bequeathed the American family, and nobly sustaining their existing government, founded on equal representation and Union.

By Col. Sreedman. *The Memory of Thomas Jefferson, the Apostle of Liberty and of State Rights*—He declared for the first, and steadfastly supported the last.

By N. Harleston, Esq. *The Memory of the brave Count Pulaski*—He died contending nobly and generously for our liberties—let us then do honour to his name, by sympathizing with his gallant countrymen, at this time struggling for their own freedom.

By Dr. F. Y. Porcher, of the Committee of Arrangements. *The two great Political Parties in our State*—Let the contest be conducted with open, manly, and honorable feelings; and the question decided by the prudence, intelligence, and good sense of the people.

By Capt. Thos. H. Jervey. *Charity to those who differ from us.*

By Col. William Lance. *Disunion*—The forbidden Tree in the Eden of Liberty. "In the day that thou eatest thereof, thou shalt surely die."

By W. G. Simms. *The State of our Union and the Union of our States*—What God hath put together, let no man put asunder.

By Dennis Kane, of the Committee of Arrangements. *The Union and State Rights Party*, will yield to none in attachment to the Constitution, the rights of South-Carolina, and in a firm and zealous opposition to the present mischievous, illegal and unjust Tariff.

By F. Isley, Jr. *Freedom of Opinion*—The greatest blessing we enjoy in this free, this happy republic—without it in 1830, we should indeed have been Submission Men to the "Exclusives" of the South in 1831.

By Richard Yeadon, Jr. *Our Country—Our whole Country*—Not circumscribed within the narrow limits of a single State; but co-extensive with the broad expanse of our glorious confederacy.

By Bartholomew Carroll. Let Government cherish and protect the Agricultural and Mechanic Arts. Would we be commercial? Would we be rich? Would we be great and powerful? These are their true elements.

By Moses Abrahams—*South-Carolina*—A bright Star in the Land of Liberty—may she never forget that her sons are freemen: and may the Union be preserved, even at the expense by which it was obtained—our lives and fortunes.

By James Smith Colburn. *The Union of the States*—There will always be reason to distrust the patriotism of those, who in any quarter, may endeavour to weaken its bonds.

By W. Wall, a Soldier of the Revolution. Distracted by the brain, and palsied by the hand that would separate the Union, and destroy the Liberty of this happy land.

By Dr. Wagner, one of the Committee of Arrangements. *The Potomac*—On its Western banks the ashes of our Washington, on its Eastern the monument to his glory—Who dare make its consecrated waters the division line of these United States.

By Arch'd Brown. Free Trade, and such of its advocates as are for submission to the laws of their country, though they may want faith as to their expediency.

By Mr. J. N. Barillon, Deputy Secretary of State. *The Union Party of Charleston and the People of the up-Country*—Alike bound by principle and love of country; any assertions of the Nullifiers to the contrary notwithstanding.

By Mr. Willington. *Lafayette*—The early, devoted, and efficient friend of American Liberty—May his last days not be embittered by the “Nullification” of that National Glory, for which he contended in the days of his youth.

By J. W. Sommers of St. Paul's Parish. *The City of Charleston*—The abode of Intelligence, Patriotism, and Valor—though torn by party dissention, still steadfast to the Union.

By J. H. Read. *The American Constitution*—The Ark of our National Covenant—it will be preserved by the Union and State Rights Party throughout our State, from the profane touch of delusion and of faction.

By Col. Thos. D. Condy. *The Union of the States*—Like Cæsar's Bridge, the greater the pressure, the firmer it stands.

By Dr. A. V. Toomer. *The United States of America*—Blest with the best form of Government, they have set an example which is stripping Royalty and Aristocracy of their robes, and revolutionizing the world. Let not Carolina throw an obstacle in the way.

By Thomas W. Mordocai. *William Drayton*—The wise and fearless Statesman; the American Patriot! The cause he advocates, is his Country's; the Temple he defends, is the Palladium of her Liberty! Millions of freemen yet unborn, will bless his name.

By Capt. Alexander M'Donald. *The United States of America*—The last refuge of the persecuted Patriot—May her Spangled Banner be handed down to future generations, without one Star obscured—one Stripe erased.

By Dr. De La Motta. The present state of the Union—A compound of opposite principles, cast in the crucible of political dissention—should the fire of patriotism be insufficient to produce permanent amalgamation, may a Congress of refiners devise such process, as will ultimately succeed in an abundant supply and equal distribution of the pure metal.

By Col. Richard Yeaton. *The Union*—In the language of our Orator—“He who could calmly contemplate its dissolution, must be either more or less than man.”

By Charles E. Rowand, Esq. *Col. William Drayton*—Integer Vitæ, scelerisque puris.

By N. Harleston Rutledge. *The States of our Union*—They are “the feathers” which “adorn” it, and power which “supports” it in its “flight” to glory; shame, eternal shame to him, who would “strip it of its plumage,” and thus hurl it into the gloomy sepulchres of Empires that were.

By Joshua Toomer. *The 40 per cent. Sophistry of a distinguished Politician*—Too highly sublimated to impose long on Carolinians.

By Dr. Horatio S. Waring. *The sound Religious Virtue of Washington*—The true basis of Government; the guarantee of a nation's safety.

By Wm. Robinson, Esq. *The Freedom of the Press*—An enlightened people, jealous of their liberties, will frown with indignation upon him who would dare to violate its sanctity, even under the influence of party excitement.

By Col. Wm. H. Wilson. “*The Crisis*”—“Dat Deus immati cornua curta bovi.”

By Theodore Gaillard, one of the Marshals of the day. *The true Republican Party*—Who evince their regard for State Rights by the love of Union, and relying upon the good sense and virtue of their fellow citizens, combat error with reason.

By James H. Smith, one of the Stewards. *Nullification*—That slough of despondency—Who would not be glad to get out of it when he once has got in?

By Wm. B. Pringle. *The People of S. Carolina*—They reprobate alike the principle and the operation of the Tariff—but in their opposition to it, they will beware of the delusion of those Politicians, who would confound Revolutionary with Constitutional resistance.

By B. F. Pepon. *The State of South-Carolina*—She is not represented by those who breathe the spirit of Disunion.

By John Phillips. *The Palmetto*—Unsulled honor, and chivalrous courage, made it South-Carolina's Laurel. It was regenerated into glory by the Patriot's blood, not the serpent's slime. It was impregnable when o'er it waved its country's standard, not from being intertwined with subtlety and poison.

By Randell Hunt, Esq. one of the Stewards. *The Federal Union*—The source of our national existence, of our prosperity, our strength, and our glory—the best security for State Independance and individual freedom.

By H. Tiescott. *The twenty-four United States of America*—Drawn together by a bond of Union and love too strong to be broken by the efforts of any demagogue, whether he assume the name of Brutus or of Phocion.

By James Haig. *The Doctrine of Nullification*—Learned lawyers and political agitators do well to seek its exposition and defence in musty records and rebellious precedents. Our common sense patriotism acknowledges no such authority.

By John L. Strohecker. *The Hon William Drayton*—A stumbling block to the Disunion Party.

By Edward J. Pringle. *Our differences with the General Government*—May they end like the quarrels of lovers, in the renewal of love.

By Maj. Clark. *The Yankee*—However grossly vilified, whenever the sound sense and solid patriotism of South-Carolina shall require his services; by the spirits of Green and Lincoln, he will not be found wanting.

By Jeremiah Murden. *The Constitution*—Our best bower cable.

By S. Chapman. *The Youth of South-Carolina*—May they look to the welfare and glory of their common country, and not be led astray by deluded, ambitious, and disappointed politicians.

By Tristram Tupper. *Union, Liberty and Peace*—Are they worth preserving?

By J. B. Thompson, one of the Stewards. *The Confederated Republics of America*—When the Empires of European despotism shall have crumbled into dust, may they stand unshaken, the home and the refuge of liberty.

By John W. Brisbane. *South-Carolina*—May she always be, all she ought to be.

By R. Y. Livingston. A true citizen of the United States should have no other party prejudice than enmity to the foes of his country.

By Mr. Morris. *Our Sister State Virginia*—The first to assert her rights, the last to submit to their infringement. "Where the Ball of the Revolution received its first impulse, there also is felt that oppression which dictates to South-Carolina to calculate the value of the Union." Virginia resisted then to establish Liberty and Union, she suffers now that they may be preserved.

By Col. Memminger. *The Virginia Resolutions of 1798*—The true exposition of the doctrines of State Rights; they have since prevailed over the advocates of implied powers—they reject the proffered alliance of Nullification.

By Capt. Isaac S. Coffin. *The Union and Independence of these United States*. The legacy of our forefathers, the price of their blood.—*Esto perpetua*.

By F. G. Rolando. *The Union Party of Charleston*—A grand moral spectacle, presenting patriots of all parties laying aside their minor differences, to co-operate in the holy task of preserving that great work—American Liberty.

By E. S. Duryea, one of the Stewards. *The United States of America*—While united under our present form of Government always happy; once divided, no matter under what flag, worse than miserable.

By Paul Rooney. *The Hon. William Drayton*—The political doctor, who has dissected the monster called Nullification, and saved the deluded and ignorant by administering the constitutional balsam of restoration, which brings them back to their allegiance.

By Henry V. Toomer. *The Revolutionary Demons, Convent and Nullification*—Turned out of Pandora's box to create civil war, with all its attendant horrors, may the voice of Carolina hurl them far into the ocean.

By Samuel W. Doggett. *To the Memory of Charles Cotesworth Pinckney*—May his political views check the mad career of our political opponents; we offer for their consideration his own words: "All attempts to weaken the Union by maintaining that each State are separately and individually independent, is a species of political heresy, which can never benefit us, but may bring on the most serious distresses."

By Wm. S. Blain. *The Patriots of France, Poland, Belgium and Ireland*—Their sufferings, devotion, and example in the cause of human liberty, admonish the emigrant citizens not to hazard lightly the blessings they enjoy. They are bound by their oath of citizenship—by Gratitude—by the hopes and miseries of their native land, to unite with the man of the people, the illustrious Jackson, in preserving forever the integrity of the only free nation on earth, that has the power and the will to give an asylum to the oppressed.

By J. W. Rouse. *Wm. Drayton, Daniel E. Huger, James R. Pringle, James L. Petigru*—Luminous stars in our Country's constellation; Patriots and Statesmen,

who will defend with their eloquence and energy the rights of their State, and still preserve the Union.

By C. Cassin. If the people are educated—if the Press is free—if the friends of order be firm and united, the institutions of Washington, the last citadel of human liberty, will continue for ages to be the glory of the new world, and the envy and admiration of the old.

By Mr. Vinyard. *The spread Eagle, the emblem of the United States—the Palmetto Tree, the emblem of the State of South-Carolina—*May the Eagle ever rest in its top.

By Philip S. Cohen. *Liberty and the Union—*The watchword of Freemen. We will maintain the one by duly appreciating the value of the other.

By H. S. Tow. *South-Carolina—*The Union is the ark of her political safety.

By N. L. Toomer. *South-Carolina—*May she avoid the strife and bloody struggles of Columbia, Mexico, and Buenos Ayres, excited by a few monarchists for the benefit of the few.

By J. Cook. Youthful mechanics in the day of this political excitement, let us follow the precepts of our cool and deliberate advocate, Col. Wm. Drayton.

By Jackson M'Clelland. Perpetuity to the principles on which alone republicanism is based—Destruction to those which constitute the charter of monarchy.

By C. R. Brewster. *The United States—*May they never lose so fair a sister as South-Carolina, and may she never be so utter reckless of consequences as to wish to be separated, nor so wayward as to desire the *Nullification* of her rulers.

By Hugh M'Donald. *Gen. Daniel F. Huger—*More of the Roman than any man living, except Andrew Jackson.

By Richard Gerry. *The Constitution of the United States—*Like the magnificent firmament of Heaven under which we live and move and have our being—it inspires light and love and liberty; like it too, the clouds of ambition and the tempests of faction, occasionally obscure its glory, and disfigure its beauty. But these things past, the eternal azure, and the stars immortal shine on, more bright and calm and glorious.

By George S. Bryan. *Nullification—*Anarchy reduced to system.

By John J. Radford. *Nullification, Disunion—*If our adopted brothers must not assist to preserve the Republic, surely a violation of sacred duty will disgrace it—themselves—the land of their birth—posterity.

By Edward Lowndes. *Judge D. F. Huger—*Long may he live for the Nation's defence; and his principles flourish a thousand years hence.

By John L. Poyas, of Daniel's Island. *The Federal Union and Andrew Jackson—*The one must be preserved, the other must be re-elected.

By Jacob Kemnit. *General Andrew Jackson—*The friend of the Union; the Democrats of America will support his re-election; nor will the children of dear Erin forget him who chastised their Saxon tyrants. Notwithstanding he may be opposed by the whole order of well-bred gentlemen, and by the dreamers of a Republic south of the Potomac.

By George Buist, one of the Stewards. *The Patriots of the Revolution—*A splendid galaxy of glory, we will protect and defend the Republican fabric which they reared, against the rash assaults of the ambitious and the deluded.

By J. Haliday. *J. L. Pettigru, Hugh S. Legare and Benjamin F. Hunt—*How consistent and bright is the track of patriotism; the generous advocates of Catholic Emancipation on the 26th of September, 1828, have been found true to their country and their oath, defending the 4th July, 1831. Honor and gratitude to the friends of the Republic. Children of Erin, will you desert the cause of that America, for which Montgomery, and Warren, and Jasper, and so many of your countrymen fought and bled?

By George Oxford Pemberton. *The Orator of the Day, Hon. Wm. Drayton—*An able and efficient artisan toiling for his country's good, which he has deeply at heart.

By Thomas L. Jones. *The Union—*Consecrated by the blood of our forefathers, it must receive the support of their offspring.

By Daniel Horlbeck, one of the Stewards. *Nullification—*"None but a recreant knight would shiver a lance in so inglorious" a cause.

By J. B. Clapp. The Hickory and the Palmetto planted together, their Union must be preserved.

By S. Kneply. Here is to all true Americans, may they prosper in all their undertakings, and stick to the Union. United we stand, divided we fall.

By S. J. Cohen. *The Union*—Achieved by the valor of the Patriots of '76; as descendants of those patriots, we will cling to it as long as reason shall have its way.

By Thomas Corbett, Jr. one of the Stewards. *Our fair experiment of Republican Government*—The pride of Patriotism, and the boast of Freemen. Without Union, without hope—with it, the world's best hope.

By J. B. Thorp. *Disunion—Suicide!*

By a Member. *Gen. Morgan*—A patriot who immortalized the "Cowpens" in sending Tarleton to enjoy a "Pavilion."

By L. J. Crovat. *The principles we celebrate*—They may disunite for the present, but eventually they must consolidate.

By P. Cantwell. *Ireland*—It is as natural for her sons to hate aristocrats and their mercenaries, as it is a national virtue in them to love light and liberty. Her history is frequently adduced to show how much evil may be inflicted upon a nation in the form of law, by an interested majority. It, however, proves that the triumph of a good cause is certain.

By Capt. William Newton, one of the Stewards. *The Hon. William Drayton*—The able supporter of our Rights. May his present friends never forsake him, nor posterity ever fail him.

By Thomas Tennant. *The Hon. William Drayton*—One of the brightest stars of South-Carolina. The faithful Centinel on the Watch Tower of the Union. The man in whom we can confide.

By Henry F. Faber. *The Tariff*—Acknowledged by many to be unconstitutional or impolitic, few will acknowledge Nullification a Constitutional remedy for its modification.

By Joseph W. Faber. *The Federal Constitution*—The rich inheritance left to us by its founders—may the present generation entail it to their latest posterity as the only ark of our political safety.

By Robert Pringle, Chairman of the Stewards. *Col. Drayton*—If men of his abilities, integrity and patriotism continue to influence our public councils, our country will forever enjoy the blessings we this day celebrate.

By Legrand G. Capers, one of the Stewards. *The Constitution*—Like the firmament of Heaven, it sprang originally from contending influences. The doom of fate would seem to rest upon it—by conflict and contention can it alone be preserved. *We must do our duty.*

By G. Brush. *The Patriots of the Revolution*—A splendid galaxy of glory. The Republican fabric which they erected will be protected from the rash assaults of the ambitious and the deluded.

By Abraham Motte. *Col. Pringle*—The patriotic President of this our really National Festival.

SOIREE

OF THE

UNION AND SANTA MICHAEL'S PARTY.

A number of Ladies having expressed a desire to see the interior decorations of the "Union Bower," the COMMITTEE OF ARRANGEMENTS of the UNION PARTY caused to be announced in the *Courier*, *City Gazette* and *Southern Patriot* of Wednesday, the 6th of July, that the "Union Bower," at the intersection of Meeting and George streets, would be thrown open to the Ladies on that evening, and that the decorations and illuminations would be the same as on the evening of the fourth, and also that refreshments would be provided. The Stewards of the Union Party, under whose management this entertainment was got up, supposed they might have the company of probably 1000 persons, and accordingly made ample provision in Ice Cream, Lemonade, &c. for double that number; and a full band of music was engaged for the occasion. In the course of the afternoon it was discovered that the company would be much larger than was expected. A large and full toned Piano was placed on a stage, in the centre of the Bower, and a numerous choir of amateurs volunteered their services to sing the two Odes written for the Union Party's celebration of the 4th of July.

At an early hour of the evening all the streets leading to the Bower were thronged with the beauty and fashion of our city, wending their way in carriages and on foot, to the scene of attraction. Notwithstanding the extent of the accommodations, by 8 o'clock, or a little after that hour, all the tables, as well as the seats, were occupied. Nevertheless, the immense mass continued to press onward, until the whole lot, 100 feet in width by 150 in depth, was a perfect jam; and at one time it is supposed there could not have been less than *four thousand* persons within the enclosure. Besides this immense mass within, it is believed there were more than 1000 persons without the fence, which was reduced to within about three feet of the ground. The numerous and brilliant lights in and around the Bower, gave an opportunity to those without of witnessing much that was passing within. The band welcomed the company with a number of patriotic airs, and the whole scene was one of the most pleasing and attractive. The thousands of smiling fair faces and sparkling bright eyes, gave animation and grace to every thing around them. About 9 o'clock, numerous waiters in attendance attempted to serve the company with refreshments, but the throng was so dense it was found utterly impossible for them to pass through it, consequently a large portion of the company could not be supplied—but it was remarked to the credit of the managing Stewards, that notwith-

standing their guests were much more numerous than could reasonably have been expected, and notwithstanding the free distribution of the refreshments, a considerable quantity of Ice Cream, &c. &c. remained after all the visitors had retired.

At about half past 9 o'clock, upwards of 1000 printed copies of the two Odes, written for the occasion, and sung in the Church at the celebration of the 4th of July, by the *Union Party*, were distributed among the company, when they were sung with great effect by the amateur choir, accompanied by Mr. JACOB ECKHARD, Jun. on the Piano, in which more than a thousand ladies mingled their sweet voices. The enthusiasm excited by these Odes was so great, that they were called for and repeated several times. At about half past 10 o'clock, the whole company had retired, evidently much pleased with what they had witnessed, and with themselves. As far as we could learn, nothing occurred during the evening that in the slightest degree marred the enjoyment of the company.