

Just as the doctrine here advanced, that the constitution is the work of the People. It is only necessary for a majority of the States, constituting one-fourth of the People, to refuse to elect Senators, and an end is put at once to the General Government. This consideration puts to flight all the arguments urged to prove that this is a consolidated government. He was aware that it had been said, in reply to this remark, the meaning of the quorum, which was necessary to enable the Senate to transact business, would, in this case, be construed to mean a majority of the States actually represented; and the States not represented would not be considered as belonging to the Union. But this objection would make good the doctrine of the right of secession; for if a State is out of the Union, she has seceded.

But if the origin and nature of our government did not put this idea to rest, the character and extent of our country would have done so. The people of so wide and various a surface would never have delegated the powers to make a consolidated government. They knew that no such government could exist here. What says Mr. Hamilton in the *Federalist*? "What says Mr. Madison on the subject? Why, that to adopt a consolidated government would be destroying the principles of the revolution, and would inevitably lead to monarchy. And why? Because whenever a majority having adverse interests to the minority, should combine to oppress the smaller party, the latter would have to intrude themselves, behind their reserved rights, and make resistance to the oppression, or be annihilated. What would be the consequence of this resistance? So soon as the minority, discovering that the majority were forcing interests adverse to their own, and they began to resist the encroachment, the military arm of the government would immediately be strengthened, and there would be but one step beyond that of a monarchy."

The gentleman from New Jersey had said that it was the aspiring pride of the State sovereignties which had led to this state of things. The aspiring pride of the State sovereignties! It was an avowal of doctrines such as those which was so repugnant to his feelings. It was well known that in the origin of the government the country was divided into two great parties. One of these parties contended in favor of the reserved rights of the States, and of restricted powers to the General Government. The other was for conferring on the General Government unlimited powers. This last was called the Federal party. With a loud note they proclaimed the necessity of investing the General Government with a vast range of authority. Some of them even went so far as to propose a monarchy. Mr. Hamilton was willing to have clothed the government with authority which would have left nothing but the name of the republic. He proposed even to go so far as to give to the President a negative power over the State Legislature. Before the State laws should become valid, he thought that they should be subjected to the sanction of the Federal Executive. Such, said Mr. B. is my remembrance of a subject. The history of these times would show the fact. The doctrine of State Rights, and of the reserved powers of the States, was advanced to the States. They did not, however, succeed in carrying their enlarged views into effect. He did not intend to characterize the whole of that party as entertaining these views. But such were the sentiments of some of its leaders. Nor did he intend to impugn the motives of these gentlemen, though he doubted not, they were actuated by feelings as patriotic as those which actuated any men. But it was well known that the high-toned part of the Federal party did doubt the competence of the people to self-government. They were for arming the Federal power with all authority, in order, as they said, to save the people from their own worst enemies. There were some of the prominent men of the country who did not subscribe to that principle; but who did believe that the people are competent to self-government; that they were fully able to go through the work which they had begun, and to carry out that beautiful theory of republican rule. Happily for the country, they prevailed. Happily for the country, the principle was established, that the States were sovereign and independent, as to all powers which they had not delegated to the General Government. And some of the States themselves had the right, in the last resort, to determine for themselves what were the precise powers which they had delegated. He was well aware that the doctrine of nullification, as it now prevailed in South Carolina was about to be made use of, not against that doctrine alone, which he did not rise up to defend, but for the purpose of founding upon it a war of extermination. It was against that that he desired to enter his protest, under this mask of battery upon the States. Gentlemen held up the flag of nullification, rang all the changes upon the word, sounded the tocsin of alarm throughout the country, and presented the whole matter in a light the most unfavorable to South Carolina, in order to justify to the other States the war which they were disposed to wage. It was a war, too, which would, in its progress, like Napoleon, have thrown out the declaration, that there must be neutrals.

I take my stand, said Mr. B., on the reserved rights of the States. I repudiate the doctrine of Nullification. I repudiate also the high-toned doctrine of the Federal party. I believe that it is to that high-toned doctrine that we are to attribute nullification. I believe that doctrine produced it, it is the parent of it. It is by an improper pressure of the Federal Government on the rights of the States, and by exercising doubtful powers, that the State of South Carolina has been thrown into this position. He did not mean to justify the course of that State. But whether she was right, or whether she was wrong, this furnished her with something like an excuse for her conduct. He believed that the principle was as susceptible of demonstration as any principle of mathematics, that almost any attitude of resistance against the Federal Government, in which States had been seen, arose out of the unwarrantable exercise of doubtful powers by the United States. They had always been inclined to tranquility. They had always been disposed to make a child's bargain with the United States—if you will let us alone, we will let you alone. They would never have admitted the idea of rising in opposition to the United States, unless there had been some exciting cause. The whole history of the world proves this fact. There is no precedent where a People have arrayed themselves against a supreme power without any occasion, because the great body of mankind has always been found more ready to acquiesce in oppression than to resist it. He desired gentlemen to produce a single precedent, and agricultural for the most part, were willing to cast away "the piping times of peace," and conflict against power, and that power twenty times larger than itself. Could gentlemen produce an instance where any State, without provocation, had ever offered resistance to the General Government? He had thus, he believed, established the great principle that the States themselves were always willing to be quiet, and that most of the opposition which had been manifested against the General Government

had arisen from the exercise of doubtful power by that Government, by which had been provoked that State pride which the gentleman from New Jersey so earnestly denounced. Without that pride this Republic would now have been as nothing. To justify this principle that most of the controversies which had arisen, have arisen from the circumstance of the Federal Government taking their debateable ground, he would read an authority which would meet with the approbation of all pure democrats. It was the authority of George Clinton, a name deserving all respect—*clarem et venerabile nomen*—a man distinguished for his steady adherence to democratic doctrines. When he was President of the Senate in 1810, he gave his casting vote against the Bank. It was on that occasion that he used the following language: "In the course of a long life I have found that Government is not to be strengthened by the assumption of doubtful powers; but by a wise and energetic execution of those which are incontestable; the former never fails to produce suspicion and distrust, whilst the latter inspires respect and confidence."

"If, however, after a fair experiment, the powers vested in the General Government shall be found incompetent to the attainment of the objects for which it was instituted, the Constitution happily furnishes the means for remedying the evil by amendment, and I have no doubt, that, in such event, on an appeal to the patriotism and good sense of the community, it will be readily applied."

What was the result of his experience? That the Government was never strengthened by the exercise of doubtful powers. A doctrine which still prevails among the distinguished leaders of the party in the State of New York, and which they can never consent to surrender, unless they should become recreant to the great principles which they have always maintained. But he would not only quote authority, but he would also quote facts. What was it which excited the first controversy between a State and the United States, a conflict which threatened to bring ruin on the country, and which was designated the reign of terror by the Republican party, as it well deserved to be characterized. He referred to the Alien and Sedition Law, which, by usurping the power of trampling into dust the liberty of speech, the freedom of the press, and all the rights and securities which the people had enjoyed, carried forth a movement the most glorious to the country that can be imagined. It drew forth the celebrated report of Mr. Madison, a report the merits of which he was totally inadequate to do justice. This was a movement of the aspiring pride of the State sovereignties, which, instead of destroying the Union, brought back the Government to its first principles. So much, then for State pride. If that State pride had preserved the Constitution at its last gasp, it ought not to have called down upon it such unqualified reprobation. The doctrines of Virginia saved the confederacy in that dangerous crisis. They produced a civil revolution, which brought into power the wisest and the ablest statesman who ever lived in any country. This was one of the benefits which had resulted from State pride.

In the case of the establishment of the United States Bank, there arose also a conflict of powers. There were many who believed that it was an assumption of power not delegated to the Federal Government. Ohio was one of the States which held that opinion. This matter also was finally adjusted. What was the next question which agitated the country? It was the exercise of the power of Internal Improvement. That was not an expressed power granted to the General Government. It was among the doubtful powers, and the right to exercise it was denied by several of the States. It was denied by the State of New Hampshire, and by a very respectable portion of the State of New York, which held that it was one of the doubtful powers. The right of appropriating money to all or any objects was another of the doubtful powers. The State of New York, and some other of the States, disputed the right of the Federal Government to appropriate money except for the purposes pointed out by the Constitution. Such are the contentions which had arisen from the exercise of doubtful powers by the Federal Government.

The case of Georgia was the next to which he would call the attention of the Senate. The usurped powers which the United States attempted to exercise over her, provoked the pride of that State, as well it might. When the Government of the U. States undertook to tell her that she could not extend her jurisdiction over the whole of her own soil, she might well resist. This contention, arising also from the exercise of doubtful powers by the United States, was at one moment pregnant with awful menace. The last but not the least of the conflicts which have arisen from the exercise of doubtful powers by the General Government was in relation to the protective system. Here the Government of the United States had assumed the right of unlimited taxation, of taxing one portion of the community for the benefit of another, and a more favored portion. He hoped that he had thus succeeded in establishing the position that most of the controversies which had arisen, had their origin in the exercise of doubtful powers by the Federal Government, operating against those rights which the States deem necessary for the preservation of their existence in a sovereign character.

The gentleman from New Jersey had held up the Constitution in his hand, and with all that patriotic ardor for which he was distinguished, said he should cling to the bond. I, too, said Mr. B. will cling to the bond; and while I will willingly allow the gentleman to take full usage, I hope that, in taking the pound of flesh, he will not spill one drop of blood. The gentleman had also said, that old Rome never submitted to the dictation of any of her provinces. This was a luminous commentary on the rest of his remarks. No wonder that he had spoken disparagingly of the States, when he compared them to Roman provinces. This sufficiently accounted for the consolatory principles of the gentleman from New Jersey. But old Rome was always ready to extend justice to her provinces. Whenever the deputies of a province came before her Senate, she did

not fear to do them justice. We may all becomingly fear to do wrong, but we should not fear to do justice.

The gentleman from New Jersey had said he would not strike a sister State, but would retire to the wall. He, Mr. B. admired this principle, which so admirably accorded with what he knew of the private worth of the gentleman from New Jersey. But when the gentleman went on to say, that the dignity of the country required that the laws should be executed, he could not avoid asking him in what that dignity consisted? Did it consist in calling out the military power, in bringing citizen into conflict with citizen, and deluging the country with the blood of her children? If that was the meaning of the dignity of the country, he, Mr. B. prayed Heaven to deliver him from such dignity. He considered that the dignity and honor of the country would be best promoted and established by doing justice; and carrying out peacefully and efficiently the principles of the Constitution. This would be worth all false glory, all the national glory of which we have heard so much. It would eclipse all the glory of Imperial Rome, and of Imperial France, which was nothing to the glory of a just, equal, and benignant dispensation of the laws.

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 mutual deference; and so it ought to be administered. The whole history of our country conforms to that principle; a mutual deference to all great interests of the country. The practice of the Government had been invariably marked with the spirit of conciliation.

The State of Kentucky in 1794 was dissatisfied with the Government of the United 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 this 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 legislate while this menace was held over them. Yet no one could doubt the courage of Washington. No one could doubt that he was not 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 assumption of the State debts. At the close of the war of the Revolution, besides the national debt, each State had contracted its 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 on the idea thrown out by the gentleman from New Jersey, that the pride of the State sovereignties ought to be checked, we should not, said Mr. B. have been at this moment engaged in this discussion, and enjoying the privilege 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 the States, which resisted the exercise of doubtful powers. (To be continued.)

From the *Pennsylvanian*.

VALUE OF THE UNION.—MR. BRECK.

Various calculations have been made of late years of the "value of the Union," and a great deal of good arithmetic expended on this problem, which the spirit of Washington or of John Hancock, were they permitted to speak for their hallowed tombs would say, "reserve, my children, for a better purpose." These calculations have generally proceeded from the South, although formerly there was a very elaborate one issued from a place called Hartford in Connecticut, sometime about the year 1814.

Until the present session of the Legislature, Pennsylvania has not meddled with such arithmetic; but it seems we have now got a few modern philosophers among us, who are determined not to be outdone by any of the southern or Hartford mathematicians. In the last *Harrisburg Reporter*, there is a speech published on the tariff debate, said to be spoken by Mr. Breck, of this county, a gentleman of great moral worth, high respectability, good sense, and sound federal opinions. The following is the passage of his speech touching the "value of the Union."

"The honorable speaker has told us that he is a tariff man, but sooner than jeopard the Union he would sacrifice all the tariffs in the world.—But, sir, what good would we derive from Union, stripped of every comfort of life? I, for one, will say, that such as I love the Union, I would prefer disunion with the comforts of life, to union without them—to an utter prostration of commerce and manufactures." In the south the political arithmeticians draw out the balance sheet of the Union, not against "the comforts of life,"—but against the general principles of liberty and the constitution.

In Harrisburg, "the comforts of life,"—are the value in exchange; and certainly these articles are far more tangible than metaphysical abstractions, or political visions. Let us subject Mr. Breck's proposition to analysis, and what have we? What are the comforts of life in such a city as Philadelphia?

An elegant modern house—Turkey carpets, marble mantle pieces, and pier glasses.—Carriages, horses, waiting-men, &c.—A handsome carpeted pew in a comfortable church.—An opera box, during the season.—Summer cottage, and summer recreations.—Several large parties during the winter.—Snug fire-side in winter, when the poor pass by shivering.—Superfine coats, cassimere unmentionables, &c. &c.—Comfortable dinners, wines, &c. &c. Such are a few of the "comforts of life," which are preferable, to some tastes, to the sacred union of these states. Does any man imagine that Washington, or Hancock, or any of the sages of the revolution, governed themselves by such calculations when they periled all for the country? or that they would have avowed such selfish sentiments as this analysis develops? What is disunion in such a country as this? It is jealousy, war, bloodshed, the loss of liberty, the desolation of our fair fields, and the loss of public virtue.

Really, Mr. Breck, and all such men, should take up his slate and pencil, and try the calculation once more.

NEWBORN PRICES CURRENT. (CORRECTED WEEKLY.)

Table listing various commodities and their prices, including BEEFWAX, BUTTER, CANDLES, COFFEE, CORDAGE, COTTON, COTTON BAGGING, FLAX, FLOUR, GRAIN, IRON, LARD, LEATHER, LUMBER, MOLASSES, NAILS, NAVAL STORES, PAINTS, PEASE, PROVISIONS, SALT, SHOT, SPIRITS, STEEL, SUGARS, TEAS, and GUNPOWDER.

GARDEN SEEDS.

A general assortment of Fresh Garden Seeds, warranted good, received and for sale by WILLIAM SANDERS, January 25, 1833.

TRUST SALE.

WILL BE SOLD, at Public Auction, on the 1st of March next, if not previously disposed of at private sale, Lot No. 71, & Improvements, on Middle-Street, 1-4 of Lots No. 330 and 340, and Improvements, on Hancock-Street. Terms of Sale.—One-fifth cash, the balance in payments at 6 and 12 months. JACOB GOODING, Trustee. Newborn, Feb. 8, 1833.

DENTAL SURGERY.

DR. WAKEFIELD

INFORMS the Ladies and Gentlemen of Newborn, that he intends to remain for a short time at Mr. Bell's Hotel, where he will be happy to wait upon those who may desire his professional services. He humbly trusts that his experience in his profession will procure him as liberal a patronage in this city as has hitherto attended his exertions in others. Every operation on the teeth, however critical, performed with scientific skill, and the least possible pain. Dr. W. humbly requests, that an intelligent community will consider the importance of having the tartar removed from their teeth, without which it is impossible to preserve the gums in a healthy state; and which can only be done by the application of the instruments, the use of which, does not in the least degree injure the enamel of the teeth: an error, too prevalent in the public mind at the present time. Irregularities of children's teeth, obviate. Ladies can be waited on at their own dwellings. Newborn, Feb. 8th, 1833.

Notice.

LOT BENDER, son of the late JOHN BENDER, of Onslow County, North Carolina, is hereby informed, that his father, the said John Bender, is dead, having left a last will and testament, and thereby bequeathed to him a considerable amount of property. If the said Lot Bender be in existence, or having died, has left any children, he, or they are requested to address JOHN LLOYD, Executor of said John Bender, at Swansborough, Onslow County, North Carolina. Onslow County, February 1st, 1833.

Osborne's Syrup.

PREPARED and for sale by CHARLES S. WARD, Druggist and Apothecary, next door to Bell's Hotel.—Newborn, Feb. 15, 1833.

For Sale.

A light four wheel PLEASURE WAGON, with seats for four. On Consignment, 11 cases common quality fur HATS, which will be sold at New York cost. JOHN L. DURAND. February 15.

Grape Vine Cuttings.

ABOUT six years ago, I planted a vineyard of about five acres, and have succeeded well in raising the vines and grapes. Having understood that persons in this part of the State frequently procure vines from the North, and believing that a preference is due to those cultivated here, I have thought it advisable to give notice that I can spare a large quantity of Cuttings at three dollars per hundred, put up in boxes. They consist of more than twenty different kinds; among which are the following:

Catawba, Isabella, Constantia, or Cape of Good Hope Grape, Bland, Madeira, Schuyll, Muscadell, Scarlet Perfume, Gardengrape, Noble, Thick Blue, Scuppernon, and several other kinds, both native and foreign. The time of planting being near at hand, orders for the quantities and kinds wanted, should be furnished in the course of the ensuing month. The process of planting and of cultivation, and the advantages of vineyards, have become so generally known, that I can it unnecessary to add any thing respecting them.

WILLIAM P. BILLE. Craven County, Feb. 12, 1833. N. B. Orders left with T. Watson will be duly forwarded.

BRILLIANT SCHEME.

40,000! 15,000!! 5,000!!!

UNION CANAL LOTTERY. Class No. 3, to be drawn 23d February, 1833: \$40,000, \$15,000, \$5,000, \$3,000, \$1,320, 10 of \$400, &c. amounting to \$3,608. Tickets \$10, Halves \$5, Quarters \$ 50. A package of 22 whole tickets will cost \$1.4: Halfand Quarter packages in proportion.

GRAND CONSOLIDATED LOTTERY.

Class No. 8, to be drawn at Wilmington, Del. on Monday, February 15th.

Highest Prize \$10,000.

\$5,000, \$1,000, 1,995, 20 of 1,000, 20 of 500, &c. Tickets \$5, Halves 2 50, Quar. 1 25. For sale at S. J. SYLVESTER'S, BALTIMORE, Md.

A Nibble.

In the New York Lottery, extra class No. 2, drawn Jan. 30. Combination 35 37 44, a prize of \$1,000.

In a whole ticket. Also, in the Grand Consolidated Lottery, drawn Jan. 28th, whole ticket combination No. 1-18 5th, a prize of \$600.

Both sold by the inveterate "Prize-Selling SYLVESTER!" The above are but mere shadows in comparison with the splendid prizes that have lately been sold by the lucky SYLVESTER.

ADVENTURERS ATTEND!

GODDESS OF FORTUNE, BEAR TH'S GOODLY NEWS FAN AS OUR FAME EXTENDS."

VIRGINIA STATE LOTTERY.

For the Benefit of the Monongia Academy, Class No. 7, for 1833.—Drawn at Richmond, on Friday, December 21st, 1833.

40 45 65 34 58 7 4c 48 61 44 Comb. 7 34 58 a prize of \$10,000.

Was sold in a Package of Half Tickets, No. 661, "by the ever fortunate" SYLVESTER!

BRILLIANT ACHIEVEMENT.

At the commencement of the New Year, by Fortune's Favorite, SYLVESTER.

Drawing of the Union Canal Lottery, Class No. 1, for 1833—drawn at Philadelphia, Jan. 1th, 1833:

46 18 24 56 13 3 21 11 57 Combination 18 24 46, the highest prize of TWENTY THOUSAND DOLLARS, was sold by the all lucky SYLVESTER, to one of his distant patrons. 'Tis but a few since that we had to announce the sale of the prize of 10,000 dollars in the Virginia State Lottery; also 4000 in a late class of New York Lottery. These facts will remain as proud monuments to the fame of the all fortunate SYLVESTER.

Remember! if you wish to procure prizes they can only be obtained at Sylvester's Prize-selling Office, BALTIMORE, Md.

FOR SALE.

A neat second hand Carry-all and harness, with seats for four. It may be used with one or two horses. Enquire of T. WATSON Dec. 27.