

Professing to be provoked, by what he chose to consider a charge made by the honorable member, Mr. President, has taken up a new crusade against New-England. Leaving altogether the subject of the public lands, in which his success, perhaps, had been neither distinguished or satisfactory, and letting go, also, of the topic of the tariff, he addressed in a general assault, on the opinions, politics and parties of New England, as they have been exhibited in the last thirty years. This is natural. The "narrow policy" of the public lands had proved a legal settlement in South-Carolina, and was not to be removed. The "accursed policy" of the tariff, also, had established the fact of its birth and parentage in the same State. No wonder, therefore, the gentleman wished to carry the war, as he expressed it, into the enemy's country. Prudently willing to quit these subjects, he was doubtless desirous of fastening on others, which could not be transferred south of Mason and Dixon's line. The politics of New England became his theme; and it was in this part of his speech, I think, that he menaced me with such sore discomfiture. Discomfiture! why, sir, when he attacks any thing which I maintain, and overthrows it, when he turns the right or left of a position which I take up; when he drives me from any ground I choose to occupy, he may then talk of discomfiture, but not till that distant day. What has he done? Has he maintained his own charges? Has he proved what he alleged? Has he sustained himself, in his attack on the Government, and on the history of the North in the matter of the public lands? Has he disproved a fact, refused a proposition, weakened an argument, maintained by me? Has he become within heat of drum of any position of mine? Oh, no, but he has "carried the war into the enemy's country!" Carried the war into the enemy's country? Yes, sir, and what sort of a war has he made of it? Why, sir, he has stretched a drag net over the whole surface of perished pamphlets, indignant sermons, frothy paragraphs, and flaming popular addresses; over whatever the pulpit, in its moments of alarm, the press in its heats, and parties in their extravagance, have severally thrown off, in times of general excitement and violence. He has thus swept together a mass of such things, as but that they are now old, the public health would have required him rather to leave in their state of dispersion. For a good long hour or two, we had the unbroken pleasure of listening to the honorable member, while he recited, with his usual grace and spirit, and with evident high gusto, speeches, pamphlets, addresses, and all the *et ceteras* of the political press, such as warm heads produce in warm times; and such as it would be "discomfiture" indeed, for any one, whose taste did not delight in that sort of reading, to be obliged to peruse. This is his war. This it is to carry the war into the enemy's country. It is an invasion of this sort, that he flatters himself with the expectation of gaining laurels, fit to adorn a Senator's brow.

Mr. President, I shall not, it will, I trust, be expected that I should, either now, or at any time, separate this farrago into parts, and answer and examine its components. I shall hardly bestow upon it all, a general remark or a word. In the run of forty years, sir, under the Constitution, we have experienced sundry successive violent party contests. Party arose, indeed, with the Constitution itself, and, in some form or other, has attended it through the greater part of its history. Whether any other Constitution than the old articles of confederation, was desirable, was itself, a question on which parties formed; if a new Constitution were framed, what powers should be given to it, was another question; and, when it had been formed, what was, in fact, the just extent of the powers actually conferred, was a third. Parties, as we know, existed, under the first Administration, as distinctly marked, as those which manifested themselves at any subsequent period. The contest immediately preceding the political change in 1801, and that, again, which existed at the commencement of the late war, are other instances of party excitement, of something more than usual strength and intensity. In all these conflicts, there was, no doubt, much of violence on both and all sides. It would be impossible, if one had a fancy for such employment, to adjust the relative quantum of violence between these contending parties. There was enough in each, as must always be expected in popular Governments. With a great deal of proper and decorous discussion, there was mingled a great deal, also, of declamation, virulence, crimination, and abuse. In regard to any party, probably, at one of the leading epochs in the history of parties, enough may be found to make out another equally inflamed exhibition, as that with which the honorable member has edified us. For myself, sir, I shall not rake among the rubbish of by-gone times, to see what I can find, or whether I cannot find something, by which I can fix a blot on the escutcheon of any State, any party, or any part of the country. Gen. Washington's administration was steadily and zealously maintained, as we all know, by New England. It was violently opposed elsewhere. We know in what quarter he had the most earnest, constant, and persevering support, in all his great and leading measures.

We know where his private and personal character were held in the highest degree of attachment and veneration; and we know, too, where his measures were opposed, his services slighted, and his character vilified. We know, as we might know, if we turned to the Journals, who expressed respect, gratitude, and regret, when he retired from the Chief Magistracy; and who refused to express either respect, gratitude or regret—I shall not open those Journals. Publications more abusive or scurrilous never saw the light, than were sent forth against Washington, and all his leading measures, from presses South of New England. But I shall not look them up. I employ no scavengers—no one is to attend on me, tendering such means of retaliation; and if there were, with an ass's load of them, with a bulk as huge as that which the gentleman himself has produced, I would not touch one of them. I see enough of the violence of our own times, to be no way anxious to rescue from forgetfulness the extravagancies of times past. Besides, what is all this to the present purpose? It has nothing to do with the public lands, in regard to which the attack was begun; and it has nothing to do with those sentiments and opinions, which I have thought tend to division, and all of which the honorable member seems to have adopted himself, and undertaken to defend. New England has, at times, so argued the gentleman, held opinions as dangerous, as those which he now holds. Be it so. But why, therefore, does he abuse New England? If he finds himself countenanced by acts of hers, how is it that, while he relies on these acts, he covers, or seeks to cover, their authors with reproach? But, sir, in the course of forty years, there have been undue effusions of party in New England, has the same thing happened to where else? Party animosity and party outrage, not in New England, but elsewhere, denounced President Washington, not only as a Federalist, but as a Tory, a British agent, a man who, in his high office, sanctioned corruption. But does the honorable member suppose, that if I had a tender here, who should put such an effusion of wickedness and folly in my hand, I would stand up and read it against the South? Parties ran into great heats, again, in

1790, and 1800. What was said, sir, or rather what was not said, in those years, against John Adams, one of the signers of the declaration of independence, and its admitted ablest defender of the floor of Congress? If the gentleman wishes to increase his stores of party abuse and frothy violence; if he has a determined proclivity to such pursuits, there are treasures of that sort south of the Potomac much to his taste, yet untouched—I shall not touch them. The parties which divided the country, at the commencement of the late war, were violent. But then, there was violence on both sides, and violence in every State. Minorities and majorities were equally violent. There was no more violence against the war in New England, than in other States; nor any more appearance of violence, except that, owing to a dense population, greater facility of assembling, and more press, there may have been more in quantity, spoken and printed there, than in some other places. In the article of sermons, too, New England is somewhat more abundant than South-Carolina; and for that reason the chance of finding here and there an exceptional one, may be greater. I hope, too, there are more good ones. Opposition may have been more formidable in New England, as it embraced a larger portion of the whole population; but it was no more unrestrained in its principle, or violent in manner. The minorities dealt quite as harshly with their own State Governments, as the majorities dealt with the administration here. There were presses on both sides, popular meetings on both sides, eye, and pulpits on both sides also. The gentleman's purveyors have only catered for him among the productions of one side. I certainly, shall not supply the deficiency by furnishing samples of the other. I leave to him, and to them, this whole concern.

It is enough for me to say, that if, to any part of this, their grateful occupation, if, in all their researches, they find any thing in the history of Massachusetts, or New-England, or in the proceedings of any legislative, or other public body, disloyal to the Union, speaking slightly of its value, proposing to break it up, or recommending non-intercourse with neighboring States, on account of difference of political opinion, then, sir, I give them all up to the honorable gentleman's unrestrained rebuke; expecting however, that he will extend his blessings, in like manner, to all similar proceedings, wherever else found. The gentleman, sir, has spoken at large of former parties, now no longer in being, by their received appellations, and has undertaken to instruct us, not only in the knowledge of their principles, but of their respective pedigrees also. He has ascended to the origin, and run out their genealogies. With most exemplary modesty, he speaks of the party to which he professes to have belonged himself, as the true Pure, the only honest, patriotic party, derived by regular descent, from father to son, from the time of the virtuous Romans! Spreading before us the family tree of political parties, he takes especial care to shew himself, snugly perched on a popular bough! He is wakenful to the expediency of adopting such rules of descent, for political parties, as shall bring him in, in exclusion of others, as an heir to the inheritance of all public virtue, and all true political principle. His doxy is always orthodox. Heterodoxy is confined to his opponents. He spoke, sir, of the federalists, and I thought I saw some eyes begin to open and stare a little, when he ventured on that ground. I expected he would draw his sketches rather lightly, when he looked on the circle round him, and especially, if he should cast his thoughts to the high places, out of the Senate. Nevertheless, he went back to Rome, *ad annum urbe condita*, and found the fathers of the federalists, in the primal aristocrats of that renowned Empire! He traced the flow of federal blood down through successive ages and centuries, till he got into the veins of the American Tories, (of whom, by the way, there were twenty in the Carolinas, for one in Massachusetts.) From the Tories, he followed it to the Federalists; and as the Federal Party was broken up, and there was no possibility of transmitting it on this side of the Atlantic, he seems to have discovered that it has gone off, collaterally, though against all the canons of descent, into the Ultras of France, and finally became extinguished, like exploded gas, among the adherents of Don Miguel. This, sir, is an abstract of the gentleman's history of Federalism. I am not about to controvert it. It is not, at present, worth the pain, of refutation, because, sir, if at this day any one feels the sin of Federalism lying heavily on his conscience, he can easily obtain remission. He may even have an indulgence, if he is desirous of repeating the same transgression. It is an affair of no difficulty to get into this same right line of patriotic descent. A man, now-a-days, is at liberty to choose his political parentage. He may elect his own father. Federalist, or not, he may if he choose, claim to belong to the favored stock, and his claim will be allowed. He may carry back his pretensions just as far as the honorable gentleman himself; nay, he may make himself out the honorable gentleman's cousin, and prove, satisfactorily, that he is descended from the same political great grandfather. All this is allowable. We all know a process, sir, by which the whole Essex Junto could, in one hour, be all washed white from their ancient Federalism, and come out, every one of them, an original Democrat, dyed in the wool! Some of them have actually undergone the operation, and they say it is quite easy. The only inconvenience it occasions, as they tell us, is a slight tendency of the blood to the face, a soft suffusion which however is very transient, since nothing is said calculated to deepen the red on the cheek, but a prudent silence observed, in regard to all the past. Indeed, sir, some smiles of approbation have been bestowed, and some crumbs of comfort have fallen, not a thousand miles from the door of the Hartford Convention itself. And if the author of the ordinance of 1787, possessed the other requisite qualifications, there is no knowing notwithstanding his Federalism, to what heights of favor he might not yet attain.

Mr. President, in carrying his warfare, such as it was, into New-England, the honorable gentleman all along professes to be acting on the defensive. He desires to consider me as having assailed South-Carolina, and insists that she comes forth only as her champion, and in her defence. Sir, I do not admit that I made any attack whatever on South-Carolina. Nothing like it. The honorable member, in his first speech, expressed opinions in regard to revenue, and some other topics, which I heard both with pain and with surprise. I told the gentleman that I was of the Government, but had not expected to find them advanced in it; that I knew there were persons in the South who speak of our Union with indifference, or doubt, taking pains to magnify its evils, and to say nothing of its benefits; that the honorable member himself, I was sure, could never be one of these; and I regretted the expression of such opinions as he had avowed, because I thought their obvious tendency was to encourage feelings of disrespect to the Union, and to weaken its connexion. This, sir, is the sum and substance of all I said on the subject. And this constitutes the attack, which he has called on the chivalry of the gentleman, in his party pamphlets, and party proceedings of disaffection or disrespect of the ebullitions of he means that I had assailed the character of the State, her honor or patriotism, that I had reflected on her history or her conduct; that I had not the right ground for any such assumption. I did not even refer, I think, in my observations, to any collection of individuals. I said nothing on the recent Conventions. I spoke in the most

guarded and careful manner, and only expressed my regret for the publication of opinions which I presumed the honorable member disapproved as much as myself. In this, it seems, I was mistaken. I do not remember that the gentleman has disclaimed, any sentiment, or any opinion, of a supposed anti-Union tendency, which on all or any of the recent occasions, has been expressed. The whole drift of his speech has been rather to prove, that in divers times and manners, sentiments equally liable to my objection have been promulgated in New-England. And one would suppose that his object, in this reference to Massachusetts, was to find a precedent to justify proceedings in the South, were it not for the reproach and contumely with which he labors, all along, to load his precedents. By way of defending South-Carolina from what he chooses to think an attack on her, he first quotes the example of Massachusetts, and then denounces that example, in good set terms. This two fold purpose, not very consistent with itself, one would think, was exhibited more than once in the course of his speech. He referred, for instance, to the Hartford Convention. Did he do this for authority, or for a topic of reproach? Apparently for both; for he told us that he should find no fault with the mere fact of holding such a Convention, and considering and discussing such questions as he supposes were then and there discussed; but what rendered it obnoxious was the time it was held, and the circumstances of the country, then existing. We were in a war, he said, and the country needed to be strengthened, not weakened; and patriotism should have postponed such proceeding to another day. The thing itself, then, is a precedent; the time and manner of it, only, subject of censure. Now, Sir, I go much farther, on this point, than the honorable member. Supposing, as the gentleman seems to, that the Hartford Convention assembled for any such purpose as breaking up the Union, because they thought unconstitutional laws had been passed, or to concert on that subject, or to calculate the value of the Union; supposing this to be their purpose, or any part of it, then I say the meeting itself was disloyal, and was obnoxious to censure, whether held in time of peace or time of war, or under whatever circumstances. The material matter is the object. Is dissolution the object? If it be, external circumstances may make it a more or less aggravated case, but cannot affect the principle. I do not hold, therefore, Sir, that the Hartford Convention was pardonable, even to the extent of the gentleman's admission, if its objects were really such as have been imputed to it. Sir, there never was a time, under any degree of excitement, in which the Hartford Convention, or any other Convention, could maintain itself one moment in New-England, if assembled for any such purpose as the gentleman says would have been an allowable purpose: To hold conventions of constitutional law—to try the binding validity of statutes, by votes in a convention! Sir, the Hartford Convention, I presume, would not desire that the honorable gentleman should be their defender or advocate, if he puts their case upon such untenable and extravagant grounds.

Then, sir, the gentleman has no fault to find with these recently promulgated South-Carolina opinions. And, certainly, he need have none for his own sentiments, as now advanced, and advanced on reflection, as far as I have been able to comprehend them, go the full length of all these opinions. I propose, sir, to say something on these, and to consider how far they are just and constitutional. Before doing that, however, let me observe, that the eulogium pronounced on the character of the State of South-Carolina, by the honorable gentleman, for her revolutionary and other merits, meets my hearty concurrence. I shall not acknowledge, that the honorable member goes before me in regard for whatever of distinguished talent, or distinguished character, South-Carolina has produced. I claim part of the honor. I partake in the pride of her great names. I claim them for countrymen, one and all. The Laurens, the Rutledges, the Pinckneys, the Sumpters, the Marions—Americans all—whose fame is no more to be hemmed in by State lines, than their talents and patriotism were capable of being circumscribed within the same narrow limits. In their day and generation, they served and honored the country, and the whole country; and their renown is of the treasures of the whole country. Him, whose honored name the gentleman himself bears—does he suppose me less capable of gratitude for his patriotism, or sympathy for his sufferings, than if his eyes had first opened upon the light in Massachusetts, instead of South-Carolina? Sir, does he suppose it in his power to exhibit a Carolina name so bright, as to produce envy in my bosom? No, sir—increased gratification and delight, rather. Sir, I thank God, that if I am gifted with little of the spirit which is said to be able to raise mortals to the skies, I have yet none, as I trust, of that other spirit, which would drag angels down. When I shall be found, sir, in my place here, in the Senate, or elsewhere, to sneer at public merit, because it happened to spring up beyond the little limit of my own State, or neighborhood; when I refuse for any such cause, or for any cause, the homage due to American talent, to elevated patriotism, to sincere devotion to liberty and the country; or if I see an uncommon endowment of heaven—if I see extraordinary capacity and virtue in any son of the South—and if moved by local prejudice, or gangrened by State jealousy, I get up here to abate the tinge of a hair from his just character and just fame, may my tongue cleave to the roof of my mouth! Sir, let me recur to pleasing recollections—let me indulge in refreshing remembrance of the past—let me remind you that in early times no States cherished greater harmony, both of principle and of feeling, than Massachusetts and South-Carolina. Would to God, that harmony might again return! Shoulder to shoulder they went through the Revolution—hand in hand they stood round the Administration of Washington, port. Unkind feeling, if it exist, alienation and distrust, are the growth, unnatural to such soils, of false principles since sown. They are weeds, the seeds of which that same great arm never scattered.

Mr. President, I shall enter on no encomium on Massachusetts—she needs none. There she is—behold her, and judge for yourselves. There is her history—the world knows it by heart.—The past, at least, is secure. There is Boston, and Concord, and Lexington, and Bunker Hill—and there they will remain forever. The bones of her sons, falling in the great struggle for Independence, now lie mingled with the soil of every State from New-England to Georgia; and there they will lie forever. And, sir, where American liberty raised its first voice, and where its youth was nurtured and sustained, there it still lives, in the strength of its manhood, and full of its original spirit. If discord and division shall wound it—if party strife and blind ambition shall hawk at and tear it—if folly and madness, if uneasiness, under salutary and necessary restraint, shall succeed to separate it from that Union, by which alone its existence is made sure, it will stand, in the end, by the side of that cradle in which its infancy was rocked; it will stretch forth its arm with whatever of vigor it may still retain, over the friends who gather round it; and it will fall at last, if fall it must, and on the very spot of its origin.

There yet remains to be performed, Mr. President, by far the most grave and important duty, which I feel to be devolved on me by this occasion. It is to state, and defend, what I conceive to be the true principles of the Constitution under which we are here assembled. I might well have desired that so weighty a task

should have fallen into other and able hands. I could have wished that it should have been executed by those, whose character and experience give weight and influence to their opinions, such as cannot possibly belong to mine. But, sir, I have met the occasion—not sought it—and I shall proceed to state my own sentiments, with all the plainness, and as much precision as possible.

I understand the honorable gentleman from South-Carolina, to maintain that it is a right of the State Legislatures to interfere, whenever, in their judgment, this Government transcends its constitutional limits, and to arrest the operation of its laws. I understand him to maintain this right, as a right existing under the Constitution; not as a right to overthrow it, on the ground of extreme necessity, such as would justify violent revolution.

I understand him to maintain an authority, on the part of the States, thus to interfere, for the purpose of correcting the exercise of power by the General Government, of checking it, and of compelling it to conform to their opinion of the extent of its powers. I understand him to maintain that the ultimate power of judging of the constitutional extent of its own authority, is not lodged exclusively in the General Government, or any branch of it; but that on the contrary, the States may lawfully decide for themselves, and each State for itself, whether, in a given case, the act of the General Government transcends its power.

I understand him to insist that if the exigency of the case, in the opinion of any State Government require it, such State Government may, by its own sovereign authority, annul an act of the General Government, which it deems plainly and palpably unconstitutional.

This is the sum of what I understand from him to be the South-Carolina doctrine. I propose to consider it, and to compare it with the Constitution. Allow me to say, as a preliminary remark, that I call this the S. Carolina doctrine, only because the gentleman himself has so denominated it. I do not feel at liberty to say that S. Carolina, as a State, has ever advanced these sentiments. I hope she has not, and never may. That a great majority of her people are opposed to the tariff laws is doubtless true. That a majority, somewhat less than that just mentioned, conscientiously believe these laws unconstitutional, may probably also be true.—But that a majority, holds to the right of direct State interference, at State discretion, the right of nullifying acts of Congress by acts of State legislation, is more than I know, and what I shall be slow to believe.

That there are individuals, besides the honorable gentleman, who do maintain these opinions, is quite certain. I recollect the recent expression of a sentiment, which circumstances attending its utterance and publication, justify us in supposing was not unpremeditated. "The sovereignty of the State; never to be controlled, construed or decided on, but by her own feelings of honorable justice."

Mr. Hayne here rose, and said, that for the purpose of being clearly understood, he would state, that his proposition was in the words of the Virginia resolution, as follows: "That this Assembly doth explicitly and peremptorily declare, that it views the powers of the Federal Government, as resulting from the compact, to which the States are parties, as limited by the plain sense and intention of the instrument constituting that compact, as no farther valid than they are authorised by the grants enumerated in that compact; and that in case of a deliberate, palpable and dangerous exercise of other powers, not granted by the said compact, the States who are parties thereto have the right, and are in duty bound to interpose for arresting the progress of the evil, and for maintaining, within their respective limits, the authorities, rights and liberties appertaining to them."

Mr. Webster resumed: I am quite aware, Mr. President, of the existence of the resolution which the gentleman read, and has now repeated, and that he relies on it, as his authority. I know the source, too, from which it is understood to have proceeded. I need not say, that I have much respect for the constitutional opinions of Mr. Madison; they would weigh greatly with me, always. But before the authority of his opinion be vouched, for the gentleman's proposition, it will be proper to consider what is the fair interpretation of that resolution, to which Mr. Madison is understood to have given his sanction. As the gentleman construes it, it is an authority for him. Possibly, he may not have adopted the right construction. The resolution declares that in the case of the dangerous exercise of powers, not granted by the General Government, the States may interpose to arrest the progress of the evil. But how interpose, and what does this declaration purport? Does it mean no more, than that there may be extreme cases, in which the people, in any mode of assembling, may resist usurpation, and relieve themselves from a tyrannical government? No one will deny this. Such resistance is not only acknowledged to be just in America, but in England also. Blackstone admits as much, in the theory and practice too, of the English Constitution. We, sir, who oppose the Carolina doctrine, do not deny that the people may, if they choose, throw off any government, when it becomes oppressive and intolerable, and erect a better in its stead. We all know, that civil institutions are established for the public benefit, and that when they cease to answer the ends of their existence, they may be changed. But I do not understand the doctrine now contended for, to be that which, for the sake of distinctness, we may call the right of revolution. I understand the gentleman to maintain that without revolution, without civil commotion, without rebellion, a remedy for supposed abuse and transgression of the powers of the General Government, lies in a direct appeal to the interference of State Governments.

Mr. Hayne here rose: He did not contend, he said, for the mere right of revolution, but for the right of constitutional resistance. What he maintained was, that in case of a plain, palpable violation of the Constitution by the General Government, a State might interpose; and that this interposition is constitutional.

Mr. Webster resumed: So, sir, I understood the gentleman, and am happy to find that I did not misunderstand him. What he contends for, is that it is constitutional to interrupt the administration of the Constitution itself, in the hands of those who are chosen and sworn to administer it, by the direct interference, in form of law, of the States, in virtue of their sovereign capacity. The inherent right in the people to reform their government, I do not deny; and they have another right, and that is, to resist unconstitutional laws, without turning the Government. It is no doctrine of mine, that unconstitutional laws, without overturning the Government, it is no doctrine of mine, that unconstitutional laws bind the people. The great question is, whose prerogative is it to decide on the constitutionality, or unconstitutionality of the laws? On that, the main debate hinges. The proposition, that in case of a supposed violation of the Constitution by Congress, the States have a constitutional right to interfere, and annul the law of Congress, is the proposition of the gentleman. I do not admit it. If the gentleman had intended no more than to assert the right of revolution, for justifiable cause, he would have said only what all agree to. But I cannot conceive that there can be a middle course, between submission to the laws, when regularly pronounced constitutional, on the one hand, and open resistance, which is revolution, or rebellion, on the other. I say, the right of a State to annul a law of Congress, cannot be maintained,

I but on the ground of the unalienable right of man to resist oppression: that is to say, upon the ground of revolution. I admit, that upon an ultimate violent remedy, above the Constitution, and in defiance of the Constitution, which may be resorted to, when a revolution is justified. But I do not admit, that under the Constitution and in conformity with it, there is any mode by which a State Government, as a progress of the General Government, and a progress of her own laws, under any circumstances whatever.

This leads us to enquire into the origin of the Government, & the source of its power. Whence is it? Is it the creature of the People? Is it the creature of the State Legislatures, or the creature of the State Government of the United States? If the State Governments, then they may control it, provided they can agree in the manner of controlling it; if it is the agent of the People, then the People alone can control it, restrain it, modify or reform it. It is observable enough, that the doctrine for which the honorable gentleman contends, leads him to the necessity of maintaining, not only that this General Government is the creature of the States, but that it is the creature of each of the States severally; that each may assert the power, for itself, of determining whether it acts within the limits of its authority. It is the servant of four-and-twenty masters, of different wills and different purposes, and yet bound to obey all. This absurdity, (for it seems no less) arises from a misconception as to the origin of this Government and its true character. It is, sir, the People's Constitution, made by the People, and answerable to the People. The People of the United States have declared that this Constitution shall be the Supreme Law. We must either admit the proposition, or dispute their authority. The States are unquestionably sovereign, so far as their sovereignty is not affected by this supreme law.—The State Legislatures, as political bodies, however sovereign, are yet not sovereign over the people. So far as the People have given power to the General Government, so far the grant is unquestionably good, and the Government holds of the People, and not of the State Governments. We are all agents of the same supreme power, the People. The General Government and the State Governments derive their authority from the same source. Neither can, in relation to the other, be called primary; though one is definite and restricted, and the other general and residuary. The National Government possesses those powers which it can be shown the People have conferred on it, and no more. All the rest belongs to the State Governments or to the People themselves. So far as the People have restrained State sovereignty, by the expression of their will, in the Constitution of the United States, so far, it must be admitted, State sovereignty is effectually controlled. I do not contend that it is or ought to be, controlled farther. The sentiment to which I have referred, propounds that State sovereignty is only to be controlled by its own "feeling of justice"; that is to say, it is not to be controlled at all; for one who is to follow his own feelings is under no legal control. Now, however men may think this ought to be, the fact is, that the people of the United States have chosen to impose control on State sovereignties. The Constitution has ordered the matter differently from what this opinion announces. To make war, for instance, is an exercise of sovereignty; but the Constitution declares that no State shall make war. To coin money is another exercise of sovereign power; but no State is at liberty to coin money. Again, the Constitution says, that no sovereign State shall be so sovereign as to make a treaty. These prohibitions, it must be confessed, are a control on the State sovereignty of South-Carolina, as well as of the other States, which does not arise from her own feelings of honorable justice. Such an opinion, therefore, is in defiance of the plainest provisions of the Constitution.

There are other proceedings of public bodies which have already been alluded to, and to which I refer again for the purpose of ascertaining more fully, what is the length and breadth of that doctrine, denominated the Carolina doctrine, which the Hon. member has now stood up on this floor to maintain. In one of them I find it resolved, that "the Tariff of 1828, and every other Tariff designed to promote one branch of industry, at the expense of others, is contrary to the meaning and intention of the Federal compact; and as such, a dangerous, palpable, and deliberate usurpation of power, by a determined majority, wielding the General Government beyond the limits of its delegated powers, as calls upon the States, which compose the suffering minority, in their sovereign capacity, to exercise the powers which, as sovereigns, necessarily devolve upon them, when their compact is violated."

Observe, sir, that this resolution holds the Tariff of 1828, and every other tariff, designed to promote one branch of industry at the expense of another, to be such a dangerous, palpable, and deliberate usurpation of power as calls upon the States, in their sovereign capacity, to interfere by their own power. This denunciation, Mr. President, you will please to observe, includes our old Tariff of 1816, as well as all others; because that was established to promote the interest of the manufactures of cotton, to the manifest and admitted injury of the Calcutta cotton trade. Observe, again, that all the qualifications are here rehearsed and charged upon the tariff, which are necessary to bring the case within the gentleman's proposition: The tariff is a usurpation; it is a dangerous usurpation; it is a palpable usurpation; it is a deliberate usurpation. It is such a usurpation, as calls upon the States to exercise their right of interference. Here is a case, then, within the gentleman's principles, and all his qualifications of his principles, is plainly, dangerously, palpably, and deliberately violated; and the States must interpose their own authority to arrest the law. Let us suppose the State of South-Carolina to express this same opinion, by the voice of her Legislature. That would be very imposing, but what then? Is the voice of one State conclusive? It so happens, that at the very moment when South-Carolina resolves that the Tariff laws are unconstitutional, Pennsylvania and Kentucky, resolve exactly the reverse. They hold those laws to be both highly proper, and strictly constitutional. And now, sir, how does this honorable member propose to deal with this case? How does he get out of this difficulty, upon any principle of his? His construction gets us into it; how does he propose to get us out?

In Carolina, the tariff is a palpable, deliberate usurpation; Carolina, therefore, may nullify it, and refuse to pay the duties. In Pennsylvania it is both clearly constitutional, and highly expedient; and there, the duties are to be paid. And yet we live under a constitution, too, which contains an express provision, as it happens, that all duties shall be equal in all the States? Does not this approach absurdity? If there be no power to settle such questions, independent of either of the States, is not the whole Union a rope of sand? Are we not thrown back again, precisely, upon the old Confederation? It is too plain to be argued. Four and twenty interpreters of constitutional law, each with authority to bind any body else, and this constitutional law the only bond of their Union? What is such a state of things, but a mere connexion during pleasure, or to use the phraseology of the times, during feeling? And that feeling, too, not the feeling of the people, who established the constitution, but the feeling of the State Governments.