

Moore, 3d Cranch p. 159, where it was admitted that Congress might give the power; and to that of Martin vs. Hunter's Lessee, 1 Wheaton p. 350—1, where it was admitted that criminal are the strongest cases.

The fourth section of the bill was merely matter of form. There was no constitutional principle involved in it. It only authorized the Courts of the United States to supply the want of a copy of the record. It was intended to obviate the difficulty which was likely to arise from the novel provision contained in the 8th section of the Replevin Law of South Carolina, which makes it penal in the Clerk to furnish such record. This provision did not meddle with the penalty of the Clerk of the State Court, but contented itself with providing means to supply the deficiency.

The fifth section authorizes the employment of military force under extraordinary circumstances too powerful to overcome without such agency, and to be preceded by the Proclamation of the President. What he had already said had reference also to this section of the bill. He would now merely refer the Senate to some precedents.

The first precedent which he would notice was to be found in the Act of May 2d, 1792, vol 2, p. 284, repealed by the Act of Feb. 28, 1795, renewing the power to call forth the militia, which Act was still in force. This law grew out of the Western Insurrection to Pennsylvania. Like the present bill, although it was merely intended to meet that exigency it was so framed as to continue in force. So the bill under consideration, although it had special reference to South Carolina, pointed not to her alone. If the opposition to the laws should extend itself, and the spirit of disobedience should exhibit itself, whether in the South or the North, the general principles of the bill would be equally applicable. It was an amendment of our code of laws to which the attention of Congress had now been called, and which was rendered immediately necessary by the peculiarity of our present situation.

The second precedent to which he would invite the attention of the Senate was the Act of the 3d of March, 1807, vol. 4, p. 115, "to suppress the insurrections and obstructions to the laws," and "to cause the laws to be duly executed." That act authorized the President to call out the land and naval force to suppress insurrections, &c. These were the objects for which then, as in the present bill, this extraordinary power had been conferred.

Another precedent would be found in the act of Jan. 9, 1809, sec. 11, vol. 4, p. 104, to enforce the embargo, and which gives the power to employ the land and naval forces, in general terms, to assist the custom house officers. There was at that moment a great excitement, although nothing like the solemn position in which South Carolina has now placed herself. Yet it was deemed expedient to confer on the President this power.

He would refer to the last precedent with which he should trouble the Senate. It so happened in the history of Pennsylvania, that that state took from Virginia a strip of land bordering on the Alleghany and Ohio rivers. On this strip of land, where Virginia had been accustomed to exercise jurisdiction for which she had opened the titles, and where she had held her courts, there arose an insurrection. This had been called the Western Insurrection; but it was a singular fact that it was confined to this narrow strip of land which Pennsylvania took from Virginia. The President was authorized to call out the militia of the state, because they were not committed against the United States, but were willing to obey the call. The man to whose name history has no parallel, put himself at the head of these troops to quell the insurrection. All power was placed in his hands by the act of Nov. 24th, 1794, vol. 2, p. 451, and the President was authorized to place in West Pennsylvania a corps of 2500 men, either drafted or enlisted.

The sixth section of the bill had reference to the replevin law of South Carolina, and was justified and rendered necessary by the 12th section of the act, which prohibited any person from hiring or permitting to be used any building, to serve as a jail for the confinement of any person committed for a violation of the revenue laws, under penalty of being adjudged guilty of a misdemeanor and fined 1000 dollars and imprisoned for one year. The State law, therefore, closes all goals and buildings of South Carolina against prisoners held by process from the United States for a refusal to yield obedience to their laws. It was necessary, therefore, that something should be done. The case might not be fully met by the resolution of 3d March, 1791, vol. 2, p. 236; and this section merely incorporates that provision, without the introduction of any novel principle.

The seventh and remaining section of the bill extends the writ of habeas corpus to a case not covered by existing laws. These laws do not extend to any other than cases of confinement under the authority of the United States, and when committed for trial before the United States Courts, are necessary to testify. He referred the Senate to vol. 2, p. 63, to the 14th section of the judiciary act. The present section merely extended the privileges of that act, which was so essential to the protection of the liberties of our citizens. It extended the act to cases

of imprisonment for executing the laws of the United States. There would be nothing objectionable in this section; it came in conflict with no code of law. If a citizen were confined under the provisions of the Ordinance of the 24th November, 1832, he could have no remedy under the laws as they now exist.—As all such cases arose under the laws of the State of South Carolina, this section only extended the privileges of the writ of habeas corpus to meet those particular cases which had originated in the present state of things.

He had now done, having fully attempted to explain the reason which had induced him to give his sanction to the bill. He should only say, in addition, that if it were the pleasure of Congress to enact this bill into a law he should most fervently pray that no occasion might ever occur to require a resort to its provisions. It was his desire that the present bill, when it should become a law, might be rendered unnecessary by a return of the state of happy tranquility which would renew the cement of our Union, and might lie for ages to come without the necessity of reference to its provisions, slumbering in the libraries of the lawyer and among the archives of legislation.

MINT OF THE UNITED STATES.

Of the President of the U. States, transmitting a Report of the operations of the Mint, during the year 1832.

Washington, 19th Jan. 1833.

I transmit to Congress a report from the Director of the Mint, exhibiting the operations of that institution during the year 1832.

ANDREW JACKSON.

To the Hon. the SPEAKER
Of the House of Reps. of the U. S.

MINT OF THE UNITED STATES.

Philadelphia, Jan. 15, 1833.

SIR: I have now the honor to submit a report on the general transactions of the Mint during the last year, ending 31st December.

The coinage effected within that period amounts to \$3,401,055, comprising \$798,435 in gold coins, \$2,579,000 in silver, and \$24,620 in copper, and consisting of 9,128,387 pieces of coin, viz:

Half Eagles,	157,467 pieces making	\$787,435
Quarter Eagles,	4,100 do. do.	11,000
Half dollars,	4,737,000 do. do.	2,368,500
Quarter dols.	320,000 do. do.	80,000
Dimes,	522,500 do. do.	52,250
Half dimes,	965,000 do. do.	48,250
Cents,	2,302,000 do. do.	23,620
	9,128,387	\$3,401,055

Of the amount of gold coined within the last year, about \$3,000,000 were derived from Mexico, South America, and the W. Indies; \$28,900 from Africa; \$678,000 from the gold region of the U. States; and about \$12,000 from sources not ascertained.

Of the amount of gold of the U. States, above mentioned, about \$34,000 may be stated to have been received from Virginia, \$458,000 from North-Carolina; \$45,000 from S. Carolina; \$140,000 from Georgia; and about \$1,000 from Tennessee.

The following statement exhibits the quantity of gold received from those districts of the U. S. which have thus far produced it in quantities sufficient to attract notice, commencing with the year 1824. Up to that period it had been received at the Mint only from N. Carolina, from which quarter gold was first transmitted for coinage in the year 1804. During the interval, however, from 1804 to 1823 inclusive, the amount had not exceeded \$2,500 yearly.

Year	Virginia	N. Carolina	S. Carolina	Georgia	Tennessee	Alabama	Total
1824							\$5,000
1825							17,000
1826							20,000
1827							21,000
1828							21,000
1829							46,000
1830	\$2,500	134,000					\$140,000
1831	20,000	204,000					\$224,000
1832	34,000	498,000					\$532,000
	26,500	1,190,000	98,500	528,000	2,000	1,000	1,918,000

It is rendered highly probable, by estimates entitled to great respect, that the quantity of gold of the U. S. delivered at the Mint within the last year, does not much exceed the one half of the production from the mines—nearly an equal amount

being supposed to have been exported uncoined, or employed in the arts. If this conjecture be nearly correct, the production of gold from the U. S. during the year has not been less than a million and a quarter of dollars. This may be regarded as equal to one-sixth part of all the gold produced, within the same period, from the mines of Europe and America, estimated according to the results of recent years, as given by the best authorities.

The prevalence of a fearful epidemic in this and other cities of the U. S. was sensibly felt in a diminution of the usual demands on the Mint, and its productiveness within the third quarter of the year. In every department of the institution, labor was, during the prevalence of the danger, more lightly exacted; and it is stated, with much pleasure, that no individual employed in the establishment became a subject of the disease.

Operations, I have now the satisfaction to say, have been commenced in the new Mint for the proof of the machinery; and all the departments of the institution will be transferred in a few days to that edifice.

I have the honor to be, with great respect, your obedient servant,
SAMUEL MOORE.
The President of the U. S.

From the Fayetteville Observer.

The Tariff.—Mr. Clay has done himself immortal honor. He, the father of the American System, has come forward with a bill so to modify the Tariff as to make it satisfactory to the South; a bill, "the general principles of which (Mr. Calhoun declares) meet with his approbation;"—and therefore emphatically, *A Bill to preserve the Union!* A bill that satisfies Mr. Calhoun, cannot fail to meet the approbation of the South; and its introduction by Mr. Clay will ensure for it the support of some of those who have usually acted with him in support of the protective system. These parties united, render the passage of the bill, we think, certain. Or, if time should not allow of its consummation during the brief period that remains of the present session, the fact of its introduction by Mr. Clay, together with the better feeling that exhibited itself so palpably in the debate which took place in the Senate, will induce South Carolina to suspend still further her Ordinance, till the next Session, when a perfect assurance may be entertained, that a bill at least as favorable to the South as Mr. Clay's, will pass. It is with feelings more joyful than we can express, that we congratulate our readers on the happy prospect of having all animosities between North and South allayed; of our whole country being once more 'united' in affection as in name. And however we may have regarded him who has opened this bright prospect, let us accord to him the honor due for his truly patriotic purpose. He is no longer a candidate for office. The purity of his motives, therefore, cannot be suspected.

The following are the provisions of the bill:

A bill to modify the act of the 14th July, 1825, and all other acts imposing duties on imports.

1. *Be it enacted, &c.* That, from and after the 30th day of September, 1833, in all cases where duties are imposed on foreign imports by the act of the 14th July, 1825, entitled, "An act to alter and amend the several acts imposing duties on imports," or by any other act, shall exceed twenty per cent on the value thereof, one tenth part of such excess shall be deducted; from and after the 30th day of September, 1835, another tenth part thereof shall be deducted; from and after the 30th day of September, 1837, another tenth part thereof shall be deducted; from and after the 30th day of September, 1839, another tenth part thereof shall be deducted; and from and after the 30th day of September, 1841, one half of the residue of such excess shall be deducted; and from and after the 30th day of September, 1842, the other half thereof shall be deducted.

2. *And be it further enacted,* That so much of the second section of the act of the 14th of July aforesaid, as fixes the rate of duty on all milled and fulled cloth, known by the name of plains, kerseys, or kental cottons, of which wool is the only material, the value whereof does not exceed thirty-five cents a square yard, at five per cent ad valorem, shall be, and the same is hereby repealed. And the said articles shall be subjected to the same duty of fifty per cent as is provided by the said section for other manufactures of wool, which duty shall be liable to the same deduction as are prescribed by the first section of this act.

3. *And be it further enacted,* That until the 30th day of September, 1842, the duties imposed by existing laws, as modified by this act, shall remain and continue to be collected. And from and after the day last aforesaid, all duties upon imports shall be collected in ready money, and laid for the purpose of raising such revenue as may be necessary to the economical administration of the government; and for that purpose shall be equal upon all articles according to their value, which are not by this act declared to be entitled to entry subsequent to the said 30th day of September, 1842, free of duty. And, until otherwise directed by law, from and after the said 30th day of September, 1842, such duties shall be at the rate of twenty per cent ad valorem. And from and after that day all credits now allowed by law in the payment of duties, shall be, and hereby are, abolished: *Provided,* That nothing herein contained shall be construed to prevent the passage of any law in the event of war with any foreign Power, for imposing such duties as may be deemed by Congress necessary to the prosecution of such war.

4. *And be it further enacted,* That, in addition to the articles not exempted by the existing laws from the payment of duties, the following articles, imported from and after the 30th day of September, 1842, shall also be admitted to entry free from duty, to wit: Bleached and unbleached linens, manufactures of silk, or of which silk shall be a component material of chief value, coming from this side of the Cape of Good Hope, and worsted stuff goods, shawls, and other manufactures of silk and worsted.

5. *And be it further enacted,* That from and after the 30th day of September, 1842, the following articles shall be admitted to entry free from

duty, to wit: unmanufactured cotton, indigo, quick-silver, opium, tin in plates and sheets, gum arabic, gum senegal, lac dye, madder, madder root, nuts and berries used in dyeing, saffron, tumeric, wood or pastel, aloes, ambergris, Burgundy pitch, cochineal, camomile flowers, coriander seed, castor, chalk, coeulus indicus, horn plates for lanterns, or horns, other horns and tips, India rubber, unmanufactured ivory, juniper berries, musk, nuts of all kinds, oil of juniper, manufactured rattans and reeds, tortoise shell, tin foil, vegetables used principally in dyeing and composing dyes, weld and all articles employed chiefly for dyeing, except prussiate of potash, chromate of potash, aquafortis and tartaric acids, and all other dyeing drugs and materials for composing dyes.

Mr. Clay delivered a long speech in explanation of the bill, and of his views in relation to the present posture of affairs, breathing the most patriotic spirit. We have room only for the closing paragraphs, as follows:—

"The memorable first of February is past. I confess I did feel an unconquerable repugnance to legislation until that day should have passed, because of the consequences that were to ensue. I hoped that the day would go over well. I feel, and I think that we must all confess, we breathe a freer air than when the restraint was upon us. But this is not the only consideration. S. Carolina has practically postponed her Ordinance, instead of letting it go into effect, till the 4th of March. Nobody who has noticed the course of events, can doubt that she will postpone it by still further legislation, if Congress should rise without any settlement of this question. I was going to say, my life on it, she will postpone it to a period subsequent to the fourth of March. It is in the natural course of events. South Carolina must perceive the embarrassments of her situation. She must be desirous—it is unnatural to suppose that she is not, to remain in the Union. What! a State whose heroes in its gallant ancestry fought so many glorious battles along with those of the other States of this Union—a State with which this confederacy is linked by bonds of such a powerful character! I have some eyes fancied which would be her condition if she goes out of the Union. If her 500,000 people should at once be thrown upon their own resources. She is out of the Union. What is the consequence? She is an independent power. What then does she do? She must have armies and fleets, and an expensive Government—have foreign missions—she must raise taxes—enact this very Tariff, which had driven her out of the Union, in order to enable her to raise money and to sustain the attitude of an independent power. If she should have no force, no navy to protect her, she would be exposed to piratical incursions. Their neighbor, St. Domingo, might pour down a horde of pirates on her borders, and desolate her plantations.—She must have her embassies, therefore must she have a revenue. And, let me tell you, there is another consequence—an inevitable one, she has a certain description of persons recognized as property South of the Potomac, and West of the Mississippi, which would be no longer recognized as such, except within their own limits. This species of property would sink immediately to one half of its present value, for it is Louisiana and the South-western States which are her great market.

"But I will not dwell on this topic any longer. I say it is utterly impossible that South Carolina ever desired, for a moment, to become a separate and independent State. If the existence of the Ordinance, while an act of Congress is pending, is to be considered as a motive for not passing that law, why this would be found to be a sufficient reason for preventing the passing of any laws. S. Carolina, by keeping the shadow of an Ordinance even before us, as she has it in her power to postpone it from time to time, would defeat our legislation forever. I would repeat that, under all the circumstances of the case, the condition of South Carolina is only one of the elements of a combination, the whole of which together, constitutes a motive of action which renders it expedient to resort, during the present session of Congress, to some measure in order to quiet and tranquilize the country.

"If there be any who want civil war—who want to see the blood of any portion of our countrymen spilt, I am not one of them—I wish to see war of no kind; but, above all, do I not desire to see a civil war. When war begins, whether civil or foreign, no human foresight is competent to foresee when or how, or where it is to terminate. But when a civil war be lighted up in the bosom of our own happy land, and armies are marching, and commanders are winning their victories, and fleets are in motion on our coast—tell me, if you can, tell me if any human being can tell its duration? God alone knows where such a war will end. In what state will be left our institutions? In what state our liberties? I want no war, above all, no war at home.

"Sir, I repeat, that I think S. Carolina has been rash, intemperate, and greatly in the wrong; but I do not want to disgrace her, nor any other member of this Union. No; I do not desire to see the lustre of one single star dimmed of that glorious Confederacy which constitutes our political sun; still less do I wish to see it blotted out, and its light obliterated forever. Has not the State of S. Carolina been one of the members of this Union in "days that tried men's souls?" Have not her ancestors fought alongside our ancestors? Have we not, conjointly, won together many a glorious battle? If we had to go into a civil

war with such a State, how would it terminate? Whenever it should have terminated, what would be her condition? If she should ever return to the Union, what would be the condition of her feelings and affections—what the state of the heart of her people? She has been with us before, when her ancestors mingled in the throng of battle, and as I hope our posterity will mingle with hers for ages and centuries to come in the united defence of liberty, and for the honor and glory of the Union, I do not wish to see her degraded or defaced as a member of this Confederacy.

In conclusion, allow me to entreat and implore each individual member of this body to bring into the consideration of this measure, which I have had the honor of proposing, the same love of country which, if I know myself has actuated me; and the same desire for restoring harmony to the Union, has prompted this effort. If we can forget for a moment—but that would be asking too much of human nature—if we could suffer, for one moment, party feeling and party causes—and, as I stand here before my God, I declare I have looked beyond those considerations, and regarded only the vast interests of this united people—I should hope that, under such feelings and with such dispositions, we may advantageously proceed to the consideration of this bill, and heal, before they are yet bleeding, the wounds of our distracted country."

Mr. Forsyth opposed the granting of leave to bring in the bill, and demanded the yeas and nays. He thought there was not time to act on the bill; that the Senate had better wait the action of the House on the bill before that body; and that the bill violated the Constitution, being a bill to raise revenue, which cannot be originated in the Senate. He considered the Tariff at its last gasp; and said that "this bill could come from no better source than from the Senator from Kentucky, for to no other source were we more indebted than to him, for the discord and discontent which agitates us." We cannot conceal our disgust at such a course and such language from a Southern man. Mr. Clay had nobly sacrificed his own predilections, to promote the peace and harmony of the country, and had delivered a speech full of kindness and conciliation. And how is he met? By taunts and opposition. And this, too, by a Southern man, the main stay of the Administration in the Senate, whose undivided efforts ought to be directed to the amicable adjustment of all differences. Really, it would seem that there existed a desire to drive S. C. to extremities, for the pleasure of putting her down.

After several other gentlemen had spoken, Mr. Clay replied to Mr. F. He said—

"He had resolved that while he was engaged in this work of peace, nothing which might be thrown out in the remarks of gentlemen, whether personal or not, should provoke him to any warmth of reply. He was, he must confess, somewhat surprised at the manner in which his request had been received. The gentleman from Georgia had intimated that this Bill was the work of the manufacturers. The fact was not so. The bill was exclusively his own, and had been framed in opposition to the opinions and wishes of some manufacturers with whom he had conferred. If he had listened to them he should not have introduced this bill; but he had been moved by higher considerations, and had looked solely to the harmony and feelings of the whole Union."

Mr. Dickerson would oppose the leave to introduce the bill. Mr. Webster would vote for the leave, but could never concur in the principles of the bill. These are the strong advocates of the manufacturing interest.

Mr. Calhoun rose and said, he would make but one or two observations. Entirely approving of the object for which this bill was introduced—he should give his vote in favor of the motion for leave to introduce it. He who loves the Union must desire to see this agitating question brought to a termination. Until it should be terminated, we could not expect the restoration of peace or harmony, or a sound condition of things, throughout the country. He believed that to the unhappy divisions which had kept the Northern and Southern States apart from each other, the present entirely degraded condition of the country, far more than any other cause, was solely attributable. The general principles of this bill received his approbation. He believed that if present difficulties were to be adjusted, they may be adjusted on the principles embraced in the bill, of fixing ad valorem duties, except in the few cases in the bill to which specific duties were assigned. He said that it had been his fate to occupy a position as hostile as any could in reference to the protecting policy; but, if it depended on his will, he would not give his vote for the prostration of the manufacturing interest. A very large capital had been invested in manufactures, which had been of great service to the country, and he would never give his vote to suddenly withdraw all those duties by which that capital was sustained in the channel into which it had been directed.—But he would only vote for the ad valorem system of duties, which he deemed the most beneficial and the most equitable. At this time he did not rise to go into a consideration of any of the details of this bill, as such a course would be premature, and