

FROM THE BALDWIN STAR.

MESSRS. EDITORS: Considerable excitement has been created by the course which the hon. Senator Mangum thought proper to take, at a late anti-nullification meeting in Orange county; and the friends and enemies of liberty which he had avowed and mutually antipathetic at the apparent inconsistency of his political conduct.

The writer has long known Judge Mangum as a public man, and has enjoyed the honor of his personal acquaintance, and he flatters himself, his confidence also. He has had frequent, free, and full conversations with him upon all the leading topics of discussion for several years.

Judge Mangum thinks that the Federal Government is a compact among the States, as such, not as comprising component parts of the great aggregate, but as distinct sovereignties; and that the people of the States, as separate and independent communities, adopted the constitution, the people of each State, acting and deciding for themselves, through the usual and proper State authorities.

He believes a common destiny awaits us; and no power under Heaven should compel us to raise a hand in aid of the oppressor, to be unbranded in the blood of our suffering and oppressed brethren of the South. He regards the oppressor, as a common enemy, quo ad hoc; and will not give him aid and comfort; nor does he believe that many of his countrymen could be induced, when informed on the subject, to cherish for a moment such an idea.

dishonorable surrender of that liberty. He believes the liberty of the South is in the hands of the Southern people, and that they may preserve it, if they shall be true to themselves. These are his sentiments in relation to the nature of our Government, the rights of the States, and the present alarming and awful manifestations, on the part of the Federal Government, of a deep-seated, to usurp power not delegated, to abuse and misuse its trust powers, and, in a word, to erect itself into a splendid consolidation, merging all the rights of the several States into the superior sovereignty of the Federal head, and thus subverting the constitution, breaking up the landmarks which define its powers, and, finally, annihilating public liberty.

It now becomes necessary to say something of the judge's views in regard to South Carolina nullification; and, upon this subject, the writer is also able to give a brief, though explicit statement of his opinions entertained and expressed, from first to last, in relation to this doctrine. He objects to nullification, as a remedy, because as an abstraction, it involves contradiction, and, therefore, presents what the logicians would denounce as absurdity. He thinks it may not be peaceable—the enforcement of the penal enactments of the nullifying State may give occasion to tumultuous risings, and resistance of the minority in the State; as, for instance, in cases of arrest and in executing the sentence of the courts; and the Federal arm would find many pretexts, on such occasions, to make itself felt in its physical power.

But, because Judge Mangum entertains these views of that doctrine, must he fall into the other extreme? I am happy that it is in my power to set his friends as well as his foes right on this subject. He thinks it not only indicates, but unjust to do justice with want of patriotism; the present leaders in South Carolina; indicate, because each State had, originally, and where has it been surrendered? and still has the undoubted right to interpose, even to the dissolution of the confederacy, as far as regards itself. As nullification proposes to be a middle remedy, it does not, he says, deserve the usual unparagoned denunciations with which it is assailed. It cannot affect the Union in the worst event; save only as to the nullifying State. And it is his belief that the leaders in South Carolina have never dreamed of disunion; and that they scorn at the unjust imputation; and that they are as patriotic as any men who ever lived in the best periods of the Republic; and that their cause is the holy cause of constitutional and well regulated liberty.

Had Judge Mangum been permitted to occupy the whole ground on that occasion, no friend of his would have sounded a note of dissatisfaction. But he was regarded as an interloper, in that assembly, and his efforts to bring the merits of the question fully up, created a degree of excitement not often witnessed at such assemblages of the people. The tariff issue became a subject of debate to the naked question of nullification, in consequence of which he was deprived of the power of explaining and qualifying his views and opinions, as they have been freely done on all other occasions.

But what remedy, it may be asked, would Judge Mangum propose? So full and free has been the expression of his sentiments to the writer, that he is able, at least, to afford the reader some satisfaction on this point also. He has, on several occasions, suggested a remedy, the distinguishing features of which were somewhat like these: That the only efficient remedy consisted in concerted action among the aggrieved States. The work ought to be

in the State legislatures, and be sanctioned by legislative proceeding. Elected, in due and regular form, from districts to be designated, members to a convention to consider. Candidates will canvass the principles before the people, and the people will sustain the acts of those servants who faithfully represent their opinions and wishes. In this way public opinion will be fairly ascertained and fully embodied. As to the right, there can be no doubt. It may be again asked, when, and where has this high attribute of sovereignty been surrendered? And when, by such concert, aggrieved States shall move by one impulse, the work will have been finished. There need be no fear for the Union; it will be preserved. The oppressor, when he finds a spirit that will not submit to his exactions, will adjust the whole subject on grounds that will be satisfactory, and not until then. This subject might be pursued, and amply illustrated; but time fails, were it every necessary. Liberty never was long preserved but by the hardy and determined virtues by which it was achieved. If by craven fear, or slavish submission, we lose it, it will not be worth the pains of inquiring whether the present generation are the degenerate and worthless sons of hardy, patriotic and worthy sires. No man doubts that we will all defend the Union; but Liberty "must be preserved."

The writer, gentlemen, has thus given a brief view of the opinions of Judge Mangum, on various agitating questions. They have been sketched with haste, but are substantially true, as far as they go. He has not only endeavored to preserve the spirit of his remarks on various occasions, but in some cases, doubtless the very expressions will be recognized by those who are familiar with his style of conversation although they lose all the effect which is given to them by the emphatic and peculiar manner of the Judge. The author has often listened with delight to the vivid and brilliant bursts of feeling and eloquence which frequently occur when he refers to the existing topics of the day, more particularly the stirring strains of indignation which flow from his lips and flashes from his eye, when he touches the subject of southern suffering, and northern rapacity and oppression. All this will be lost to the reader of this, although the sentiment here detailed are substantially his.

In relation to the charge of inconsistency preferred against Judge Mangum, by a writer in the Raleigh Star, who assumes the cognomen "Albemarle," a few words will satisfy the author of the charge, as well as every friend of the Judge, that "justice has been done to his character. In the first place, he never did avow himself a nullifier; on the contrary, the writer of this well remembers the emphatic declaration made by him at Granite Court, February 1831, that he viewed nullification as absurd, inasmuch as it involved a contradiction; and even if it were not an absurd doctrine, it was at least an inefficient remedy. Yet did no one then suspect him of hostility to the South. On the contrary, when qualified by his declarations and opinions, as given in this article, his friends were surprised that he was true to his purposes. Take the very words and declarations alluded to by "Albemarle," and what do they prove? Why, not that Judge Mangum is inconsistent, because they are the same he always expressed publicly and privately. "Albemarle" has not produced a single quotation or expression which goes the charge that he has ever avowed the doctrine of nullification. His opinions are now the same as expressed by him on the "Menton Cause"—the same as held by him at Raleigh during the winter of 1832. They are the same as avowed, and ably too, on the floor of Congress; and the writer of this defies "Albemarle" or any other friend or foe to fix the charge of inconsistency on the honorable Senator. Most true, the declarations made by him in the Hillsboro meeting are calculated to lead his hearers into error; but it should be remembered that the question at that meeting, was the simple doctrine of nullification, unaccompanied by any of those subjects which are so intimately associated with the correct understanding of that doctrine. And the writer is informed, and no doubt of the fact, that the chairman of that meeting, (a thorough going tariff man,) restrained the subject of debate to the naked question of nullification, in consequence of which he was deprived of the power of explaining and qualifying his views and opinions, as they have been freely done on all other occasions.

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the injury of this same W. P. Mangum, and I am sure the candor of Albemarle will compel him to acknowledge the injustice done to our Senator by the charge of inconsistency. It is understood that the adjourned meeting was not held on the 9th of October, for reasons perfectly satisfactory to those concerned, and therefore, the tariff men cannot draw any favorable conclusion from the circumstance that it was not held.

The allusion made by "Albemarle" to the circulation of certain pamphlets under the franking privilege, cannot possibly prove Mr. Mangum inconsistent. That pamphlet contained a body of information, which every man ought to be in possession of. It contains the Virginia resolutions of '98, Mr. Madison's report of '90, the Kentucky resolutions, framed by Mr. Jefferson, and the answers of the other States, together with Mr. Calhoun's expose, and other documents of interest. Could there possibly be any objection to circulating these documents, which embodied, as it were, the very creed of faith of the republicans of '98, which contained the wisdom of Jefferson and Madison, and which contained the original draft of those very doctrines which were triumphant in the downfall of federalism, the election of Jefferson, and which effected the civil revolution of that period? If that was nullification, then are we all nullifiers!! But it was for the valuable information those pamphlets contained, in relation to the formation of our government, that Mr. Mangum circulated them, and not to disseminate nullification, as about to be practised in S. Carolina. Had not the writer already transcended the limits of a moderate essay, he would demonstrate the correctness of Judge Mangum's opinions, by the standard of reason and the Constitution—entirely would he show the truth of the assertion that our government is daily tending to a consolidated despotism, which may be easily done by simply reciting and analysing the acts of the central power for a number of years past; but he will defer it, for the promise, that should occasion call for it, he may again be induced to allude to the subject.

I will now conclude by requesting the friends of the south and of State Rights, not to listen to the croakings of tariff men, to the prejudice of the able representative of the sovereignty of North Carolina in the Federal Government. They are opposed to him, and are determined, if they can, to prostrate him. Many of the old federalists and monied aristocrats have clubbed their forces, and will leave no stone unturned to bring him to their level in the affections of the people whom he faithfully endeavors to serve, and who, we trust and believe, now appreciate him correctly.

Oxford, Oct. 20, 1832.

FROM THE BANNER OF THE CONSTITUTION.

THE CRISIS.—It being now settled, beyond the possibility of doubt, that, prior to the next meeting of Congress, the people of South Carolina, assembled in Convention, will declare the Protective Tariff Laws, null and void, and no force within the limits of that State, it behooves the People of the Northern States to do what they have not heretofore done; reflect upon the posture in which they have placed the country, by their refusal, at the last session of Congress, to listen to the reasonable and just demands of that portion of their fellow-citizens, who consider not only their pecuniary interests, but their very liberties, unconstitutionally violated by the acts of the Federal Government. We do most sincerely believe that a very moderate display, on the part of the manufacturers, of a spirit of compromise, would, last winter, have reconciled so large a portion of the Southern People to a very high rate of protective duties, that the impending crisis, if not indefinitely postponed, would, at least, have been put off to a period so distant, as to have given time for a correction of the evils complained of, by the process of argument. But what did we behold? From the beginning of the session until the end of it, embracing a period of near eight months, we saw the monopolists, by their agents in the lobbies, and their Representatives and very select on the floors of both Houses of Congress, protesting against the slightest abandonment of the protective principle. We saw them even reject the overture of co-operation offered by the Administration; which, although not satisfactory to the South, was still yielding much more than was granted. We beheld them, in fine, contending for every inch of ground which they occupied, and never voluntarily conceding one single point. The title that was obtained from them, was extorted through the party fears of their political colleagues—and it is, therefore, evident, that not the slightest claim to the magnanimity of the South can be set up by the monopolists. They acted with a single regard to their own selfish interests, and laughed at the complaints, the remonstrances, and the desperation, of those who were suffering by their policy, and voluntarily yielded not one solitary half per cent. of their exactions. Such conduct is about to meet its reward: for, let the issue of the impending crisis be as it may, confidence in the stability of the Protective System, as the settled policy of the country, must disappear. Our reasons for this opinion, we will proceed to give.

Congress, at its session in December next, will receive official notice, from South Carolina, that a Convention of the People of the State, one of the parties to the Federal Compact, has pronounced the Tariff Laws, so far as they propose to levy duties for the protection of one branch of industry at the expense of all others, to be unconstitutional, null, and void, and that they shall not be executed within the limits of that State after the 4th of March 1833. It will also be advised, that the Legislature of South Carolina, in obedience to the instructions of the People, in Convention

assembled, have enacted the laws necessary to render the Act of Nullification effective. What those laws will be, we cannot foretell; but they will soon be known.

When advised of these proceedings, Congress must of necessity act. It must either repeal the Protective Laws, or it must counteract the Nullification of South Carolina; for, were it to adjourn without doing one or the other, the country would be inundated with foreign goods, free of duty, through the free port of Charleston; and thus would the manufacturers be ruined. The President cannot interfere, as regards the employment of force, without the authority of Congress: for, by the Constitution, although it is declared that he shall take care that the laws be faithfully executed, yet to that body does it alone belong "to provide for calling forth the militia to execute the laws of the Union." That he has no right to blockade Charleston, which is an act of war, that Congress alone can declare, is admitted even by Mr. Webster, one of the most steadfast champions of the American System, as has been seen by the extract from his Worcester Speech, published in our last paper.

Will Congress at once repeal the Protective Laws? We think not; at least, certainly no such idea is entertained in this quarter. Nearly all the friends of the American System, that we have heard express a sentiment on the subject, are of opinion that South Carolina must be put down by force. How this force would be employed, and against whom, it is not easy to imagine. The opposition of South Carolina, as her writers say, would be in the display of a moral, and not of a physical resistance. There would be no armed bodies of insurgents, combining to commit acts of violence. There would be no resistance to the laws, but through the verdicts of juries, the prohibiting of jurors to confine prisoners under process issued at the suit of the United States, the refusal of the State Courts to certify the record, which would frustrate an appeal to the Supreme Court, and other similar acts. But, although these measures may all appear, to the South Carolina writers, simple and plain, yet they are not to learn, at this late day, that a Government which can usurp unconstitutional power, would not be very apt to hesitate at a resort to unconstitutional means of enforcing it. What would prevent Congress from declaring the ports of S. Carolina to be no longer ports of entry, and thereby render it illegal to import goods into the same? Is it true the Constitution declares that "No preference shall be given, by any regulation of commerce or revenue, to the ports of one State, over those of another; nor shall vessels, bound to or from one State be obliged to enter, clear, or pay duties, in another." But, has not Congress power, as Mr. Adams tells us, "to provide for the common defence and general welfare," and is not this provision paramount to the other? Again: said a writer not far from us, before the appearance of Mr. Webster's speech, Why cannot Congress blockade Charleston? Did not Don Pedro, of Brazil, blockade the ports of a rebellious province? Yes he did; but that province was an integral part of one consolidated empire, which South Carolina is not, and we trust never will be. The insurrection in Brazil was like the whiskey insurrection in Pennsylvania—an opposition of individuals to the established laws. The opposition in South Carolina is that of a sovereign State; and we have the authority of one of our most eminent lawyers, (Mr. Binney) for asserting that such opposition has a dignity about it, which certainly cannot be predicated of a treasonable insurrection.

But cannot the power of Congress in reference to treason be stretched to reach the case of the Nullifiers? What says the Constitution? "Treason against the United States shall only consist in levying war against them, or in adhering to their enemies, giving them aid and comfort." But South Carolina would not levy war against the United States, nor would her individual citizens, by adhering to her, be adhering to the enemies of the United States, or giving them aid and comfort. Individuals may commit treason, but a sovereign State cannot. If a State were disposed to levy war against the U. States, she would, ipso facto, put herself out of the Union, and become a foreign State.

But, although we are not able to see what course of forcible proceeding against South Carolina could be resorted to, yet there may be some coercive measures, which will, in all probability, be brought into the view of Congress. In such event, their adoption or rejection may depend upon the course pursued by the Southern States as a body. The question presented for their consideration, will not be, Are you in favor of or opposed to Nullification?—but, What are your opinions as to the coercive powers of the Federal Government, in reference to the case before Congress? The great body of the Southern People hold the following principles to be the fundamental doctrines of our Political System:

Firm. That the Government of the United States is a Confederacy of Free, Sovereign, and Independent States, which have united together for certain specified objects, and no others, and not a single consolidated Government.

Secondly. That the Constitution of the United States is the sole instrument by which the nature of the subsisting compact can be known; and that, whilst that instrument confers upon the Federal Government jurisdiction over the powers which have been delegated to it, it confers none whatever over the rights reserved by the States, and not delegated.

Thirdly. That neither does that Constitution provide any common tribunal of empire for the settlement of disputed cases of power, (the Supreme Court being limited, in its jurisdiction, to "cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority," to which there are parties amenable to the process of the Court,) and that, consequently, ex necessitate rei, in case of an infraction of the Federal Compact, each State possesses, as one of its reserved rights, the right of judging of this infraction, and of the mode and measure of redress.

Thus far, in the South, there seems to be little diversity of opinion as to the constitutionality of the Restrictive System; but the case is different as regards the mode or measure of redress, whether resistance should be made by one State alone, or by several in conjunction—by the State Legislature, or by the People in Convention—at the present day, or at a future time—by Nullification or by Secession. Still, however, as, according to the theory of the Constitution held by the advocates of these various measures respectively, each State has the right to judge of the mode and measure of redress, it is hardly to be expected that, after South Carolina has made her choice of modes, the other States will assist in putting her down: for, in such a case, the right of a State to exercise its judgment as to any mode or measure of redress, would be forever annihilated, by their own act.

With these views, we cannot help regarding the approaching session of Congress as the most important that has ever been held under the present Constitution. The Government is now upon its trial, and the developments between this and the 4th of March; when the present Congress must close its labors, cannot fail to decide some of the most important political problems that have ever been presented to the American People.

In relation to the prospect before us, the Blariville Recorder, a paper published in Western Pennsylvania, says:

South Carolina.—The recent elections have terminated, in Charleston, in the complete triumph of the Free Trade and State Rights Party.

The opposition to our Tariff System, instead of decreasing, is thus evidently gaining strength, and not only in South Carolina, but in all the Southern States. Georgia is almost ready for an explosion! It is to be hoped, that as soon as the elections are over, this question will be taken up by the People of the North, and treated as a National affair. Hitherto, its merits have been too much estimated, by its supposed bearing upon the pockets of certain individuals, or, at best, by its predicted effect upon certain local districts. The People of the South are in earnest, and we of the North ought to know this before it is too late.

A Desperate Kidnapper.—In the spring of the year 1816, Mr. M. had dispatched ten Canadians in a canoe down the Flathead River, on a trading excursion. The third evening after quitting the fort, while they were quietly sitting round a blazing fire, eating a hearty dinner of deer, a large half finished bear cautiously approached the group from behind an adjacent tree; and, before they were aware of his presence, he sprang across the fire, seized one of the men (who had a well finished bone in his hand) round his waist, with the two fore-paws, and ran about fifty yards with him on this hind leg before he stopped. His comrades were so thunder-struck at the unexpected appearance of such a visitor, and his sudden retreat with poor Lawson, that they for some time lost all presence of mind; and, in a state of great confusion, were running to and fro, each expecting in his turn to be kidnapped in a similar manner; when at length, Baystis Le Blanc, a half-breed hunter, seized his gun, and was in the act of firing at the bear; but was stopped by some of the others, who told him he would inevitably kill their friend in the position he was then placed. During this parley, Brian retained his grip of the captive, whom he kept securely under him, and very leisurely began picking the bone which the latter had dropped. Once or twice Lawson attempted to escape, which only caused him to be watched him more closely; but on this making another attempt, he again seized Lawson around the waist, and commenced giving him one of those infernal embraces which generally end in death.

The poor fellow was now in great agony, and vented the most frightful screams, and, observing Babinette with his gun ready, anxiously watching a safe opportunity to fire, he cried out, Fire! fire! my dear brother, if thou wouldst save thy friend from the love of God! At his head—Le Blanc, who instantly let fly, and hit the bear over the right temple. He fell, and at the same time dropped Lawson; and he gave him an ugly scratch with his claws across the face, which Babinette afterwards spoiled his benefactor. Mr. M. shot, Le Blanc darted to his side, and, with his hands raised, quickly finished the sufferings of the bear, and rescued his friend from death; for which the eventer mentioned gratefully, he expressed his

Extract from a Speech delivered by Mr. Binney, at a public Anti-Jackson Meeting in Philadelphia, on October 20th:

"Now mark the proof. The President is opposed to South Carolina Nullification. And why? Not because it is Nullification for the little finger of Presidential Nullification is thicker than the loins of South Carolina. This is a Nullification by States, which, difficult as it is to understand, has at least some dignity about it—but that is Nullification by every man in the United States who is able to take an oath of office. He is opposed to it because it is not his Nullification, and because there is an object dearer to the party of South Carolina, than the President himself."