

Western Carolinian.

It is even wise to abstain from laws, which however wise and good in themselves, have the semblance of inequality which find no response in the heart of the citizen, and which will be evaded with little remorse.

Dr. Channing.

BY BURTON CRAIG.

SALISBURY, ROWAN COUNTY, N. C., MONDAY MARCH 23, 1833.

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TERMS.
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SENATE OF THE U. S.

SPEECH OF MR. BROWN, OF NORTH CAROLINA.

On the bill further to provide for the collection of duties on imports.

[CONCLUDED.]

One of the reasons which had mainly induced him to rise, was, to show that every peaceful remedy should be resorted to. The Constitution was framed in a spirit of deference. It was ratified in that same spirit of deference; and so it ought to be administered. The whole history of our country conforms to that principle; a mutual deference to all great principles of the country. The practice of the Government has been invariably marked with the spirit of conciliation.

The State of Kentucky, in 1794, was dissatisfied with the Government of the U. States, because the free navigation of the Mississippi had not been secured. The Legislature of that State made a strong remonstrance on the subject to the General Government, claiming that free navigation was their right. They asserted that God and Nature had given them the right; and they menaced a withdrawal from the Union if it was not obtained for them. What was the course of Washington? What was the course of the American Congress on this occasion? They did not assume the ground that they would not negotiate while this menace was held over them. Yet no one could doubt the courage of Washington. No one could doubt that he was prepared for every emergency. He said that the Government had been established in a spirit of compromise, and he recommended that a respectful reply be given to the State. He laid before the legislature the facts in the case, and the free navigation of the Mississippi was obtained.

There was also another case, which was the occupation of the State debts. At the close of the war of the revolution, besides the national debt, each State had contracted a debt, and it was demanded by the Eastern States that the General Government should assume the payment of these debts of the States. Such was the dissatisfaction which resulted from Congress delaying the payment of these debts for five years, that a dismemberment of the Union was expected. In making this reference he had no intention to cast an imputation on the States, but merely to state the facts. The General Government ultimately assumed these debts. Suppose that instead of taking this course, the General Government had acted upon the idea thrown out by the gentleman from N. Jersey, that the pride of the State Sovereignty ought to be checked, we should not, said Mr. B., have been at this moment engaging in this discussion, and enjoying the privileges to which this floor entitles us.

The next instance was the repeal of the embargo law in 1807. This was a measure of Mr. Jefferson; and one to which he was greatly attached. But when he saw that, by the continuance of this embargo, the Union was likely to be dismembered—did he say that the law must be enforced at all hazards! No such thing. Acting on the conviction, that this is a Government of compromise, he repealed the embargo. In his works, published since his death, it is made apparent that this was a very favorite measure with him. Yet, on the approach of so dangerous a crisis, he hesitated not to abandon and repeal it.

This is another instance of concession on the part of the General Government to States which resisted the exercise of doubtful powers. As he had stated his objections to the course which the honorable Judiciary Committee had advised or recommended to the State to adopt, & leaving it not calculated, as hon. gentlemen had observed, to preserve the Union, but on the contrary, calculated, if carried into practical operation, to destroy this glorious Union, it was proper that he should state what he thought would best meet the present crisis. He considered the true remedy a peaceful remedy—that of conciliation—according alike with the genius of the Constitution and the practice of the Government. The revenue should be reduced to the wants of the Government, and the oppression which the Southern people labored under in consequence of the tariff system, ought to be removed. If gentlemen wished to preserve the Union, the country should be appeased. This appeared to him to be an infallible remedy. The one, however, which the Committee had proscribed, might be fraught with some danger. He was aware that there was a set of politicians, who thought this the favorable moment to try the strength of the Union, & that the Government ought not to concede an article of the protective system. Can it be possible, at this day, (said Mr. B.) that any individual would wish to jeopardize the peace and harmony of twelve or thirteen millions of people—not only the peace of a whole people, but to retard the progress of free governments throughout the world by an experiment of that kind! To try the strength of the Union, and whether it can survive the use of the military power!—He hoped not. He trusted that our Republic would be hazarded by no such speculative experiment.

It is argued, continued Mr. B., that the State of South Carolina having placed herself in this attitude of defence, Congress ought not to legislate on the subject, as had been said in some of the newspapers, while the sword is brandishing over our heads. This is not meeting the question, it is a question of a very different character. Are the people of South Carolina alone concerned in this matter? Is not a vast portion of the American people concerned in it? Are not the whole of the Southern States interested in this subject? It is not only the Southern States, but the State of New Hampshire, the State of Maine, and a portion of the people of New York; but a large and respectable number of the States in the South west, which consider the tariff system unjust and repugnant to the principles of the Constitution, and that we have no right to keep it up.—It is argued that justice should not be done to South Carolina, because she has assumed a menacing attitude. This is not a proper view; it is not just to the other States.—Is it, any reason, because South Carolina has acted imprudently, that she should not receive justice! If she has forfeited any claim to the consideration of this General Government, ought the other States to incur the forfeiture? Nothing can be more erroneous—nothing more absurd—nothing more tyrannical than to oppress all the Southern States, because South Carolina has acted rashly. I do not, said Mr. B., argue this question as a Southern question. Thank God, in the exercise of my legislative rights and duties here, I can look beyond the Potomac. Thank God, I have a feeling which is not confined to the geographical limits of any portion of the United States. I can look and judge of my countrymen north as well as south of the Potomac; and I wish it to be distinctly understood, that what I now say respecting South Carolina, I deem applicable to every member of this confederacy. To no one of these States would I arrogantly say—I will not do justice, until you come on your knees before me.

I do hope if I have any patriotism, it is not that narrow, contracted patriotism which is confined to geographical limits. I trust, it is that patriotism which looks abroad over the Union, and embraces every portion of my fellow citizens. And so help me God, if my constituents were this day to demand that I should perpetrate an act of injustice against any member of this Confederacy—that I should do an act in behalf of N. Carolina which would trench upon the rights of Maine—or of Massachusetts, or Pennsylvania, which I believed destructive of their constitutional rights, so help me God I would resign my seat and retire to my home, rather than jeopardize the peace of this Republic—this glorious experiment of a free Government by taking what justly belongs to Maine, and unjustly to bestow it on North Carolina, believing that a man presents a more truly dignified attitude who refuses to do an unjust act, than he who perseveres in injustice.

But what are we now called upon to do? We are called upon immediately to jeopardize the public peace, by a novel and dangerous experiment—to enforce a law which not only a large portion of the American people believe unconstitutional, but which I verily believe, if the question were submitted to their individual opinion this day, they would repudiate and require to be rejected. We are called upon to enforce a tariff law, which I believe the majority of the people of the United States desire to have amended or modified, and the modification of which is fortified likewise by the recommendation of the Chief Magistrate.

And before I proceed further, let me explain myself on this point. I do not take the ground, and I will not take it, and I wish to be distinctly understood with respect to this matter, that a law which is tainted with injustice should not be put in force. I take the ground that no law oppressive in its character should be executed by interposition of military power, until every pacific measure which can be devised shall have been resorted to without the desired result. The remedy for evils of the greatest magnitude, should be sought for in the peaceful tribunals of this country, according to the great principles handed down to us by the English Whigs, and which we have infused into the spirit of our constitution and government.

It is on a failure of all these means, it should be found necessary to use force to execute the laws, let it be used. I am not prepared to say that the emergency cannot arise; but I do say, that before a law of this kind is to be executed—before the peace of the Union is to be disturbed, there ought to be a reference to the justice, to the wisdom of Congress—to weigh, to examine the provisions of that law, and solemnly to pause and reflect, before proceeding to put it in force by military power. I beg leave, said Mr. B., to advert to what the President of the United States has said in his message to Congress, and I do it because this is the first remedy which the President recommended to Congress at the opening of the present session. I cannot doubt, that if the Executive wishes were consulted, he would, and decidedly, give the preference to a peaceful settlement of the difficulties by Congress. I do not mean to say that his preference should influence our legislation, but it ought to have weight with us. Speaking of the extinguishment of the public debt the President goes on to remark: "The final removal of this great burthen from our resources, affords the means of further provision for all the objects of general welfare and public defence, which the Constitution authorizes, and presents the occasion for such further reduction in the revenue as may not be required for them. From the report of the Secretary of the Treasury, it will be seen that, after the present year, such a reduction may be made to a considerable extent; and the subject is earnestly recommended to the consideration of Congress, in the hope that the combined wisdom of the representatives of the people will devise such means of effecting that salutary object, as may remove those burthens which shall be found to fall unequally upon any, and as may promote all the great interests of the country."

Again, in another part of the message, the President remarks: "That manufactures, adequate to the supply of our domestic consumption, would in the abstract, be beneficial to our country, there is no reason to doubt; and, to effect their establishment, there is perhaps no American citizen who would not for a while be willing to pay a higher price for them. But, for this purpose, it is presumed that a Tariff of high duties, designed for perpetual protection, has entered into the minds of but few of our statesmen. The most they have anticipated is a temporary and generally incidental protection, which they maintain has the effect to reduce the price of domestic competition below that of the foreign article. Experience, however, our best guide on this as on other subjects, makes it doubtful whether the advantages of this system are not counterbalanced by many evils, and whether it does not tend to beget, in the minds of a large portion of our countrymen, a spirit of discontent and jealousy, dangerous to the stability of the Union."

These are the sentiments of the President regarding the law which we are now called on to adopt extraordinary means of carrying it into execution. As I consider this a most important point; as I consider the true means of removing the difficulty now involved in the question, I have not only adverted to the annual message of the President as showing the views of the administration, and their remedy for the difficulty in the south, but I would now beg leave to read from the annual report of the Secretary of the Treasury.

[Here Mr. Brown read an extract from the annual report of the Secretary of the Treasury on the subject of the reduction of the duties.]

Thus we have the direct objection of the present administration, that this is the most appropriate remedy. It is the one which was first suggested at the opening of the session, and I believe it is calculated to achieve all the great objects so much to be desired, all which it is necessary to achieve, and that without endangering the Republic.

What is the extraordinary spectacle, I would remark, which the American Republic now exhibits to the world? A Republic which has heretofore boasted of its freedom—a Republic which has heretofore pursued the "even and peaceful tenor of its way"—a Republic which has been found competent to all the legitimate purposes of government without slaughtering its citizens, and which, with very few exceptions, has gone on peacefully for fifty years. We present the extraordinary spectacle of calling on the administration and the executive branch of the Government to enforce a law against a portion of our fellow citizens to compel them to contribute so much money to the revenue, which it is acknowledged is six millions annually more than is requisite for the wants of the General Government. A removal of that burden would remove all difficulty with the State of South Carolina. Even a partial removal of it—a mitigation of it, would make the tariff system more acceptable to the people, without a total abandonment of the principles; I speak in reference to the views and prevailing sentiments of that portion of the people I represent.

It, it does appear to me a powerful

ment of the United States should yield to every rash requirement of a State—far from it; but he did intend to say that whenever any of those great primary and leading interests made just remonstrance against an obvious oppression, it was our duty, in the true federative spirit of our Government, to forbear; otherwise, the Government must effectually change its character. The West has her primary interests and social duties in reference to the great land question, and he, (Mr. B.) would always be disposed to do ample justice to her as well as to every other section of this country. He would not feel power and forget right. New York has great interests in a commercial and manufacturing way; he, therefore, would do nothing that would trample them down. He would let them be free as they are, and give them all the privileges they require. With regard to the manufacturing interests of the country, he believed that the Constitution did not tax the interests of one portion of the people to benefit another. He would bear and forbear. And, as to a specific measure for the reduction of the revenue, he declared that he was not one of those who would give a deadly blow to the manufacturing interests, by a thorough and too rapid reduction to the revenue point. He would do it gradually, in that spirit of forbearance, which is due to the whole Union. Having glanced at the peculiar interests of the West and North, he would now advert to those of the Southern States. Their interests consist in producing as much as possible—selling at the highest prices, and buying as low as possible. But that natural course of things had been interrupted by the Government of the United States for many years past. But he did not subscribe to that doctrine which is maintained by some, that there are no essential interests common to a large portion of the U. States. He believed every section of the Union, north, south, east, and west, were inseparably connected. There was no such thing as an adverse interest. It was true that an artificial state of things had grown up.

There was no difference between the great natural interests which God and nature had given us; if there was any difference, it arose from an unjust dread of legislation. Unjust legislation had produced it, and not the diversity of soil, habits, and pursuits. The true doctrine was, extend equal protection to all in their various habits and pursuits, and leave the path free for a generous and beneficial competition of all.

He begged leave to read a short extract from a speech of Mr. Bayard, a man of eminent ability—a republican, a patriot; and he (Mr. B.) believed, that the sentiment would and ought to have its weight. It was at a particular period of the embargo, and the remarks were made in the course of a speech on the question; and in reading this, he intended to make no special reference to that portion of the Union; they had a right to express what they felt; he merely referred to it as illustrative of the principles of our Government. In the course of that gentleman's remarks on the repeal of the embargo law, Mr. B. said as follows:

"We all know that the opposition to the embargo, in the eastern States, is not the opposition of a political party, or of a few discontented men, but the resistance of the people, to a measure which they feel as oppressive and regard as ruinous. The people of this country are not to be governed by force, but by affection and confidence.—It is for them we legislate; and if they do not like our laws, it is our duty to repeal them."

"If they do not like our laws, it is our duty to repeal them"—so said he (Mr. B.) It was right and proper that the other members of the Union should respect their feelings, nay, even their prejudices. Supposing that our Government had pursued a different course; had steadily refused to repeal the embargo law; had determined, in the language of the present day, to make an experiment to test the strength of the East, and that our fellow-citizens of the East should have been coerced at the point of the bayonet: what in all probability, would have been the consequence? He believed there would have been blood shed, and that the consequence would have been a dissolution of the Union; and that the prospect of a free government would have been destroyed; that all the States of the Union would have become separate governments, and civil war would have resulted. The calamitous consequences which would result from a dismemberment of the confederacy, none could doubt. Each of the great divisions seeking to strengthen themselves against the aggressions of the other, would give large powers to their executive authorities, which would most probably terminate in the establishment of a military despotism in each.

Proud as he was of the achievements which had been performed under the star spangled banner—proud as he was of the stars and stripes which have fluttered in every sea and every clime; anxious as he was for the glory of the country; yet God forbid that those stripes and stars which had heretofore been the rallying point of heroism, should now float over the mangled courses of our bleeding countrymen.—God forbid that our country should undergo

to this sad and disastrous revolution; for he believed, wherever that should take place, not only the liberties of this country, but the best and brightest hopes of the civilized world, would be destroyed forever.

Taliesion Operation.—A fortnight ago Mr. Morris, surgeon, of Rochdale, performed the Taliesion operation (for a new nose) upon Benjamin Wilson, of Caracas, in the same place; the patient is now doing very well, and will evidently look much better for his new member. Mr. Morris, formed the new nose from integuments covering the forehead.

STULTZ.—The celebrated tailor, Stultz, died at Arles, in the South of France, on an estate lately bought by him for £103,000. His property besides this exceeds £400,000.

[Stultz was the very Prince of European tailors. He would not condescend to cut a coat or make a pair of breeches, for any but the nobility or those who brought letters of introduction and recommendation from persons of distinction, as individuals of decided fashion. It was a rare thing for any American citizen to be able to show letters from sources high enough to afford him an opportunity to have his legs and shoulders measured by this famous knight of the thimble.]

Mammoth Boy.—Mr. Jonathan Francis, living in Eagle township, Hocking county, Ohio, has a son that weighed, in the last part of December, at the age of 14 years and 9 months, one hundred and ninety seven pounds. Mr. Francis, the father of the boy, weighs three hundred and forty five.

A family in Parliament.—Mr. O'Connell enters the House of Commons at the head of a phalanx of six of his own relations. Maurice O'Connell, his eldest son, member for Tralee; Morgan O'Connell his second son, member for the county of Meath; John O'Connell, his third son, for Youghall; Christopher Fitzsimmons, his son in law, member for the county of Dublin; W. F. Finn, his brother in law, member for the county of Kilkenny; and Morgan John O'Connell, his nephew who will take his place from the county of Kerry.

HUNTING EXPLOITS.

Putnam's well known adventure in the wolf's den, has suggested a record of the following, which appeared in the last number of the Western Monthly Magazine. They are pronounced authentic.

N. Y. Paper.

"Many years ago, a Frenchman, with his son, was hunting in a part of Missouri, distant about forty miles from St. Louis. Having wounded a large bear, the animal took refuge in a cave, the aperture leading into which, was so small as barely to admit its passage. The hunter, leaving his son without, instantly prepared to follow, and with some difficulty drew his body through the narrow entrance. Having reached the interior of the cave, he discharged his piece with so true an aim as to inflict a mortal wound upon the bear. The latter rushed forward, and passing the man, attempted to escape from the cave, but on reaching the narrowest part of the passage, through which it had entered, with some difficulty, the strength of the animal failed, and it expired. The entrance to the cave was now completely closed by the carcass of the animal. The boy on the outside heard his father scream for assistance, and attempted to drag out the bear, but found his strength insufficient. After many unavailing efforts, he became much terrified, and mounted his father's horse with the determination of seeking assistance. There was no road through the wilderness, but the sagacious horse, taking the direction to St. Louis, carried the alarmed youth to that place, where a party was soon raised and despatched to the relief of the hunter. But they searched in vain for the place of his captivity. From some cause not now recollected, the trace of the horse was obliterated, and the boy in his agitation, had so far forgotten the landmarks as to be totally unable to lead them to the spot. They returned after a weary and unsuccessful search; the hunter was heard of no more, and no doubt remained of his having perished miserably in the cave. Some years afterwards, the aperture of the cavern was discovered in a spot so hidden and so difficult of access as to have escaped the notice of those who had passed near it. Near the mouth was found the skeleton of the bear and within the cave, that of the Frenchman, with his gun and equipments, all apparently in the same condition as when he died. That he should have perished of hunger, from mere inability to effect his escape by removing the body of the bear, seems improbable because supposing him to have been unable by his strength to effect this object, it would have cost him but little labor to have cut up and removed the animal by pieces.—It is most likely either that he was suffocated, or that he had received some injury, which disabled him from exertion. The cave bears a name which commemorates the event.

The other circumstances to which we