

LEGISLATURE OF S. CAROLINA.

[As every eye is now turned towards South Carolina, as every tongue is asking "what will she do?" We have come to the conclusion to give our readers a regular report of their proceedings.]

It will be recollected, that an election was held in that State on the 8th and 9th ult. for Senators, and Representatives of the Legislature of that State; and that the Governor issued his proclamation, convening the Legislature on the 22nd ult.—Accordingly on that day the Legislature met.—The Hon. H. Deas was elected President of the Senate, and the Hon. H. L. Pinckney (Editor of the Mercury) Speaker of the House of Representatives. After the organization of both houses, the following message from Governor Hamilton was transmitted to them.]

Edt. Car.

MESSAGE.

Fellow Citizens of the Senate, And House of Representatives.

In convening you at an earlier moment than the period fixed by the Constitution for your usual meeting, I have cheerfully assumed whatever responsibility may attach to this exercise of my prerogative, under a belief that after our general elections, you could not too soon be brought together, to deliberate on the best means of promoting the interest of those, whose rights, whose liberties, and whose public honor are confided to your care.

I should indeed have convoked your predecessors immediately after the adjournment of the last Session of Congress, if I had not deemed it in every respect desirable that our people in the exercise of one of the highest functions of their sovereignty, should in the choice of their Representatives, should in the first instance, have an opportunity of passing judgment on the final results of the proceedings of that Session, which claims to have fixed on a permanent basis, as far as it can be effected by Federal legislation, the settled policy of the country. As the canvass, which preceded our recent elections, was conducted in almost exclusive and absorbing reference to the ultimate result of this legislation by Congress, your selection may be taken as the exponent of this judgment. I cordially congratulate you, and our State at large, not only on the suspicious and elevated decision which our people, by inflexible tokens have thus made, but also on the cheering indications of our having already reached a unanimity of sentiment, nearly as great as the inevitable diversity of human opinions will permit, on a subject vitally affecting our dearest rights and liberties. Thus convened under circumstances of profound public anxiety, and in whose public interest, you will, I am sure, come to the discharge of the trust which has devolved upon you, with an inflexible determination to perform its duties in an enlightened spirit of firmness and moderation, worthy of the occasion and of those inestimable principles of constitutional liberty, which will be one of the most impressive of our obligations to preserve, and to enforce.

It is known to you, Fellow Citizens, that the most anxious hopes of the good people of this State, were directed to the proceedings of the last Congress of the United States. The necessity of providing for a large reduction of Federal Taxation, consequent on the proximate extinguishment of a large public debt, the strong and well-founded complaints of a respectable and patriotic portion of the States in this confederacy, the solid grounds on which, as a matter of constitutional right, these complaints rested, as well as our just claims to a reform not only in the abuses of the exercise of the power of taxation, on the part of the General Government, but in the abuses of the appropriation of the public treasury after it is levied, inspired even those who to despond, in spite of insinuations, with some faint expectation, that these great & alarming questions of political power would be settled in a spirit of impartial justice, and with a considerate regard to that amity and mutual concession so essential to the preservation of a confederacy composed of co-equal and co-ordinate sovereignties.

It is scarcely necessary that I should inform you in detail, what has been the final result of these delivately cherished expectations, for you are in possession of an authority on this subject, infinitely more valuable than my own.—Two thirds of your Representatives and both of your Senators, after efforts on the floor of Congress of signal ability and disinterested patriotism, in which every species of conciliation was exerted, that a just and wise moderation could dictate, short of surrendering a principle essential to your constitutional liberty have solemnly declared to the people of South Carolina, in the face of the world,—"That whatever hopes may have been indulged at the commencement of the session, that a returning sense of justice, on the part of the majority, would remove or materially mitigate the grievous load of oppression under which you have so long labored, and of which you have as justly complained, they are reluctantly constrained to declare that these flattering hopes, too long deferred, and too fondly cherished, have finally and forever vanished." In proof of this distressing consummation, they could not better have relied on any testimony than on what they did, the Tariff act of 1832, which, by a perversion of every principle of common sense and common justice, has been called a compromise between the conflicting interests of the manufacturing and plantations States, on principles of equivalent benefit to both. It is unnecessary, gentlemen, that I should inform you, who are so well instructed upon the true grounds of

the controversy, that this imputed compromise is destitute of every feature of that justice and equality that ought to characterize a measure bearing such an application. We might well in advance have distrusted the compact for this adjustment, in which it was found expedient not to consult, at any period of the negotiation, our senators and two thirds of our Representatives, and which bore upon its face the signs of its being, in some respects a subtle contrivance, to bend the pecuniary interests and constitutional liberties of the people, to a struggle for the executive power of the country. But apart from these extrinsic objections, the adjustment is intrinsically not a mutual, but an exclusive compromise of all the just claims and interests of the South. The Tariff Act of 1832 is, in point of fact, a law by which the consumption of the manufacturing States is nearly relieved of all sort of burden on those articles which they consume and do not produce, and under the provisions of which, they are secured a bounty on an average of more than fifty per cent on the productions of their industry, whilst it taxes our consumption to an equivalent amount, and the exchangeable value of our products in a much more aggravated ratio. The law bears the impress of the legislation of an independent sovereignty to a feeble and distant colony, and establishes the revolting discrimination that the labor of the South is less entitled to the paternal regard of this Government, than that of a more favored section of the Union. The provisions of the Act are, moreover, at war with every acknowledged principle of wise and beneficent taxation, which has ever existed among any people on the face of the earth, having the shadow of a claim to civilization or a just knowledge of finance. Articles of luxury are selected as the objects of comparative exemption from all burden, whilst those of necessity bear nearly the whole brunt of the imposts. The great staples of the industry and consumption of man, which purchase seven tenths of our agricultural products, Iron, Cotton, and woollen fabrics, salt and sugar, are burdened with a tax quite equivalent to an average of seventy-five per cent on their prime cost, whilst the teas, the coffee, the silks and the wines of the rich, which are principally exchanged for the productions of manufacturing or Northern labor, enjoy, as it regards these articles, a most unjust discrimination in their favor.—Operating thus heavily on the exchangeable value of our products, the act provides for noting short of the monstrous injustice of levying, at least three-fourths of the whole amount of the Federal revenue, on the industry of the Southern States. Now does the gross inequality of the law stop here. It effects, after all the subtle artifices of exaggeration respecting a diminution of our burdens have been dispelled, a reduction from the amount of duties levied under the act of 1828, and modified by that of 1830, of three millions seven hundred thousand dollars on the unprotected articles, and only the pitiful sum of somewhere about eight hundred thousand dollars on the protected, (which purchase the staples of the South) making in all a reduction of only four millions and a half, instead of twelve, which last reduction was essential to the accomplishment of the desirable and highly conservative object of bringing the revenue down to the standard of the legitimate wants of the Government. As it is, nine millions of surplus revenue will, in all probability, result from the imposts of this Act, over and above the necessary and constitutional expenses of the country, to be distributed by a majority irresponsible to us, in corrupt bargains or unconstitutional appropriations to those States, which without possessing an interest in the Tariff, are made to feel that they have an interest in high taxation, when by an unjust provision of the Government, they receive more than they are made to pay.

Repugnant as this Act is to every principle of justice, we cannot indulge even the humiliating consolation that designed as it was, in some respects, to subvert the perniciating struggle for the Executive power of the country, it will be temporary in its duration, and will at last yield to that returning sense of justice so long promised, and whose advent has been so long and so tardily postponed. No. We have the authentic and solemn declarations of both the great dominant parties in the Union, who are now contending for its power, and who conjointly form an overwhelming majority that the system is as fixed as fate, except in those particulars that are yet to be modified more beneficially for their interests, as cupidity may be instructed by experience.—That the system, if we think proper to submit to its injustice, is the fixed and settled policy of the country, so far as the majority can will it to be such, we have much more solid reasons for believing, that even these declarations however authoritative. This belief is founded on the indisputable fact, that it is impossible for the wit or wisdom of man, to have contrived a scheme for raising the revenues of the country in a mode more essentially and exclusively beneficial to their own interests. For it is a process by which taxation operates correlatively as a bounty to their industry; and whilst three-fourths of the public revenue is to be raised on articles in the production of which they enjoy a premium of more than fifty percent, all the articles necessary to the perfection of their arts and manufactures, and many essential to the accommodations and luxuries of life, are comparatively untaxed. It is not a cold abstract sense of justice or what are insultingly called the metaphysics of constitutional liberty that will induce a people, rising in such a high and palmy state of prosperity, to surrender these advantages, if they can find four millions of consumers, willing to submit to their exactions, who happen to be territorially separated from them, and whose exercise a species of industry in no degree competing with, but on the contrary subservient and

tributary to their own.—We shall indeed have read the history of the world to very little purpose if we cherish so idle and senseless a conjecture. If the Southern States had been subjected to a similar, and after a war of exhausting dissolution, had surrendered at discretion under the sword, I ask what other bill "for the regulation of trade with the colonies"—our conquerors would have desired, but this very tariff of 1832! Of the ruin which this measure will bring upon us, we are not left to speculation.—The signs of our decaying prosperity around us.

Informed as you are, gentlemen, of all the details of this act, I am conscious how unnecessary it is to press this view of the subject, any further; but there is one consideration which cannot be overlooked, and that is the solemn and abiding conviction of the good people of this State, that the right to pass a Tariff of protection is not to be found in the Constitution of the United States, that in the act of 1832 the principle of protection is distinctly and triumphantly recognised, and that, neither in express terms or by an authorised implication does any such power exist in the compact of Union. To submit to an infraction of the Constitution, involving the great right of human industry and property, is to acquiesce in voluntary servitude. To meet this vital truth, the lessons we have been taught by our ancestors contain an instructive and salutary moral. He must be a very ingenious casuist who can discover any difference in principle between taxation without representation and taxation with a nominal representation, but in violation of the constitution. The result of both is, seizing and taking away money without legal right. But grievous as may be the pecuniary loss arising from this wrong, it is mere dust in the balance in comparison with the shock which the public liberty of the country sustains, if the people, by a relaxation of public spirit through sloth, servility or cowardice, are prepared to submit to an infraction of their rights, for it overthrows, if I may so speak, that love and reverence for the authority of the general principles of liberty, so essential to the preservation of the institutions of free States.

In this summary, fellow-citizens, I believe I have uttered not one word that does not meet a response in the overwhelming public sentiment of our people. After ten years of suffering and remonstrance we have at length arrived at the end of our hopes. Our petitions and remonstrances have slumbered in apathy and contempt on the journals of Congress. The Legislature of this State has, however, declared and reiterated, "That a Tariff of Protection is not only unconstitutional, but an abuse of power incompatible with the principles of a free government, and the great ends of civil society; and has avowed its purpose "to expose and resist all encroachments on the true spirit of the Constitution." You have been elected by the people and charged by their opinions to adopt means the best calculated to protect and defend them from these encroachments; and you are now convened by me for the purpose of maturely deliberating on the mode of accomplishing this desirable and hallowed object.—Public sentiment has already, by unequivocal tokens, declared in favor of a Convention of the people of South Carolina, for the purpose of considering the character and extent of the usurpations of the General Government. In recommending that you promptly take measures to authorize the meeting of such an assembly, I feel, (notwithstanding my cordial concurrence in this measure) that I am only responding to that sentiment. As it was by an assembly of identical and equivalent authority, that our compact was formed under the Constitution with the co-States, when they agreed to establish a common agency called the General Government, so, on no tribunal can more appropriately devolve the high province of declaring the extent of our obligations under this compact, "and in case of a deliberate, palpable and dangerous exercise of powers, not granted by the said compact, to determine "on the mode and measures to be pursued, "to determine "all our political systems have flowed from the mighty sources of the great, primary, and elemental assemblies, which are not the type but the essence of the sovereignty of the people; nor have they ever yet convened without subserving some eminent purpose of public liberty and social order. The judicious guards in our own State Constitution, by which the people have imposed restraints upon themselves, in the convocation of those bodies, by requiring the concurrence of two thirds of both branches of the Legislature, before a Convention called, not only effectually prevent tumultuary or revolutionary action, but ensure that unanimity among the people so essential to the success of all great public movements.

In earnestly recommending, fellow-citizens, that you make forthwith legislative provisions for the assembling of such a convention, with all the despatch compatible with the public convenience, I cannot but look forward to the deliberations and final decision of this high and authoritative body, as the blessed means, not only of finally redressing our wrongs but of uniting our whole people in one common mode and purpose of resisting oppression and in patriotic and fraternal bonds of concord.—When this assembly shall speak its voice, next to the voice of God, must command our most perfect obedience. We owe no allegiance to any other power except that which through a similar assemblage, South Carolina has thought fit to contract for us, and which in paying to the extent, and so long as she thinks proper that the obligation should continue, is but rendering our loyalty to her.

I forbear bringing any other subject to your consideration connected with the ordinary and current business of the State, as in the Constitution you must again convene on the 4th Monday of the ensuing

month. I would respectfully suggest that with the view, if practicable, of procuring an assembly of the proposed Convention, at this place prior to that period, you likewise abstain from the consideration of any other matter than the important topic and those necessarily incidental to it which I have brought to your view, as I deem it, for a variety of considerations on which it is unnecessary I should now dwell in every respect desirable that our issue, with the General Government, should be made before the meeting of Congress.

In urging the expediency of calling a convention of the people, for the purpose, I have forbore to make a single suggestion of what may or may not, what ought or what ought not to be the remedy this assembly should ordain.—To a body so constituted and so empowered, let the whole subject of our rights, and our grievances be confided, uninfluenced by any bias arising from the official expression of our opinions.—Representing public sentiment, it cannot but organize and give force to the public will.

In conclusion fellow citizens, our cause is worthy of our highest, our most zealous and our most inflexible efforts. It is for no object of ambition, no lust of power or avarice, that we have assumed our present posture in relation to the usurpations of the Federal Government, but it is to redeem the constitution of our country from unshuffled violation, to maintain its ascendancy over the law making authority, to save this once cherished Union from a corrupt and misrule, that doom it to irreversible disruption; to bring the Government back to the salutary principles of just and economical administration; to restore to our own homes and the homes of our fathers, their wonted prosperity, by the glorious effort of recovering for our country a privilege we have never surrendered; of exchanging in a period of profound peace the fruits of our labor, under a wise system of free intercourse with the rest of the world; a privilege which, it has been justly said, belongs to the Christian Code among civilized nations. With these objects and standing firmly on our rights, I implore the blessings of Almighty God on your deliberations, that they may redound to the liberty, peace and happiness of our common country, as well as of the people whom you specially represent.

J. HAMILTON, Jr.

Columbia, Oct. 22, 1832.

[The Message was referred to a joint select committee of 13 from both houses, who reported the following bill, which was adopted. After which the Legislature adjourned.]

A BILL.

To provide for the calling of a Convention of the People of this State.

WHEREAS, the Congress of the United States hath on divers occasions enacted laws laying duties and imposts for the purpose of encouraging and protecting domestic, or American Manufactures, and for other unwarrantable purposes, which laws in the opinion of the good people of this State, and the Legislature thereof, are unauthorized by the Constitution of the U. States, and are an infringement of the rights secured to the States respectively, and operate to the grievous injury and oppression of the citizens of South Carolina. And, whereas, to the people assembled in Convention it belongs to determine the character of such acts; as well as the nature and extent of the evil, and the mode and measure of redress.

Be it therefore enacted, by the Senate, and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and it is hereby enacted by the authority of the same, That Delegates of the people of the said State, shall be assembled in Convention, at Columbia on the third Monday in November next, and then to take into consideration the several acts of Congress of the U. States, imposing duties on Foreign imports for the protection of domestic manufactures, or for other unauthorized objects; to determine on the character thereof, and to devise the means of redress; and further in like manner to take into consideration such acts of the said Congress laying duties on imports as may be passed in amendment of, or substitution for, the act, or acts aforesaid, and also all other laws, and acts of the Government of the United States which shall be passed, or done, for the purpose of more effectually executing, and enforcing the same.

Sec. 2. And be it further enacted by the authority aforesaid, That on the second Monday of November next, and on the day following, the Managers of Elections for the several election Districts and Parishes in this State, shall after giving public notice, as in the cases of elections for members of the Legislature, open polls and hold elections in their respective Districts, and Parishes, in all respects, in the same manner, and form, and at the same places, as elections are now conducted for members of the Legislature, for Delegates to the said Convention, and all persons who are qualified, and entitled by the Constitution, and laws of this State to vote for members to the Legislature, shall be qualified, and entitled to vote for said Delegates to the said Convention; and in case of any vacancy occurring by death, resignation removal from the State, or refusal to qualify of any person elected as a Delegate to said Convention, the President of the said Convention shall issue his writ of election authorizing and requiring the managers of elections in the district, or parish in which such vacancy may happen, after giving due notice thereof to open a poll, and hold an election to supply such vacancy, as in cases for the election of members to the Legislature.

Sec. 3. And be it further enacted by the authority aforesaid, That each district and Parish throughout the State, shall

be entitled to elect, and send to the said Convention, a number of delegates equal to the whole number of Senators and Representatives to which such district, or Parish, is now entitled to send to the Legislature; and the Delegates to the said Convention shall be entitled to the same freedom from arrest, in going to, returning from, and whilst in attendance on the said Convention, as is extended to the Members of the Legislature.

Sec. 4. And be it further enacted by the authority aforesaid, That all free white male citizens of this State of the age of twenty-one years, and upwards, shall be eligible to a seat in said Convention.

Sec. 5. And be it further enacted by the authority aforesaid, That the said Convention may be continued by adjournment from time to time so long as may be necessary for the purposes aforesaid, Provided however, that unless sooner dissolved by their own authority, the said Convention shall cease, and determine in twelve months from the day on which the delegates to the same were elected.



FIAT JUSTITIA QUIA CORRUPT.

SARASOTA.

NOV. 5, 1832.

NORTH CAROLINA

JACKSON & BARBOUR ELECTORAL TICKET.

For President.

ANDREW JACKSON.

For Vice-President.

PHILIP P. BARBOUR.

CANDIDATES FOR ELECTORS.

- John M'Dowell, of Rutherford Anderson Mitchell, of Ashe Wm. J. Alexander, of Mecklenburg John Giles, of Rowan Paul A. Haralson, of Caswell Charles J. Williams, of Chatham Archibald M'Bryde, of Moore James Mebane, of Orange Nicholas Washington, of Wayne Willis Alston, of Halifax George B. Outlaw, of Bertie Richard T. Brownrigg, of Chowan Daniel N. Bateman, of Tyrell Isaac Croom, of Lenoir John Owen, of Bladen.

To the exclusion of several articles prepared for this paper, we have given place to the proceedings of the South Carolina legislature, which convened on the 22d ult. Their proceedings will doubtless occupy a space in the history of the country, let the event be what it may, and we have therefore thought it our duty to give their proceedings a place in our paper.

Jackson and Barbour men look out for MISREPRESENTATIONS.

Misrepresentation has become so much the order of the day, with some people, who cannot make their cause succeed without it, that we have thought proper to warn the Jackson and Barbour men against being taken in, by any new tale, which may be invented on the eve of the election to deceive them, knowing that there would be no time for correcting it. You remember, some weeks back, you were told with a great deal of gravity and show of truth and sincerity that Mr. Barbour had resigned. That tale was mailed to the counter by Genl. Bryan's letter, much to the discomfort of those who circulated the falsehood. This tale or some other, we doubt not, will be put in circulation so late on the eve of the election, that there will be no time for answering it, and therefore, it is highly important that you should be on your guard;—that you should look closely at any, and every tale you hear, and to the source from whence it springs, before you put any faith in it.

JACKSON MEN! TO THE POLLS!

Thursday next is the day appointed for electing electors, in this State, to vote for President and Vice-President of the United States. There will be run three Tickets, 1st, the Clay and Sergeant ticket, 2nd, the Jackson and Van Buren ticket 3rd and last, though not least, the Jackson and Barbour ticket. It remains for you the freemen of the State to decide which you prefer. For Mr. Clay we know you cannot and will not vote. His views and principles are at variance with every principle upon which you have ever acted. He is a Tariff man; he is for internal improvements by the General Government, for building roads and canals for the people of Massachusetts or Kentucky with the money of the people of North Carolina; he is in favor of collecting money off of you, in the shape of Tariff taxes, with which he wishes the government to lay your slaves, and turn them loose upon you. There is no danger, then, that Southern men, that North Carolinians will vote for Clay and Sergeant. But will you vote for Jackson and Van Buren! Will you be deceived by the sham ticket! Will you, because they have thought proper to put the name of Jackson, on their ticket, forget that Van Buren too is in favor of a high Tariff;—that he is in favor of dividing the

surplus revenues, arising from the high Tariff taxes (which he voted for) among the several States, giving to the large Northern States, who pay no part of it, all the surplus, while the Southern States, who pay nearly all of it into the treasury, will receive but little of it, when it is paid out of the Treasury again? Will you forget that he once abused & vilified Gen. Jackson and never supported him until he found all his opposition unavailing, and that Jackson would be elected any how, and that, then, he came into Jackson's ranks, like all new converts, with a great deal of blustering, noisy friendship for General Jackson, so that he might reap "the spoils of victory," which he has done. He has been Secretary of State with a salary of Six thousand dollars a year, and he has been Minister to Great Britain, with a salary of \$9,000 dollars a year, besides his outfit of \$9,000, all within three years and less. We think this should satisfy him; but no, he will not be satisfied, he comes in and divides the Jackson ranks, by offering for Vice President, hoping to get another salary of \$5,000, and afterwards of getting \$25,000 a year, by being made President after Gen. Jackson. You cannot, then, vote for this ticket. It is too much like the first. But next comes the Jackson and Barbour ticket; the ticket which is supported by all who are real Jackson men; who are opposed to high taxes, and who wish the revenue of the government reduced to the wants of the government, and wish the government conducted with economy & not with prodigality, which is more than we can expect from Mr. Van Buren, who has received between \$20,000 and \$30,000 of the public money within the last three years. Go to the Polls, then, Jackson men, and vote for JACKSON and BARBOUR, for low taxes and an economical Government.

ANOTHER NULLIFIER. DANIEL WEBSTER, or as he has been impudently called—"the God-like man," has lately delivered a very long speech before a public meeting in Massachusetts, in which he has indulged himself, in the most bitter invectives, and abuse against GENL. JACKSON. Among other things he charges the President, with the doctrines of NULLIFICATION, and says, that the veto message, even goes beyond Nullification. In one sense of the word, Jackson is certainly a nullifier;—for he has nullified many of the schemes of Clay and Webster;—He has nullified their extravagant schemes of Internal Improvement. He has nullified the bill to re-charter the United States Bank, and he has, and will again, nullify their dreams of power and ambition. As to the doctrine of Nullification, as it is understood in South Carolina, if he does hold it, he only holds what JEFFERSON professed and practiced. GEN. JACKSON is a real Republican of the school of '98.—He is an avowed disciple of Jefferson, and aims to tread in the footsteps of that great apostle of liberty; not will he be deterred from his course, by all that Daniel Webster and Henry Clay can say against him.

COMMUNICATIONS.

For the Western Carolinian.

MR. CRAIG:

With indignation and horror, we shrink from the wretch, who with a premeditated design of murder, armed with a dagger, or some other weapon of death, goes in the darkness of midnight, and takes away the life of a fellow man, destroys the spark of vitality in a being, created in the most similitude of God, which if once destroyed, can never be restored. Such a character as the above has, by the common consent of mankind, been thought worthy of death. O! what punishment then is that man deserving, who deliberately, in the darkness of his own soul, with a heart as black as midnight, sets down, and writes out then publishes a known falsehood, with the intention of injuring the character of another!—What man of honour is there who does not value reputation even dearer than life? Who would wish to live, when his character is destroyed, such an attempt has been made on the character of Genl. Jackson, by the publication of a spurious letter over his (Genl. J.) signature, which has been going the rounds in the opposition papers, headed "Genl. Jackson and the misrepresantions."

It must certainly give pain to every reflecting mind, to contemplate the use of weapons, which sin has made in the world, but notwithstanding I had hoped that there were but few men so lost to every sense of honor, who were so hardened as to prostitute to prostrate an illustrious fellow citizen. Of what action is that man not capable who can thus deliberately write and circulate a known lie? When I read the letter, attributed to you was to Gen. Jackson I was a good deal astonished and would very willingly have thought it a forgery, had there been