

SELECTIONS

From the Charleston Courier of September 15.

ADDRESS OF THE CONVENTION OF THE UNION PARTY TO THE PEOPLE.

At this period, when the controversy by which the State has for years been distracted is drawing to an issue of fearful import, the Delegates of the Union Party assembled at Columbia, invite your solemn attention to the consideration of the best mode of providing for the Public Safety. They solicit your co-operation in a common effort to sustain the prosperity, and if possible, the peace of the country. There is no Tariff party in South Carolina—we agree on every side that the Tariff should be resisted by all constitutional means. So far, there is no difference of opinion, but we are divided as to the character of the means that should be employed; and resistance by nullification is the fatal source of bitterness and discord—Even those who are in favor of nullification, differ widely as to its character. It is recommended as constitutional and peaceful, but, when explained even by its own advocates, it assumes many different aspects, and furnishes an evil omen of interminable strife. Regarded as a peaceful remedy, nullification resolves itself into a mere lawsuit, and may be shortly dismissed as a feeble inefficient measure. For it has been wisely provided that the Constitution & the acts of Congress made in pursuance thereof, shall be the Supreme Law of the Land—and in a Court sitting under the authority of the Constitution, the merits of the question could receive no aid from the high sounding terms of an act of nullification. Regarded as a forcible interposition of the Sovereign power of the State, the objections to it lie far deeper. It is not a mere infraction of the constitution, which like an external injury, leaves its general utility unimpaired, but a radical and fatal error. The theory renders the constitution a dead letter—and the practical enforcement of the doctrine is the beginning of Revolution. A government inadequate to its purposes, cannot in the nature of things maintain its existence. The great end and aim of the constitution is to preserve the Union of the States, and by that means the harmony and prosperity of the country. The old confederation proved inadequate to the end, because the execution of its resolutions depended on the will & pleasure of the several States. The convention which formed the constitution owed its existence to the necessity of giving to the General Government the power to execute its own laws. If the several States can nullify an act of Congress like the Tariff, that power cannot be exercised, and the Federal Government must follow the late of the Confederation. It is in vain to argue against facts. The theory of Nullification falsifies the history of the country. It is monstrous to contend that the framers of the Constitution did not invest the General Government with the power to execute their own laws, or that without such a power Union can exist.

The restriction of the State veto in its terms to laws declared by the State to be unconstitutional, is merely nominal. In practice it can make no difference, for whether the law be constitutional or not, the effect of nullification must be the same. If one State has the jurisdiction to declare a law unconstitutional, every other State must have the same; & the constitution can have no settled meaning. It is vain to say that the power would not be lightly exercised. If it were a power which the States possess, if the right was acknowledged, there would be no more difficulty or reserve in the exercise of it now, than under the confederation. A veneration for the constitution may prevent infractions, but can have no application to the exercise of right when it is once admitted to be constitutional. According to the theory of Nullification, any number of States, more than one fourth of the whole, may change the constitution. For in case a State shall nullify an act which that very state in common with all the others had formerly recognized as legitimate, or any law that is really constitutional, unless three-fourths concur in favor of the law so nullified, the constitution will, to all intents and purposes be changed; and this power of a minority to alter the constitution is deduced from the express provision that it shall not be altered by less than a majority of three-fourths. By the same rule, if unanimity had been required in all amendments, the constitution might have been changed by any one State—Such fallacy requires no exposure. A construction which destroys the text, & gives to words an effect directly opposite to their sense and meaning, is too gross for argument.

Such are the objections to nullification in theory. It is not merely an infraction of its authority. But in practice a dissolution of the Union is one of the least of the dire calamities which it must inflict on the country. A secession from the Union might possibly take place in peace, and would only impair our national compact, put our independence in danger, and give us up a prey to foreign influence,

with its usual consequence of domestic faction, and frequent wars. But Nullification in practice must produce a direct collision between the authorities of the State and those of the Union. It would place both parties under the necessity of a conflict, & ensnare the citizen between his onerous duties, owing to the character of war the cruelty of penal laws. It may be said by the advocates of nullification, that the State is entitled to the unequal allegiance of its citizens, and that the decrees of a State convention would supercede all other obligations. Without stopping to examine the correctness of this doctrine, it may be conceded for the purposes of argument, that if the state authorities command us to withdraw our allegiance from the General Government, we are bound to obey. But Nullification professes to be a constitutional remedy—and whilst it calls upon us to resist the constituted authorities, it commands implicit obedience to the Constitution of the United States; can any thing less than humiliation and defeat be expected from such a tissue of inconsistencies?

But if nullification be considered not as a constitutional power, but as a high prerogative, and an exception justified by great emergencies, it must in principle be the same as the right of resistance, which is recognized by the principle of freedom as a right paramount to all constitutions, and is not an application of the state as a political body of the same principle which prevails in every case between the people and the Government. But as this exception is by its very nature beyond all law, it cannot be incorporated into the rule of the constitution. The question in all such cases is, whether necessity exists; whether the magnitude of the evil is such as to justify a resort to revolutionary force.

We cherish a sacred attachment to the Constitution, and deplore and deprecate the effects of that rage of passion, which in the correction of abuses would sweep away the inestimable institutions of freedom. If nullification was not fatal to these institutions, there would be no dispute among us, when the vital and essential interests of the State are in jeopardy, we should think no risk too great for their preservation in the last resort. But it would little comport with patriotism or prudence to incur all the calamities attendant on the destruction of social order, if any plan can be suggested—a removal of the burthens of the Tariff (already considerably diminished) by safer and more eligible means. We believe that the times call loudly for the adoption of such a plan, and that no insuperable objections stand in the way of a cordial co-operation of all parties. Let the Southern States meet in convention and deliberate as well on the infraction of their rights as on the mode and measure of redress. The States of Virginia, North Carolina, Georgia, Tennessee, Alabama & Mississippi, are equally concerned with us in all the consequences of the Tariff. If the freedom and prosperity of one are involved in the issue, those of all the others are equally concerned.

Whatever advantage may be expected from Nullification as a constitutional check, can only be realized by a concurrence of the States that are interested, & such a co-operation appears to be clearly intimated by the Virginia Resolutions as the proper proceeding in such cases. And if Nullification be regarded as an appeal to the principle of resistance, it would be madness to expect success without the support and countenance of those States. If the States, which are injuriously affected by the Protective System, concur in regarding the ordinary constitutional checks as insufficient to restrain the General Government within its proper sphere, such interposition as they may advise, will be most effectual, and productive of the smallest injury.

Even those who support the opinion that Nullification is a constitutional and peaceful remedy, admit that it is to be resorted to only in extreme cases, and on the ground of great public necessity. And how shall we be satisfied of this necessity but by the support and concurrence of those States who are equally interested? Many causes may conspire to create an excitement in one State out of all proportion to the magnitude of the evil. But if the excitement is general, and prevails as widely as the mischief extends, we may be assured that it does not proceed from prejudice or local causes, but that the crisis has arrived for the intervention of an extraordinary remedy. It is due to the veneration in which the Constitution ought to be held, to the responsibility which we are under for preserving it inviolate, that no measure, involving in its consequences, so essentially the stability of the government, as Nullification confessedly does, should be undertaken, except by the concurrence of such a number of the States as are invested with the restraining or negative power in the case of amendments.

Such are the advantages of a Southern Convention. The objections to it may be easily disposed of. It is not unconstitutional. The States are prohibited from entering into treaties and confederacies among themselves. But a Southern convention will form no treaty or compact of any kind. Their object will be to deliberate, to enlighten, and to

give effect to public opinion. Nor will their deliberations be injurious to the Union. If the States who are aggrieved by the Tariff laws act in concert, their claims will in all probability be conceded—but if the very worst that can be imagined should happen, and their demands be capriciously rejected, it will be for the several States and not the convention to act on the subject. The advice of the convention will no doubt have great weight, but it will be a salutary influence, not a legal control.

In the spirit of amity we make this appeal to our fellow citizens. The glorious inheritance of freedom is at stake. The same blow which destroys the Union, levels to the ground the defenses of liberty. Under the Federal Constitution we have enjoyed all which the patriots of the American Revolution desired to see. Our country has increased in riches, in knowledge and in honor. And those who offered up their lives in the cause of America, would have closed their eyes in peace if they could have been blessed with a vision of that future which we have enjoyed. The happiness of our citizens has formed the admiration of the wise and good; and now when the scene is changed, and discontents created by the acts of Government, have brought the Constitution itself into danger, it depends on the moderation and wisdom of the sons of liberty, to pay in some degree the debt of gratitude, by transmitting the same inheritance to their posterity.

Therefore Resolved, That while we deprecate Nullification, as founded on principles subversive of the constitution, we would willingly and cordially unite with our fellow citizens of the Free Trade and State Rights Party of this State, on any ground which promises a redress of our grievances, without involving a violation of the constitution of the United States.

2 Resolved That in case of the concurrence of the States of Virginia, North Carolina, Georgia, Tennessee, Alabama and Mississippi, this Convention do earnestly recommend to the citizens of this State to meet in their several districts and elect delegates to attend a general meeting of the citizens of the said States in Convention, to take into consideration the grievances under which we labor, and the means and measures of redress.

3. Resolved, That we solemnly pledge ourselves to adopt, abide by, and pursue such measures in relation to the grievances, as the said convention shall recommend.

4. Resolved that a committee of nine appointed to correspond with their fellow citizens of the said States, and in case of their concurrence in the proposed convention, to give notice of the time & place of holding the same, and fix a day for the election of Delegates from the several districts of this State, and that a majority of the acting members of the committee be authorized to supply any vacancies in their number as the same may occur.

THOMAS TAYLOR, President. HENRY MIDDLETON, DAVID JOHNSON, R. J. MANNING, S. TUCKER, FRANKLIN J. MOSES, JAMES E. HENRY, Secretaries.

From the Roanoke Advocate we learn, that in June last a number of the citizens of Halifax tendered to the Hon. S. P. Carson, then in Washington City, an invitation to attend a public dinner, on his return from Congress. The committee in their note to Col. C., use the following forcible language:

Be assured, sir, your patriotic services in the cause of constitutional liberty have been properly appreciated by your fellow citizens in this section of the State. And while too many of the Southern delegation, in their zeal for party and their adherence to men, have lost sight of the best interests of their country, it is with pride and pleasure we have ever found you fighting on the side of principle, and zealously advocating the cause of an injured and oppressed community.

"We believe that upon a repeal of the present Tariff, and an entire abandonment of the protective system, depends the purity and safety of our republican institutions—perhaps the very existence of the Republic itself. We are fully prepared to defend the Constitution and the Union, but it must be THAT UNION AND THAT CONSTITUTION WHICH OUR FATHERS FORMED."

Col. Carson accepts the invitation, & in reply says:

Known to that portion of my fellow citizens, whose good opinion has been thus signally indicated, only through the medium of my public acts, the testimonial of their approbation which they have been pleased to afford me, is highly gratifying, and cannot fail to inspire additional confidence in the views I have heretofore taken of the great and important interests of our country. The crisis demands the united efforts of the people to redeem the Constitution from false interpretations fatal to the purity, and menacing to the very existence of the happy form of government transmitted to us by the patriots of the revolution.

To equalize taxation, and relieve the Southern States from the heavy burdens by which they are oppressed, are objects of deep solicitude and anxiety with every real friend to equal and impartial justice and to the integrity of the Union, on the principles by which alone it can be preserved. To this end my best exertions have been directed as a member of the National Legislature, and if any opinions and reasonable expectations shall be overruled and disappointed, by a majority, reckless of the consequences which may flow from unmitigated wrongs inflicted on a free and enlightened people, I repose, with confidence, on the valor and patriotism of the sons of Carolina, to vindicate the great cause of equal rights, liberty and the constitution, in which I shall have labored without success."

FROM THE HILLSBOROUGH RECORDER. A meeting of several citizens of Orange county was recently held in this place, and resolutions adopted approving the political course of the Hon. Willie P. Mangum in the Senate of the United States. A committee was appointed to convey to him the sentiments of the meeting, and to request his company at a public dinner. The following is the correspondence on the occasion.

Hillsborough, September 12th 1832. SIR: At a late public meeting of a number of your friends and fellow citizens of the county of Orange, resolutions were passed expressive of the confidence and esteem with which your political course during the late session of Congress has inspired your constituents, and the undersigned were appointed a committee to be the organ of the expression of these sentiments, and to request you, to favor your friends of this vicinity with the honour of your company at a public dinner, to be given on any day that may suit your convenience.

We take pleasure in acknowledging particularly the zeal & ability with which you have resisted the encroaching usurpations of that party in the national councils which seems to have devoted us to ruin. And though the illegal exercise of power rendered your patriotic labours inefficient to the end to which they were directed, we are proud of the lustre they have reflected on our state, and respectfully tender to you the tribute of our highest admiration and esteem.

We have the honor to be your friends and fellow citizens, WALKER ANDERSON, SAMUEL CHILD, W. MONTGOMERY, ALLEN C. JONES, V. M. MURPHY, JOHN SCOTT

To the Hon. WILLIE P. MANGUM

Orange county, September 15th, 1832. GENTLEMEN: I have the honor to acknowledge the receipt of your note of the 12th instant, informing me of "the passage of resolutions at a late public meeting of a number of my friends and fellow citizens of Orange county," expressive of their approbation of my "political course" during the late session of Congress; and that you were appointed a committee to be the organ of that expression, and to request my attendance at a "public dinner" to be given on any day that may suit my convenience.

I receive gentlemen, with profound sensibility, this expression of approbation of my "political course," and this marked demonstration of personal kindness, and the incident shall be treasured among the choicest and most valued reminiscences of my public life.

Next to that internal sense by which the faithful public servant is sustained in the midst of the most discouraging difficulties, nothing can be more gratifying than the manifestation of confidence and personal kindness on the part of those who have entrusted to his care their dearest interests.

No one can have a deeper sense of my humble efforts in the public service than myself, and yet I should be unwilling to yield to any one in an ardent and well meant zeal.

I am compelled gentlemen, by all the force of sentiment which, I trust, is entitled to an indulgent consideration, to decline the honor of a public dinner which you have so kindly tendered me.

When I look to the past history of Orange county and her public men, and the long and distinguished services of some of them in various public stations, and remember it has never been our custom to greet them with similar demonstrations of public sentiment, every man of delicacy will readily comprehend the reasons that render a compliance on my part absolutely impossible.

It is an honor that should be reserved for great occasions and for illustrious service. And besides, I have so much respect for the plain, unostentatious and respectable habits of our people, that I am sure you will pardon me for saying, I doubt whether they would be improved by the introduction of a practice which, on ordinary occasions, I think, is more honored in the breach than the observance."

I beg of you, gentlemen, to communicate to those you represent the profound

sense which I entertain of the honor they have done me, and to accept for yourselves individually, my grateful acknowledgements for the very kind and obliging terms in which you have been pleased to convey to me their wishes and sentiments.

I am, gentlemen, with perfect respect and esteem, your most obedient servant, WILLIE P. MANGUM. To Messrs. WALKER ANDERSON, SAMUEL CHILD, W. MONTGOMERY, ALLEN C. JONES, V. M. MURPHY, JOHN SCOTT.

THE EXAMINER



OXFORD, OCTOBER 4, 1832.

CANDIDATE.

On Friday last, at the Regimental Review in this place, Mr. ROBERT B. GILLIAM declared himself a candidate to represent this District in the next Congress of the United States. Election takes place in July, 1833. We understand Mr. Gilliam addressed the people in a handsome and appropriate manner.

OXFORD VOLUNTEERS.

At a meeting of the Oxford Volunteers on Friday last, the former Captain, R. J. Yancey, Jr. sent in his resignation, which was read and received. After which Lieut. James A. Russell, was elected Captain; Ensign Edward Burton was elected Lieutenant, and Tryon G. Yancey elected Ensign. R. J. Yancey, Jr. was voted an honorary member.

WASHINGTON TABURN.

We learn that the Governor has granted this criminal a respite until March next; and that should he be sent beyond the limits of the United States in the interim, by private contribution, the demands of justice shall be deemed to have been met.

INDIAN WAR.

The Frontier struggle is at an end.—Black Hawk is a prisoner, and his party completely destroyed. [See 4th page.]

WEATHER.

We have had several cold nights—it is apprehended that frost will soon be here, without a change of weather; in which case the Tobacco Planters will lose a large portion of their Tobacco crop.

THE LETTER.

We understand that Mr. Barbour's Letter will be forthwith sent to Raleigh for publication. We should have been glad to have got a copy for our paper, but we suppose we must wait for our betters to be served.

The modest Mr. Ramsay calls us "capitious" and "splenetic if not officious," because we ventured to express the opinion that Mr. Van Buren would not respond to the Shocco resolution before the election. If it be officious to speculate upon public matters and scan the acts of public men—even the "sweetest little fellow"—we expect to live and die "officious," though we may offend the dignity of the self-styled "organ of the Van Buren party." We intend freely and fearlessly to express our opinions, even at the risk of the displeasure of the "organ" or any one else. We repeat the belief, which we confidently entertain, that Mr. Van Buren will not reply to the call before the election, or at least not until it shall be too late to be generally circulated. If the answer arrives we will acknowledge the erroneous opinion.

SOUTHERN CONVENTION.

We insert to-day the Address of the Union Party of South Carolina, urging the propriety of a Southern Convention. Until we are informed of the precise design of this Convention we shall neither advocate nor oppose it—having no key to its object, we choose to await further developments. Delegates will attend the Legislatures of the several Southern States during the winter. Among those who befriend this convention, we perceive the names of persons who are in favor of secession as the best remedy, of those who believe nullification to be a final remedy; some who are now ready to act, and some who prefer to wait, and others who prefer unconditional submission to acting at all. Some say the convention is to remove our burdens, and others again that it is to reconcile us to them. North Carolina should be vigilant—a crisis is at hand, and she must have to choose her part in the drama. For the present neutrality is her proper position.

NOT SO FAST.

The "Petersburg Chronicle" was rejoiced at the Milton paragraph and