would exercise it. If congress now refuse to exercise it, congress does, as she may insist, break the condition of the grant, and thus manifestly violate the constitution; and for this violation of the constitution, she may threaten to secede also. Virginia may secede, and hold the fortresses in the Chesapeake. The western states may secede, and take to their own use the public lands. Louisana may secede, if she choose, from a foreign alliance, and hold the mouth of the Mississippi. If one state may secede, ten may do so—twenty may do so—twenty-three may do so. Sir, as these secessions go on, one after another, what is to constitute the United States? Whose will be the army? Whose the navy? Who will pay the debts? Who fulfil the public treaties? Who perform the constitutional guarantees? Who govern this district and the territories? Who retain the public property?

Mr. President, every man must see that these are all questions which can arise only after a revolution. They presuppose the breaking up of the government. While the constitution lasts, they are repressed; they spring up to annoy and startle us only from its grave.

The constitution does not provide for events which must be preceded by its own destruction. Secession, therefore, since it must bring these consequences with it, is revolutionary. And nullification is equally revolutionary. What is revolution? Why, sir, that is revolution, which overturns, or controls, or successfully resists the existing public authority; that which arrests the exercise of the supreme power; that which introduces a new paramount authority into the rule of the state. Now, sir, this is the precise object of nullification. It attempts to supersede the supreme legislative authority. It arests the arm of the executive magistrate. It interrupts the exercise of the accustomed judicial power. Under the name of an ordinance, it declares null and void, within the state, all the revenue laws of the United States. Is not this revolutionary? Sir, so soon as this ordinance shall be carried into effect, a revolution will have commenced in South Carolina. She will have thrown off the authority to which her citizens have heretofore been subject. She will have declared her own opinions and her own will to be above the laws, and above the power of those who are entrusted with their administration. If she makes good these declarations, she is revolutionized.

As to her, it is as distinctly a change of the supreme power, as the American revolution of 1776. That revolution did not subvert Government in all its forms. It did not subvert local laws and municipal administrations. It only threw off the dominion of a power, claiming to be superior, and to have a right, in many important respects, to exercise legislative authority. Thinking this authority to have been usurped or abused, the American colonies, now the U. States, bade it defiance, and freed themselves from it by means of a revolution. But that revolution left them with their own municipal laws still, and the forms of local Government. If Carolina now shall effectually resist the laws of Congress, if she shall be her own judge, take her remedy into her own hands, obey the laws of the Union when she pleases, she will relieve herself from a paramount power as distinctly as the American colonies did the same thing in 1776. In other words, she will achieve, as to herself, a revolution.

But, sir, while practical nullification in S. Carolina would be, as to herself, actual and distinct revolution, its necessary tendency must also be to spread revolution, and to break up the constitution, as to all the other States. It strikes a deadly blow at the vital principle of the whole Union. To allow State resistance to the laws of Congress to be rightful and proper, to admit nullification in some States, and yet not expect to see a dismemberment of the entire Government, appears to me the wildest delusion, and the most extravagant folly. The gentleman seems not conscious of the direction or the rapidity of his own course. The current of his opinions sweeps him along, he knows not whither. To begin with nullification, with the avowed intent, nevertheless, not to proceed to secession, dismemberment, and general revolution, is as if one were to take the plunge of Niagara, and cry out that he would stop half way down. In the one case, as in the other, the rash adventurer must go to the bottom of the dark abyss below, were it not that that abyss has no discovered bottom.

Nullification, if successful, arrests the power of the law, absolves citizens from their duty, subverts the foundation both of protection and obedience, dispenses with oaths and obligations of allegiance, and elevates another authority to supreme command. Is not this revolution? And it raises to supreme command twenty-four distinct powers, each professing to be under a General Government, and yet each setting its laws at defiance at pleasure.—Is not this anarchy, as well as revolution? Sir, the constitution of the U. S. was received as a whole, and for the whole country. If it cannot stand altogether, it cannot stand in parts; and if the laws cannot be executed every where, they cannot long be executed any where. The gentleman very well knows that all duties and imposts must be uniform throughout the country. He knows that we cannot have one rule or one law for S. Carolina, and another for other States. He must see, therefore, and does see, every man sees, that the only alternative is a repeal of the laws, throughout the whole Union, or their execution in Carolina as well as elsewhere. And this repeal is demanded because a single State interposes her veto, and threatens resistance!—The result of the gentleman's opinions, or rather the very text of his doctrine, is, that no act of Congress can bind all the States, the constitutionality of which is not admitted by all; or, in other words, that no single State is bound, against its own dissent, by a law of imposts. This is precisely the evil experienced under the old confederation, and for remedy of which this constitution was adopted. The leading object in establishing this government, an object forced on the country by the condition of the times, and the absolute necessity of the law, was to give to Congress power to lay and collect imposts *without the consent of particular States*. The revolutionary debt remained unpaid; the national treasury was bankrupt; the country was destitute of credit; Congress issued its requisitions on the States, and the States neglected them; there was no power of coercion, but war; Congress could not lay imposts, or other taxes, by its own authority; the whole General Government, therefore, was little more than a name. The articles of confederation, as to purposes of revenue and finance, were nearly as a dead letter. The country sought to escape from this condition, at once feeble and disgraceful, by constituting a government which should have power, of itself, to lay duties and taxes, and to pay the public debt, and provide for the general welfare; and to lay these duties and taxes in all the States, without asking the consent of the State Governments. This was the very power on which the new constitution was to depend for all its ability to do good; and without it, it can be no Government, now or at any time.—Yet, sir, it is precisely against this power, so absolutely indispensable to the very being of the Government, that S. Carolina directs her ordinance. She attacks the Government in its authority to raise revenue, the very main spring of the whole system; and, if she succeed, every movement of that system must inevitably cease. It is of no avail that she declares that she does not resist the law as a revenue law, but as a law for protecting manufactures. It is a revenue law; it is the very law by force of which the revenue is collected; if it be arrested in any State, the revenue ceases in that State; it is, in a word, the sole reliance of the Government for the means of maintaining itself and performing its duties.

Mr. President, the alleged right of a State to decide constitutional questions for herself, necessarily leads to force, because other States must have the same right, and because different States will decide differently; and, when these questions arise between States, if there be no superior power, they can be decided only by the law of force. On entering into the Union, the people of each State gave up a part of their own power to make laws for themselves, in consideration that, as to common objects, they should have a part in making laws for other States. In other words, the people of all the States agreed to create a common Government, to be conducted by common councils. Pennsylvania, for example, yielded the right of laying imposts in her own ports, in consideration that the new Government, in which she was to have a share, should possess the power of laying imposts in all the States. If South Carolina now refuses to submit to this power, she breaks the condition on which other States entered into the Union. She partakes of the common councils, and therein assists to bind others, while she refuses to be bound herself. It makes no difference in the case whether she does all this without reason or pretext, or whether she sets up as a reason that, in her judgment, the acts complained of are unconstitutional. In the judgment of other States, they are not so. It is nothing to them that she offers some reason or some apology for her conduct, if it be one which they do not admit. It is not to be expected that any State will violate her duty without some plausible pretext. That would be too rash a defiance of the opinion of mankind. But, if it be a pretext which lies in her own breast—if it be no more than an opinion which she says she has formed, how can other States be satisfied with this? How can they allow her to be judge of her own obligations? Or, if she may judge of her own obligations, may they not judge of their rights also? May not the twenty-three entertain an opinion as well as the twenty-fourth? And, if it be their right, in their own opinion, as expressed in the common council, to enforce the law against her, how is she to say that her right and her opinion are to be every thing, and their right and their opinion nothing?

Mr. President, if we are to receive the constitution as the text, and then to lay down, in its margin, the contradictory commentaries which have been, and which may be made by different States, the whole page would be a polyglot indeed. It would speak with as many tongues as the builders of Babel, and in dialects as much confused, and mutually as unintelligible. The very instance now before us presents a practical illustration. The law of the late session is declared unconstitutional in South Carolina, and obedience to it is refused. In other States it is admitted to be strictly constitutional. You walk over the limits of its authority, therefore, when you pass the State line. On one side it is law; on the other side, a nullity; and yet it is passed by a common Government, having the same authority in all the States.

Such, sir, are the inevitable result of this doctrine.—Beginning with the origina error, that the constitution of the U. S. is nothing but a compact between sovereign States; asserting, in the next step, that each State has a right to be its own sole judge of the extent of its own obligations, and consequently of the constitutionality of laws of Congress; and, in the next, that it may oppose whatever it sees fit to declare unconstitutional, and that it decides for itself on the mode and measure of redress, the argument arrives at once at the conclusion that what a State dissents from, it may nullify; what it opposes, it may oppose by force; what it decides for itself, it may execute by its own power; in short, it is, itself, supreme over the legislation of Congress, and supreme over the decisions of the national judicature; supreme over the constitution of the country, supreme over the supreme law of the land. However it seeks to protect itself against these plain inferences, by saying that an unconstitutional law is no law, and that it only opposes such laws as are unconstitutional, yet this does not, in the slightest degree vary the result; since it insists on deciding this question for itself; and, in opposition to reason and argument, in opposition to practice and experience, in opposition to the judgment of others, having an equal right to judge, it says, only, "Such is my opinion, and my opinion shall be my law, and I will support it by my own strong hand. I denounce the law; I declare it unconstitutional; that is enough; it shall not be executed. Men in arms are ready to resist its execution. An attempt to enforce it shall cover the land with blood. Elsewhere, it may be binding; but here it is trampled under foot."

This, sir, is practical nullification.

And now, sir, against all these theories and opinions, I maintain—

1. That the constitution of the United States is not a league, confederacy, or compact, between the people of the several States in their sovereign capacities; but a Government proper founded on the adoption of the people, and creating direct relations between itself and individuals.

2. That no State authority has power to dissolve these relations; that nothing can dissolve them but revolution; and that, consequently, there can be no such thing as secession without revolution.

3. That there is a supreme law, consisting of the constitution of the United States, acts of Congress passed in pursuance of it, and treaties, and that, in cases not capable of assuming the character of a suit in law or equity, Congress must judge of, and finally interpret, this supreme law, so often as it has occasion to pass acts of legislation; and, in cases capable of assuming, and actually assuming, the character of a suit, the Supreme Court of the United States is the final interpreter.

4. That an attempt by a State to abrogate, annul, or nullify an act of Congress, or to arrest its operation within her limits, on the ground that, in her opinion, such law is unconstitutional, is a direct usurpation on the just powers of the General Government, and on the equal rights of other States, a plain violation of the constitution, and a proceeding essentially revolutionary in its character and tendency.

Whether the constitution be a compact between States in their sovereign capacities, is a question which must be mainly argued from what is contained in the instrument itself. We all agree that it is an instrument which has been, in some way, clothed with power. We all admit that it speaks with authority. The first question then is, what does it say of itself? What does it purport to be? Does it style itself a league, confederacy, or compact between sovereign States? It is to be remembered, sir, that the constitution began to speak only after its adoption. Until it was ratified by nine States, it was but a proposal, the mere draught of an instrument. It was like a deed, drawn but not executed. The convention had framed it, sent it to Congress then sitting under the Confederation, Congress had transmitted it to the State Legislatures, and by these last it was laid before the conventions of the people in the several States. All this while it was inoperative paper. It had received no stamp of authority, no sanction; it spoke no language. But when ratified by the people in their respective conventions, then it had a voice, and spoke authentically. Every word in it had then received the sanction of the popular will, and was to be received as the expression of that will. What the constitution says of itself, therefore, is as conclusive as what it says on any other point. Does it call itself a compact? Certainly not. It uses the word compact but once, and that is when it declares that the States shall enter into no compact. Does it call itself a league, a confederacy, a subsisting treaty between the States? Certainly not. There is not a particle of such language in all its pages. But it declares itself a constitution. What is a *constitution?* Certainly not a league, compact or confederacy, but a *fundamental law*. That fundamental regulation which determines the manner in which the public authority is to be executed, is what forms the *constitution of a State*. Those primary rules which concern the political body itself, and the very being of the political society, the form of government, and the manner in which power is to be exercised—all, in a word, which form together the *constitution of a State*, these are the fundamental laws. This, Sir, is the language of the public writers. But do we need to be informed, in this country, what a *constitution* is? Is it not an idea perfectly familiar, definite, and well settled? We are at no loss to understand what is meant by the constitution of one of the States; and the Constitution of the United States speaks of itself as being an instrument of the same nature. It says, this *Constitution* shall be the law of the land, any thing in any State *constitution* to the contrary notwithstanding. And it speaks of itself, too, in plain contradistinction from a confederation, for it says that all debts contracted, and all engagements entered into by the United States, shall be as valid under this *constitution*, as under the confederation. It does not say, as valid under this *compact*, or this league, or this confederation, as under the former confederation, but as valid under this *constitution*.

This, then, sir, is declared to be a *constitution*.—A constitution is the fundamental law of the State; and this is expressly declared to be the supreme law. It is as if the people had said, "we prescribe this fundamental law," or "this supreme law," for they do say that they establish this constitution, and that it shall be the supreme law. They say they *ordain and establish* it. Now, sir, what is the common application of these words? We do not speak of *ordaining* leagues and compacts. If this was intended to be a compact or league, and the States to be parties to it, why is it not so said? Why is there found no expression in the whole instrument indicating such intent? The old confederation was expressly called a *league;* and into this league it was declared that the States, as States, severally entered. Why was not similar language used in the constitution, if a similar intention had existed? Why was it not said, "the States into this new league," "the States form this new confederation," or "the States agree to this new compact?" Or, why was it not said, in the language of the gentleman's resolution, that the people of the several States acceded to the compact in their sovereign capacities? What reason is there for supposing that the framers of the constitution rejected expressions appropriate to their own meaning, and adopted others wholly at war with that meaning?

Again, sir, the constitution speaks of that political system which it establishes as "*the Government of the United States.*" Is it not doing strange violence to language to call a league or a compact between sovereign Powers a *Government?* The Government of a State is that organization in which the political power resides. It is the political being, created by the constitution or fundamental law. The broad and clear difference between a Government and a league, or compact, is that a Government is a body politic; it has a will of its own; and it possesses powers and faculties to execute its own purposes. Every compact looks to some power to enforce its stipulations. Even in a compact between sovereign communities, there always exists this ultimate reference to a power to ensure its execution; although, in such case, this power is but the force of one party against the force of another—that is to say, the power of war. But a *Government* executes its decisions by its own supreme authority. Its use of force in compelling obedience to its own enactments, is not war. It contemplates no opposing party having a right of resistance. It rests on its own will; and, when it ceases to possess this power, it is no longer a Government.

[*To be Continued.*]

Warming a Bed.—A good lady in the city of Portland, whose husband was tormented with the rheumatism was advised to warm his bed, with a pan of coals, and to throw in a little sugar. She accordingly threw *upon the sheets* something like a pound of brown Havana, and proceeded to draw a pan of hot coals briskly between the sheets by which operation the sugar was nigh restored to its primitive state and made as hot as when it came from the boiling chauldron. Meanwhile the good man had denuded himself and when the pan was withdrawn crawled between the sheets as quick as his lameness would permit. But his bound from the bed gave lie to his complaint no member of the Ravel family could have vaulted to the floor with more agility than did the sugar scalt old codger, and no Senator could have roared louder than he did. In the jump he struck the dame, and man, woman, two children and the hot coals came to the floor together—But coals were scarce less *comfortable* than hot sugar, and the evening's entertainment concluded with "ground and lofty tumbling by the whole company." But the exercise thus taken was productive of good, and barring the scalt skin, the old man was rendered more free from pain than he had been for years before.—*Lowell Compend.*

The man who contents himself to-day with that which he has, will content himself to-morrow with that which he may have.

A SERIOUS DISASTER.

We are sorry to have to announce that the Public Building East of the Presidents Square, occupied as the TREASURY DEPARTMENT, *was consumed by Fire* yesterday morning, between two o'clock and sunrise. The fire was first discovered in the room adjoining that of the Chief Clerk of the Department, usually known among the Clerks and other officers by the name of Mr. F. Laub's Room. It is not known whether the Fire originated in the floor or the ceiling of the room, the whole being in a blaze before any one approached it; but no doubt appears to be entertained that the Fire was accidental. The whole room was on fire before the alarm was given; and until the alarm was given, even the watch walking the pavement in front of the Branch Bank (near the spot) perceived nothing of the fire, (the building of the State Department interposing.) Every exertion was made, as the people gathered to the spot, finding that it would be in vain to attempt saving the building, to rescue the books and papers of the several offices. A great deal was saved, by the Clerks and other citizens, considering the circumstances. It is hoped, indeed, that few books or papers of much consequence are destroyed.

All the books and papers on the ground floor are believed to have been saved (in great disorder of course) and *all* those in the third story were destroyed. Of the books and papers in the apartments of the second story, much the greater part were saved.

The offices on the first floor, the books of which are saved, were those of the Register of the Treasury, the Treasurer and the First Auditor. On the second floor, nearly all the books of the First Comptroller, whose office occupied the greater number of the rooms, were saved, and a part of those belonging to the office of the Secretary of the Treasury, in whose immediate apartments the fire was first discovered.

Of the offices connected with the Treasury Department, several of the most extensive, are kept in other buildings than that destroyed, and are of course entirely safe, viz. those of the Second Comptroller, Second, Third, Fourth and Fifth Auditors, and the Solicitor of the Treasury.

The papers destroyed were many of them obsolete, and almost all of a date prior to 1820. The most important papers destroyed were perhaps the correspondence of the Head of the Treasury Department, which was kept in the room wherein the fire originated.

When the Fire was first discovered, it was the dead hour of the night, and the whole population was so deep buried in sleep, that a comparatively small number arrived early on the ground. Very soon after the first cry of Fire was uttered, (a half past two o'clock, the keeper of the Orphan Asylum bell caught and repeated the alarm; whence it happened that the persons first at the fire, next to the immediate neighbors, were roused by that bell and had half a mile to run before they arrived at it. To save the building, however, when once on fire, would, under any circumstances, have been impossible, so inflammable was its structure, as well as contents.

No one can look at the smoking ruins without a sensation of astonishment at the fatuity and utter improvidence with which books and papers of such vast consequence have been so long trusted to any other than a fire-proof building. The few scattering vaulted rooms in the building entirely escaped the flames; and had the whole building been similarly constructed, the fire could not have occurred; or if, through extreme carelessness, it had occurred, it would have been confined to the room in which it originated.

Where was the watchman of the building? is a natural question. He was, we hear, sick at home; and the youth who substituted him was so sound asleep that he was perhaps only saved from being burnt alive by those who broke open the door and roused him. Had he been ever so wide awake, however, unless he had happened to inspect the particular room where the fire begun, the alarm from outside might have been his first notice.

We were glad to observe that creditable exertions were made by the proper officers yesterday to collect and secure the scattered books and papers; so that by 2 o'clock in the day they were safely housed.

National Intelligencer. 1*st inst.*

General LAFAYETTE, in an able Speech on the Election Law of France, which he delivered in the Chamber of Deputies on the 15th of January last, made this remarkable observation: "I shall speak of the Government of the United States, although I am one of those who pay it the just tribute of calling it the *pattern Government*. But we are now told that what I should call republican institutions suit only a vast *continent*, bounded on the one side by the ocean, and on the other by widely extended forests. Formerly, however, it was said that they suited only for an *island*. They are suited to every country where the citizens are inteligent, and wish to be free."

Eight thousand four hundred attorneys have taken out their annual certificates this year in England. "Angels and Ministers of Grace defend us!"