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that, our splendid anticipation of the future will prove but an empty dream. Stripped of all its covering, and the naked question is, whether ours is a federal or a consolidated government; a constitutional or absolute one; a government resting ultimately on the solid basis of the sovereignty of the states, or on the unrestrained will of a majority; a form of government, as in all other unlimited ones, in which injustice and violence, and force must finally prevail. Let it never be forgotten that where the majority rules the minority is the subject; and that if we should absurdly attribute to the former the exclusive right of constraining the constitution, there would be in fact between the sovereign and subject, under such a government, no constitution, or at least nothing deserving the name or serving the legitimate object of so sacred an institution.

How the States are to exercise this high power of interposition which constitutes so essential a portion of their reserved rights that it cannot be delegated without an entire surrender of their sovereignty, and converting our system from a federal into a consolidated government is a question that the states only are competent to determine. The arguments which prove that they possess the power, equally prove, that they are in the language of Jefferson "the only proper judges of the mode and measure of redress." But the spirit of forbearance, as well as the nature of the agreement, forbids a recourse to any species of dangerous infraction of the Constitution; and then only in the most extreme cases, when all reasonable hope of relief from the ordinary action of the government has failed; when if the right to interpose did not exist, the alternative would be submission and oppression on the one side, or resistance by force on the other. This system should afford, in such extreme cases, an intermediate point between these two alternatives, by which the government may be brought to a pause, and there an interval obtained to compromise differences, or, if impracticable, be compelled to submit the question to a constitutional adjustment, through an appeal to the states themselves, as an exercise of its high wisdom; an element not, as is supposed by some, of weakness, but of strength; not of anarchy or revolution, but of peace and safety. Its general recognition would of itself in a great measure, if not altogether, supersede the necessity of its exercise, by maintaining on the movements of the government that moderation and justice so essential to harmony and peace in a country of such extent and diversity of interests as ours; and would, if controversy should come, and the resentment of the aggrieved, on the system to those who had abused its powers (a point all important), and cause them to seek redress, not in revolution, but in reformation.

It is properly understood, a submission to a more general statement on the subject, and if that fails, to refer the subject to the general government, and would here conclude, did I not believe that a more general statement on an abstract question without concluding that which may have caused its agitation would be considered by many imperfect, and unsatisfactory. Feeling that such would be justly the case, I am compelled reluctantly to touch on the Tariff, so far at least, as may be necessary to illustrate the opinions which I have already advanced. Anxious, however, to intrude as little as possible on the public attention, I will be as brief as possible; and with that view, will, as far as may be consistent with my object, avoid all debatable topics.

Whatever diversity of opinion may exist in relation to the principle, or the effect on the productive industry of the country, of the present, or any other Tariff protection, there are certain political consequences flowing from the present which none can doubt, and all must deplore. It would be in vain to attempt to conceal that it has divided the country into two great geographical divisions, and arrayed them against each other, in opinion at least, if not interests also, on some of the most vital of political subjects; on its finances, its commerce, and its industry; subjects calculated, above all others, in time of peace, to produce excitement and in relation to which, the Tariff has placed the country in question in deep and dangerous conflict. If there be any point on which (I was going to say Southern section, but to avoid, as far as possible, the painful feelings such discussions are calculated to excite, I shall say) weaker of the two sections is, in a great measure, on the one hand, light taxes, economical, and, as far as possible, equal distribution of the public revenue, and an unshackled industry leaving them to pursue whatever may appear most advantageous to their interests.

From the Potomac to the Mississippi, they are few indeed, however divided on other points, who would not, if dependent on their volition, and if they regarded the interests of their particular section only, remove from commerce and industry every shackle, reduce the revenue to the lowest point that the wants of the government fairly required, and restrict the appropriations to the most moderate scale, consistent with the peace, the security, and the engagements of the public; and who do not believe that the opposite system is calculated to throw on them an unequal burthen, to repress their prosperity, and to encroach on their enjoyment.

On all these deeply important measures, the opposite opinion prevails, if not with equal unanimity, with at least a greatly preponderating majority, in the other and stronger section; so much so, that no two distinct nations ever entertained more opposite views of policy than these two sections do on all the important points to which I have referred. Nor is it less certain that this unhappy conflict, flowing directly from the Tariff, has extended itself to the halls of legislation, and has converted the deliberations of Congress into an annual struggle between the two sections; the stronger to maintain and increase the superiority it has already acquired, and the other to throw off, or diminish its burthen; a struggle in which all the noble and generous feelings of patriotism are gradualy passing into sectional and selfish attachments. Nor has the effect of this perpetual conflict ended here. It has not only divided the two sections on the important point already stated, but on the deeper and more dangerous questions, the constitutionality of a protective Tariff and the general principles and theory of the Constitution itself; the stronger, in order to maintain their superiority, giving a construction to the instrument, which the other believes would convert the Federal Government into a consolidated, irresponsible government, with the total destruction of liberty; and the weaker seeing no hope of relief with such an assumption of power, turning its eye to the reserved sovereignty of the states, as the only refuge from oppression. I shall not extend these remarks as I might, by showing that while the effect of the system of protection was rapidly increasing in the one section, it was not less rapidly, by its necessary operation, diminishing and corrupting the other; and between the two, subjecting the administration to violent and sudden changes, totally inconsistent with all stability and wisdom in the management of the affairs of the nation, of which we already see fearful symptoms. Nor do I deem it necessary to enquire whether this unhappy conflict grows out of true, or mistaken views of interest on either, or both sides. Regarded in either light, it ought to admonish us of the extreme danger to which our system is exposed, and the need of moderation and wisdom necessary to preserve it. If it comes from mistaken views, if the interests of the two sections as affected by the Tariff, be really the same, and the system instead of acting unequally, in reality diffuses equal blessings, and imposes equal burthens on every part, it ought to teach us how much those who are differently situated, and who view their interests under different aspects, are to come to different conclusions; and when their interests are strictly the same, and consequently, with what exactness, and on any system of policy ought to be adopted, and with what a spirit of moderation pursued, in a country of so great extent and diversity of interests. If, on the contrary, the conflict springs really, from contrariety of interests, if the burthen be on one side, and the benefit on the other, then are we taught a lesson not less important, how little regard we have for the interests of others, while in pursuit of our own, or at least, how apt we are to consider our own interest, the interest of all others; and of course how great the danger in a country of such acknowledged diversity of interests, of the oppression of the feeble by the stronger interest, and in consequence of it, of the most fatal sectional conflicts. But which ever may be the cause, the real, or supposed diversity of interest, it cannot be doubted, that the political consequences of the prohibitory system, be its effects in other respects, beneficial, or otherwise, are really such, as I have stated; nor can it be doubted, that a conflict between the great sections on questions so vitally important, indicates a condition of the country so disordered and dangerous, as to demand the most serious and prompt attention. It is only when we come to consider of the remedy, that, under the aspect, I am viewing the subject, there can be, among the informed and considerate, any diversity of opinion.

Those who, have not duly reflected on its dangerous and inveterate character, and who, if continued, must end, not only in subjecting the industry and property of the weaker section to the control of the stronger, in prohibition and political disfranchisement, but in finally centralizing and concentrating all the powers of the Federal Government, in the great measure, and the tendency of which, is to convert the Federal Government into a consolidated, irresponsible government.

suppose that the disease will cure itself, that events ought to be left to take their own course; and that experience, in a short time, will prove, that the interest of the whole community, is the same, in reference to the Tariff, or, at least, whatever diversity there may now be, time will assimilate. Such has been their language from the beginning, but unfortunately the progress of events has been the reverse. The country is now more divided than in 1828; and then, more than in 1816. The majority may have increased, but the opposite sides are beyond dispute more determined and excited, than at any preceding period. Formerly the system was resisted mainly, as inexpedient; but now, as unconstitutional, unequal, unjust and oppressive. Then relief was sought exclusively from the General Government; but now, many driven to despair, are raising their eyes to the reserved sovereignty of the states, as the only refuge. If we turn from the past, and present, to the future, we shall find nothing to lessen, but much to aggravate the danger. The increasing embarrassment, and distress of the staple States, the growing conviction, from experience, that they are caused by the prohibitory system principally, and that, under its continued operation, their present pursuits must become profitless, and that their great and peculiar agricultural capital, cannot be diverted from its ancient and hereditary channels, without ruinous losses, all concur to increase, instead of dispelling the gloom, that hangs over the future. In fact, to those who will duly reflect on the subject, the hope, that the disease will cure itself, must appear perfectly illusory. The question is in reality one between the exporting and non exporting interests of the country. Were there no exports, there would be no Tariff. It would be perfectly useless. On the contrary, so long as there are States, which raise the great agricultural staples, with the view of obtaining their supplies, and which most depend, on the general market of the world, for their sales, the conflict must remain, if the system should continue, and the disease become more and more inveterate. Their interest, and that of those, who by high duties would confine the purchase of their supplies to the general market, must from the nature of things in reference to the Tariff, be in conflict. Till, then, we cease to raise the great staples cotton, rice and tobacco, for the general markets, and till we can find some other profitable investment for the immense amount of capital and labor now employed in their production, the present unhappy and dangerous conflict cannot terminate unless with the prohibitory system itself.

In the meantime, while idly waiting for its termination through its own action, the progress of events, in another quarter, is rapidly bringing the contest, to an immediate and decisive issue. We are fast approaching a period, very novel in the history of nations, and bearing directly and powerfully on the point under consideration, the final payment of a long standing funded debt; a period that cannot be sensibly retarded, or the natural consequences of it eluded, without proving disastrous to those, who may attempt either, if not to the country itself. When it arrives, the Government would find itself in possession of a surplus revenue of \$10,000,000, or \$12,000,000, if not previously disposed of, which presents the important question what previous disposition ought to be made; a question which must press urgently for decision, at the very next session of Congress. It cannot be delayed longer, without the most distracting and dangerous consequences.

The honest and obvious course is, to prevent the accumulation of the surplus in the treasury, by a timely and judicious reduction of the imposts; and thereby to leave the money in the pockets of those who made it, and from whom it cannot be honestly, nor constitutionally taken, unless required by the fair and legitimate wants of the Government. If, neglecting a disposition so obvious and just, the Government should attempt to keep up the present high duties, when the money was no longer wanted, or to dispose of this immense surplus by enlarging the old or devising new schemes of appropriations, or finding that to be impossible, it should adopt the most dangerous unconstitutional and absurd project ever devised by any government, of dividing the surplus among the States (a project, which, if carried into execution, could not fail to create an antagonistic interest between the States and General Government on all questions of appropriations, which would certainly end in reducing the latter to a mere office of collection and distribution); either of these modes would be considered by the section suffering under the present high duties as a fixed determination, to perpetrate forever what it considers the present unequal, unconstitutional, and oppressive burden; and from that moment, it would cease to look to the General Government for relief. This deeply interesting period, which must prove so disastrous, should a wrong direction be given, but so fortunate and glorious, should a right one, is at hand. The work must be commenced at the next session, as I have hinted at

be left undone, or at least, be badly done. The succeeding session would be too short and too much agitated by the Presidential contest to afford the requisite leisure and calmness, and the one succeeding would find the country in the midst of the crisis when it would be too late to prevent an accumulation of the surplus; which I hazard nothing in saying, judging from the nature of men and governments, if once permitted to accumulate, would create an interest, strong enough to perpetuate itself, supported as it would be by others, so numerous, and powerful; and thus would pass away a moment, never to be quietly recalled, so precious, if properly used, to lighten the public burthen; to equalize the action of the Government; to restore harmony and peace; and to present to the world the illustrious example which could not fail to prove most favorable to the great cause of liberty every where, of a nation the freest, and, at the same time, the best and most happily governed; of the highest earthly blessing, at the least possible sacrifice.

As the disease will not, then, heal itself, we are brought to the question, can a remedy be applied, and, if so, what ought it to be? The answer in the negative, would be incorrect, that our nation has utterly failed; and that the opinion, so common before the adoption of our Constitution, that a free Government could not be practically extended over a large country, was correct—and that ours had been destroyed by giving it limits so great, as to comprehend, not only dissimilar, but irreconcilable interests. I am not prepared to admit a conclusion, that would cast so deep a shade on the future, and that would falsify all the glorious anticipations of our ancestors while it would so greatly lessen their high reputation for wisdom. Nothing but the clearest demonstration, founded on actual experience, will ever force me to a conclusion so abhorrent to all of my feelings. As strongly as I am impressed with the great dissimilarity, and, I must add, as truth compels me to do, the contrariety of interests in our country, resulting from the causes already indicated, and which are so great, that they cannot be subjected to the unshaken will of a majority of the whole, without defeating the great end of government, and without which it is a curse, justice; yet I see in the union, as ordained by the constitution, the means, if wisely used, not only of reconciling all diversities, but also of means and the only effectual one, of securing to us justice, peace and security, at home and abroad, and with them, that national power and renown the love of which, Providence has implanted in the human heart; in all of which great objects every portion of our country widely extended and diversified as it is, has a common and identical interest. If we have the wisdom to place a prophetic estimate on these more elevated and durable blessings, the present or every other conflict of our country, may be readily relinquished; and, reversing the the so common opinion, should put a higher estimate on its immediate and peculiar gains, and acting in that spirit, should find that measures of mere profit, without regard to peace, harmony or justice, our sectional conflicts would then indeed, without some constitutional check, become interminable, except by the dissolution of the Union itself. That we have, in fact so reversed the estimate, is too certain to be doubted, and the result is our present disordered and dangerous condition. The cure must commence in the correction of the error, and not to admit we have erred, would be the worst possible symptom. It would prove the disease to be incurable through the regular and ordinary process of legislation; and would compel finally, a resort to extraordinary, but I still trust, not only constitutional, but safe remedies.

No one would more sincerely rejoice than myself, to see the remedy applied from the quarter, where it could be most easily and regularly done. It is the only way by which those who think that it is the only quarter from which it can constitutionally come, can possibly sustain their opinion. To omit the application by the General Government, would compel even them to admit the truth of the opposite opinion; or force them to abandon our political system in despair; while on the other hand, all their enlightened and patriotic opponents would rejoice at such evidence of moderation and wisdom, as the

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supposed a resort to what they believe to be the higher powers of our political system, as indicating a sounder state of public sentiment than has ever heretofore existed in any country, and thus affording the highest possible assurance of the perpetuation of our glorious institutions to the latest generation. For as a people advance in knowledge, in the same degree they may dispense with mere artificial restrictions in the government, and we may imagine, (but dare not expect to see it,) a state of intelligence so universal and high, that all the guards of liberty may be dispensed with, except an enlightened public opinion acting through the right of suffrage; but it pre-supposes a state where every class and every section of the community are capable of estimating the effects of every measure, not only as it may affect itself, but every other class and section; and of fully realizing the sublime truth, that the highest and wisest policy consists in maintaining justice and promoting peace and harmony; and that compared to these, schemes of mere glory are but trash and dross. I fear experience has already proved that we are far removed from such a state, and that we must consequently rely on the old and clumsy; but approved mode of checking power in order to prevent, or correct abuses; but I do trust that though far from perfect, we are at least so much so as to be capable of remedying the present disorder in the ordinary way; and thus to prove that with a public opinion so enlightened, and our political machine so perfect, as rarely to require for its preservation, the intervention of the power that created it. How is this to be effected?

The application may be painful, but the remedy, I conceive, is certain and simple. There is but one effectual cure, an honest reduction of the duties on the government. Nothing short of this will restore the country to peace, harmony, and mutual affection. There is already a deep and growing conviction in a large section of the country, that the impost, even as a revenue system, is extremely unequal, and that it is mainly paid by those who farm the means of paying the Union's expenses, as ordained by the constitution, charged on the country, on which it is the means, if wisely used, not only of reconciling all diversities, but also of means and the only effectual one, of securing to us justice, peace and security, at home and abroad, and with them, that national power and renown the love of which, Providence has implanted in the human heart; in all of which great objects every portion of our country widely extended and diversified as it is, has a common and identical interest. If we have the wisdom to place a prophetic estimate on these more elevated and durable blessings, the present or every other conflict of our country, may be readily relinquished; and, reversing the the so common opinion, should put a higher estimate on its immediate and peculiar gains, and acting in that spirit, should find that measures of mere profit, without regard to peace, harmony or justice, our sectional conflicts would then indeed, without some constitutional check, become interminable, except by the dissolution of the Union itself. That we have, in fact so reversed the estimate, is too certain to be doubted, and the result is our present disordered and dangerous condition. The cure must commence in the correction of the error, and not to admit we have erred, would be the worst possible symptom. It would prove the disease to be incurable through the regular and ordinary process of legislation; and would compel finally, a resort to extraordinary, but I still trust, not only constitutional, but safe remedies.

I have proposed to enter formally into a discussion of a point so important and contested; but as it has been already a strong practical bearing on the subject under consideration, and its relations, I cannot pass it without a few general and brief remarks. If the producer in reality pays, many will doubt that the burden would really fall on the section it is supposed to do. The theory that the consumer pays in the first instance, renders the proposition more complex, and will require, in order to understand what the burden in reality ultimately falls on that supposition, to consider it, not protectively, or as its friends call it, an American system, under its theoretical aspect, of taxation, of protection, of distribution; or as performing the same time the several functions of affording protection to certain articles of domestic industry, and furnishing the means to Congress, and the tributary large sums through its appropriations; all of which are included in their effect, that it is a symptom. It would prove the disease to be incurable through the regular and ordinary process of legislation; and would compel finally, a resort to extraordinary, but I still trust, not only constitutional, but safe remedies.

Admitting then, as supposed, that he who consumes the article pays the tax in the increased price, and that the burden falls wholly on the consumers, without affecting the producer as a class, (which, by the way, is far from being true, except in the special case, if there be such a one, where the producers have a monopoly of the article, so indispensable to life, that the quantity consumed cannot be affected by any increase of price,) and then considered in the light of a tax, namely, the impost duties fall equally on every section, in proportion to its population, still when combined with other effects, the burden it imposes, as a tax, may be so transferred from one section to the other, as to take it from one, and place it wholly on the other. Let us apply the remark first to the