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THOMAS J. LEMAY, Editor

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ORATION OF
HENRY W. MILLER, ESQ.

DELIVERED IN RALEIGH,

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[BY REQUEST.]

My Fellow Citizens:—This day seventy-five years ago, that immortal DECLARATION, which has just been read, was issued to the world. It met a cordial and resolute response from the bold hearts of those, whose Independence it was intended to proclaim, and so much of daring and moral grandeur was connected with the act, that civilized nations gazed on it with wonder and amazement! Scarcely fourteen months had passed, since the clash of arms upon the field of Lexington announced the beginning of that grand struggle, which gave a new direction to the destinies of the human race. Aware of the vast resources, and great military prowess of that nation, whose oppression and wrongs had driven them to arms, and conscious of their own weakness in most of those means which are necessary to ensure success in war, our fathers nevertheless approached that eventful crisis, with a cool and invicible resolution of purpose, that gave assurance a struggle had commenced, which though it might not close in triumph to them, would remain a monument in history, challenging the admiration of all succeeding ages! Yes! A mighty conflict had indeed begun, which, for its successful termination, required the highest attributes of mind, the most exalted qualities of heart. For seven years did that struggle continue. The pages of history would be searched in vain, for a period in which were exhibited higher courage—nobler sacrifices—sublimer virtue and more brilliant daring. These were the means which, under the Providence of God, enabled them to bring that conflict to a glorious terminaton. On the 19th October 1781, the shout of triumph which went up from the plains of Yorktown, proclaimed that the pledge which had been given to the world on the 4th of July, 1776, had been fully redeemed, and that the Independence which had been boldly declared by Jefferson and his compeers, had been won by the valour of Washington and his gallant companions in arms. The deeds of these great men have been committed to the keeping of the historian. He has opened his scroll to the nations of the earth. The eyes of all have rested upon it with delight and admiration.—The artist, the poet, the orator have vied with each other, in the rich tributes they have offered to their memories. The sculptor has made the marble speak their praises, and the granite columns that pierce the clouds, and around whose summits the lightnings of Heaven play, have impressed upon the minds of the old and young of the land, a lesson of gratitude too exalted for the power of language! I shall not attempt to recount their deeds in arms. I shall enter on no eulogy of their virtues. The most substantial evidence of our gratitude to them, is a proper appreciation of the blessings they have transmitted to us. And how great and valuable those blessings are!

And what a change our country has undergone within the seventy-five years which have elapsed since our National Independence was declared! What a theme for the contemplation of the patriot and philanthropist! From the weakness of infancy, it has grown up to a manhood of strength. Containing then, but three millions of inhabitants, she now numbers upwards of twenty-four millions, scattered over a vast extent of country, stretching from the waters of the St. Lawrence to the Rio Grande, and extending its giant arms from the shores of the Atlantic to the great Ocean which dashes its waves to the Continent of Asia. Our national banner, from which but thirteen stars then dimly shone, is now covered all over with the bright emblems of thirty-one States.—Commerce which then hardly ventured from the Atlantic coast, clinging around it, as if afraid to risk the trials of the deep, now visits every shore, plunges into every sea, unfurls her sails in every port, and carries the varied riches of our soil, and the fruits of our industry into every land. Then, with but a ship or two that bore the flag of Independence; a mighty Navy now ploughs the deep in proud confidence. With exports which hardly entitled us to a place amongst the nations, we now send forth to the starving millions of christendom, the heaped up abundance of every production. All branches of industry are prosperous. The mechanic rejoices in the success of his labor and ingenuity; the manufacturer and agriculturist bless Heaven for its beneficence. The wilderness has been made to blossom as the rose, and the worn out places of man's habitation have been made to smile again with plenty. The burthens of government are comparatively light. We enjoy political privileges with which no People on earth are blessed. We have freedom of speech, freedom of conscience, freedom of the press. The triumphs of the intellect are all around us. By the power of steam, distant sections of our country are brought together in social intercourse. City speaks with city, and village to village, as by a tongue of lightning. Schools and colleges of learning are scattering the fruits of literature and science throughout the land, and from millions of altars, prayers ascend to the throne of the Enternal. This day, this very hour, we present a spectacle of national prosperity surpassed by no people on earth!

And to what, my fellow-citizens, are we indebted for all this? From what source does it spring? We owe it to that glorious CONSTITUTION and UNION which were transmitted to us by our fathers! They are the fountains from which, under the guidance of Providence, have flowed these great blessings. Other means may have co-operated, other causes may have combined to produce such results, but the Constitution, and the Union under which we live, have been the chief cause of our national greatness and prosperity!

At a crisis like the present, when discord and fanaticism are menacing that prosperity, it behooves all, who value the Constitution and the Union, to enquire by what tenure they are held, upon what foundation they rest, and in what manner they they can be best protected and perpetuated. These are indeed important inquiries, important not only to ourselves, but to those who are to come after us, to the civilized world! I shall approach their investigation with the freedom, which becomes an American citizen, conscious of the sacred remembrances that cluster around the day and the occasion we have assembled to observe!

To *what* and to *whom*, then, are we indebted for this Constitution and Union? Years before the war of the Revolution began, the colonies had become convinced of the necessity of Union and co-operation amongst themselves, to resist successfully the aggressions of the British Crown. As early as 1765, a Congress of Delegates from nine of the Colonies assembled in New York. This Congress has been called "the Egg of our Republican Union." Three committees were appointed to memorialize the authorities of the mother country; one the King, another the Lords, and a third the House of Commons. Of the first Committee *Robert R. Livingston* of New York was the Chairman; of the second *John Rutledge* of South Carolina, and of the third, *Thomas Lynch*, of the same State. To all who composed that Congress a union of the energies and resources of all the Colonies appeared necessary to enable them to oppose successfully the oppressions which were threatened. Nor were they at any subsequent period of their operations shaken in this conviction. It was at all times foremost in their thoughts, the chief means upon which they relied for success. Every appeal which went forth from the primary meetings of the people or from the Continental Congresses, urged in the strongest terms the importance the absolute necessity, of UNION amongst the Colonies, to achieve and maintain their liberties. When the war broke out—when blood had been shed—and the men of that day had made up their minds, that the Colonies had a right to Independence, it was a conviction that they were *united*, which gave birth to the Declaration of Independence. That Instrument proclaimed the Union of the Colonies, spoke the sentiments, and in the name of the *United* States of America declared the Independence and Freedom of a *united* People! Nor was this bond of Union, thus formed, considered strong enough to carry them through the Revolution. Even before the Declaration of Independence was signed, steps had been taken in the Congress to form "a constitutional plan of Union." On the 26th of June, 1778, the Articles of Confederation were ratified, and on the 9th of July succeeding they were signed by the Delegates from eight States. A committee was appointed to prepare a circular letter to the other States, urging their adoption of the confederation. The letter declared that "Congress, intent upon the present and future security of the United States, has never ceased to consider a confederacy as the great principle of Union *which can alone establish the liberty of America and exclude forever the hopes of its enemies!*" It appealed to the States "to conclude the glorious compact, which, by uniting the wealth, strength and councils of the whole, may bid defiance to external violence and internal dissensions, whilst it secures the public credit, both at home and abroad." By the 2nd of March, 1781, all the States had ratified the Articles and become members of the Confederacy.—"The formation of a *permanent*—"a *perpetual* Union of all the States," even at that early day, was the main design and controlling wish of a great majority of the leading men of the Revolution—because, upon such a Union, rested their safety from internal dissensions, their protection from foreign invasion, and to such Union only could they look "for securing the freedom, sovereignty and independence of the United States.

The War of the Revolution having closed, and the Independence of the United States having been recognized by foreign nations, many believed there was then a consummation of all their patriotic hopes. But this proved delusive. No sooner were their difficulties with Foreign Nations ended, than new ones sprang up among themselves.—Having expelled a foreign enemy, they found dissensions in their own councils, an enemy at their own hearths! Heavy debts had been incurred during the War, some due to foreign nations, some to domestic capitalists, and others to the way-worn soldier, who had fought the battles of Independence. These debts were pressing upon the government.—The Congres had no power to levy taxes, either directly or in the way of imposts.—Everything was at the mercy, and subject to the caprice of the individual States.—Some of them had failed to furnish the means to comply with the obligations entered into by Congress, in furtherance of the common liberty, and for their common protection during the War. Public credit was consequently blasted. There was no power vested in Congress to regulate commerce with foreign nations. Thus, without currency, without credit, with their commerce drooping, with a heavy national debt pressing upon them, the difficulties and embarrassments of the founders of our Independence seemed but just to have begun. These difficulties and these embarrassments were met with the same resolute and prompt spirit that characterized their conduct during the trying scenes of the Revolution. The Articles of the Confederation were pronounced on all hands to be defective, greatly defective. Though formed to establish "a perpetual Union," between the States, so little power had been vested in the national Legislature, that discord and disunion seemed inevitable, unless amendments could be made, or a new system of government established!

On the 21st of January, 1786, the General Assembly of Virginia appointed eight Commissioners, amongst whom were *James Madison, Edmund Randolph* and *George Mason*, to meet such commissioners as might be appointed by the other States, to take into consideration, "the trade of the United States and enquire how far an uniform system might be necessary for their permanent harmony and common interest." In September of that year, they met in Annapolis. Whilst the principal object of their meeting was not forgotten, they prepared and issued an address to the people of the several States, urging the necessity of a convention "to remedy the important defects which existed in the system of Federal Government," and to render the Constitution "*adequate to the exigencies of the Union.*"

In response to this address, Congress, on the 21st of February, 1787, adopted a Resolution calling a convention of Delegates to assemble in May of the same year, in Philadelphia, for the "express purpose of revising the Articles of Confederation," so as to render "the Federal Constitution adequate to the exigencies of Government, *and the preservation of the Union.*" The several States promptly responded to this recommendation, and Delegates were appointed. There is one fact which should not be overlooked. In almost every State, where they came to act on the recommendation of Congress, the desire for "a more perfect Union of the States seemed to be the lever, by which they were moved to action. Their Resolutions and the credentials which they gave their Delegates, breathed the the same spirit—the same earnest desire to secure the blessings of a perpetual Union between the States. "*The Constitution must be made adequate to the exigencies of the Union*" was the principle upon which they all acted. It was the voice of the whole people. It was the sentiment uppermost in their hearts. They were well persuaded that without *Union*, their liberties could not long exist—that divided into petty confederacies, torn by sectional jealousies, they would become the prey of foreign nations, fit victims for some ambitious and blood-thirsty conqueror! It was the voice of Massachusetts, of New York, of Pennsylvania, of Virginia, all conscious of their strength, as well as of Delaware and New Jersey, and the other smaller States, whose comparative weakness may have driven them to Union. The language of the General Assembly of Virginia was indeed noble and patriotic. "The crisis has arrived," said they, at which the good People of America are to decide the solemn question, whether they will, by wise and magnanimous efforts, reap the just fruits of that Independence, which they have so gloriously acquired, and of that UNION, which they have cemented with so much of their common blood, or whether, *by giving way to unmanly prejudices and jealousies, or to partial and transitory interests*, they will renounce the auspicious blessings prepared for them by the Revolution, and furnish to its enemies an eventful triumph over those, by whose virtue and valor it has been accomplished. *The same fraternal and affectionate sentiments*, which originially determined the citizens of this commonwealth, *to unite with their Brethren of the other States*, in establishing a Federal Government, cannot but be felt with equal force now, as motives to lay aside every inferior consideration, and *to concern themselves in such farther concessions and provisions as may be necessary to secure the great objects for which that Government was instituted*, and to render the *United States* as happy in peace as they have been glorious in War."

The Legislature of New Hampshire declared, "Congress hath by repeated and most urgent representations endeavored to awaken this, and other States of the Union, to a sense of the truly critical and alarming situation in which they may inevitably be involved, *unless timely measures be taken to enlarge the powers of Congress, that they may be thereby enabled to avert the dangers which threaten our existence, as a free and independent People.* This State hath been ever desirous *to act upon the liberal system of the general good of the United States, without circumscribing its views to the selfish and narrow objects of partial convenience*, and has been at all times ready *to make every concession, to the safety and happiness of the whole, which justice and sound policy could vindicate.*"

Such were the patriotic sentiments, that carried our ancestors through the dangers, with which they were beset! Would to God, that they could again return, to restore harmony to our country!

On the 14th of May 1787, the Convention assembled in Philadelphia. It was composed of the wisest statesmen of the age. WASHINGTON was selected to preside over its deliberations. *Hamilton, Morris, Randolph, Madison, Wythe, Davie, Rutledge*, the *Pinkneys*, and other great spirits, were there!—They felt the responsibility of their position. The eyes of the whole world were upon them; the friends of Free Government looking to their deliberations with anxious hope; the advocates of the Divine Right of Kings longing for their failure, their discomfiture, their disgrace! They well knew the magnitude of the work they were called to perform. They had the experience of the past before them.—They had learned the wants of their People. They saw the defects of that system which they had assembled to reform. The result of their patriotic labours and noble concessions WAS OUR PRESENT CONSTITUTION, *a master piece of wisdom*, a monument more durable than brass to the patriotism and sagacity of those who adopted, as well those who framed it. It was the offspring of compromise and concession. Nor did its immortal framers, during all their deliberations, ever lose sight of the importance of the UNION. It was a polar star of their labors. WASHINGTON, in the letter addressed by him, in behalf of the Convention to Congress, said "In all our deliberations, we kept steadily in view, that which appeared to us, the greatest interest of every true American, THE CONSOLIDATION OF OUR UNION, in which is involved our prosperity, felicity, safety, perhaps our national existence." Upon its face that Constitution proclaimed that one of the chief objects for which it was "ordained and established" was the formation of "*a more perfect Union*."

Such, too were the sentiments, in relation to the importance of the Union, which prevailed amongst the People themselves, and also in the State Conventions, even with those who were most hostile to the adoption of the Constitution. *Edmund Randolph* declared, "I hesitate not to say that the most fervent prayer of my soul is, the establishment of a firm, energetic Government—*that the most inveterate curse that can befall us is a dissolution of the Union. I shall therefore cling to the Union as the rock of our salvation.*" "We must all *rise or fall together*," was the language of *John Hancock* in the Massachusetts Convention. "UNITED we are *strong*—DIVIDED *we fall*," exclaimed that great man and noble patriot, *John Marshall*, in the Convention of Virginia. The leading men of all the States uttered the same sentiment. In the South Carolina Convention, *Charles Cotesworth Pinkney* declared, "Our freedom and independence arose from our UNION; and without IT we could be neither free nor independent."

Under that Constitution, thus ordained, and established "in order to form a more perfect Union, established justice, ensure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty," our Country has continued to grow in prosperity and power for upwards of sixty years, meeting all the perils of domestic dissension and dangers of foreign wars, with a success unsurpassed in the annals of human government. If the principles of that Constitution be properly observed and adhered to, our prosperity will continue to increase, our resources as a nation will be yet more fully developed, and that Union which is inseparable from the preservation of our Freedom and Independence, will become more and more endeared in the hearts of our People!

But, my Fellow Citizens, we cannot close our eyes to the dangers which threaten that Constitution and Union. We should be unworthy the fame of our ancestors, untrue to ourselves, and faithless to those who are to come after us, if we were to remain any longer careless and unconcerned spectators of the movements which are going on around us. As men, as Americans, we should prepare to meet the approaching crisis, and resolve to plant ourselves upon what, as patriots, WE BELEIVE TO BE RIGHT, and leave the consequences to that Power which has never yet forsaken our country in the hours of its greatest peril!

We cannot disguise the fact, it has come upon us in all its hideousness, that the spirit of faction and of a lawless fanaticism is exerting itself, with unceasing zeal and daring boldness to overthrow our Constitution, and break up the deep foundations of our Union. In one section, it exhibits itself in reckless attacks upon a domestic institution over which it has no rightful control. In justification of its fell purposes, it appeals to a "*higher law*" than the Constitution, and laws of the Country, which it assails with the spirit of a demon. It would, to accomplish its purposes, trample in the dust every fraternal impulse, all decency and order, every holy precept of charity and religion! If the patriotic and conservative men at the North who are breasting this storm, should fail in their exertions to secure a faithful observance of the recent Acts of Congress, by which the provisions of Constitution for the protection of our property were intended to be enforced; if they should be finally driven back and overwhelmed, and fanaticism should so far gain the ascendancy, as to force itself again into the Halls of our National Legislature, and appealing to its "*higher law*" strike from the Statute Book that enactment, by which our property is protected from plunder, there will be no hope left that the Constitution will be preserved and the Union perpetuated! Go on then, noble men! in your exertions to stem that torrent which threatens to sweep over, and bear down, with resistless fury the noblest monuments of human wisdom! Generations yet unborn, will rise up to bless your names, and "snatch from your ashes" the fire of the loftiest patriotism!

But whilst we loathe and condemn that spirit of lawlessness and fanaticism which prevails in other sections, let us not be blinded to the dangers nearer home which threaten our Institutions.

The doctrine that a State has a right peaceably to withdraw from the Union, whenever in convention she may decide so to do, is, in my humble judgment repugnant to the Constitution, at war with the theory of our Government, and if established will lead to the overthrow of our republican system, and a consequent destruction of our Independence and Liberties.

It is not my purpose to attempt an elaborate argument to make good these positions. Had I the ability so to do, time and the occasion would not permit. But there are some reflections which it may behoove us not to overlook or disregard, and whilst considering them, it will be my desire to refrain from harsh or unkind expressions. I shall nevertheless speak with the candor of one, who feels that the day and occasion remind him there is yet a Constitution which guaranties the privileges of freemen!

To maintain succesfully the right of secession, it is necessary to shew either that each State has retained her sovereignty, or has a right, at her own will and pleasure, to resume the powers of sovereignty which she originally possessed.

It will be conceded that the most important attributes of sovereignty in a political State or civil society are the right to declare war, to contract alliances, to make treaties, to coin money, to regulate currency and commerce, to punish treason, to grant letters of marque and reprisal, to levy imposts, duties and direct taxes.

These powers are granted, *in express terms*, in the Constitution, to the General Government.—They cannot be exercised by any one State Government or a number of such Governments, without a violation of the Constitution. In addition to this, there are certain express prohibitions imposed on the respective States. When the People of the several States had ratified the Constitution, a General Government was by that act of ratification created, and vested with certain limited and defined powers, which it had no right to transcend, but in the sphere of which that Government was supreme. This is so declared be the very words of the grant, by the very terms of the Constitution itself. Its language cannot be misunderstood. No cavil or sophistry can evade it. He who runs may read. It speaks out in bold terms, without hesitancy, without equivocation.—"THIS CONSTITUTION, *and the laws of the United States which shall be made in pursuance thereof*, and all treaties made or which shall be made under the authority of the United States, SHALL BE THE SUPREME LAW OF THE LAND, *and the Judges* in every State be bound thereby, *anything in the Constitution or laws of any State to the contrary notwithstanding.*"

This was what the People of the several States agreed to and declared when they ratified that Constitution. It is a part of the written grant by which they ceded certain powers to the General Government. "The Constitution, the laws of Congress made in pursuance thereof, and all treaties made under the authority of the United States, *are the supreme law of the land!*"

The Judges of each State are bound by the Constitution, laws and treaties of the United States, *whatever may be their State laws or State Constitution.* They are required to aver their determination to sustain that Constitution, and carry out those laws and treaties, under the solemn obligations of an oath. The most important Officers in each State, even Legislators, are required to take an oath to support the Constitution of the United States. It is their duty to see whether a measure of legislation, which may be proposed, be in violation of that Instrument, and if it be, they cannot proceed to its completion as a law, however wise its provisions or necessary for the welfare and protection of the particular State.

Treason is considered the highest crime which can be committed against society. It strikes at its very foundation. It aims at the destruction, not of one or a few, but all who compose the State. It is a blow at the sovereignty of the State. The power to punish this offence then must be the highest attribute of sovereignty. It has been surrendered to the General Government. No State has the right to define or punish treason.

It is absurd to say that a political society, which has surrendered such high and important powers as those granted by the People of the several States, in the Constitution, to Congress, is still sovereign and supreme.—That each State has rights, no one can deny. The Government of the United States is a limited government, and all those powers not granted are reserved to the States respectively or to the People. Whilst it would be unwise and dangerous to liberty to suffer the General Government to go beyond the sphere of its own powers and encroach on the rights of the States, so too would it be dangerous to the stability of our Republican system and equally as fatal to well regulated government, without which liberty cannot long exist, to concede to each State the right to paralize at pleasure the arm of the General Government, either by a nullification of its laws, or any of them, or by striking from its hand, all those powers, which she voluntarily granted, not for her own benefit alone, but for the welfare, the safety and protection of ALL the States! To allow each State to resume, at pleasure, by act of Convention or otherwise, all those sovereign powers which have been granted to the General Government, would make each State the judge in her own case. Such a doctrine would throw us back into a condition no better, if not worse, than in the days of the Old Confederation. Even were our Government a compact between the States, as is contended for by some, still, would each State have the right to judge for herself? If the States were the parties to such compact, would one State, even in the absence of a common arbiter, have the right to set her judgment up as omnipotent against the voice of all the other States? Is this the nature of mutual compacts? But we are not left in the dark on this point. When the Constitution was established, there was created a common arbiter. The Supreme Court of the United States is there. To that an appeal can be had, and although cases may be imagined which that tribunal cannot reach, yet this is far from proving that in such cases each State has a right to judge and act for herself.—What a farce were those enacting, who, in the general Convention at Philadelphia and the several State Conventions, opposed the Constitution upon the ground that the sovereignty of the States would be swallowed up in the powers granted to the General Government, if it was then *known and intended* that under the Constitution a single State would still have the right to withdraw from the Union, throw off the allegience of her citizens to the Constitution of the United States, at any moment *when she* might determine in Convention that interest or necessity required it! If this were so, how absurd were some of the most splendid efforts of that great Orator, PATRICK HENRY, in the Virginia Convention, and how puerile were the fears of MASON, GERRY, YATES, LANSING, RANDOLPH, and other distinguished men of that day! How immaterial what powers may have been granted the General Government, if each State could at pleasure resume her sovereignty, withdraw from the *Union*, absolve herself from her just share of the National obligations, deprive the citizens of the other States of those rights which were guaranteed to them within her own limits, by the Constitution which they *all* adopted!

It is known that Mr. LANSING, who was a member of the General Convention, at Philadelphia, from the State of New York, opposed the Constitution with much zeal in that body, on the ground that two much power was granted to the General Government; that under it there would be no security for the remnant of sovereignty which was left the States.

He became subsequently a member of the New York State Convention, and when the question on the ratification of the Constitution was pending, proposed a "*conditional*" adoption of that Instrument, which was rejected. He subsequently moved the adoption of a Resolution "*reserving* to the State of New York, the right to *withdraw from the Union*, after a certain number of years, unless amendments to the Constitution should be agreed on.". This proposition also was rejected.

There can be found in the writings of ALEXANDER HAMILTON recently published by Congress, a correspondence between him and Mr. NADISON, which throws much light on this very movement in the New York Convention, and is most conclusive against this doctrine.

Mr. HAMILTON writes to Mr. MADISON of date July 8, 1788, stating that in the New York Convention the opponents of the Constitution "had proposed amendments, and insisted upon the condition, that if they are not adopted without a limited time, *the State should be at liberty to withdraw from the Union.*" In a subsequent letter, written during the same month, he said, "the qualification sought to be attached to the adoption of the Constitution, *was the reservation of a right to secede*, in case the amendments proposed should not be adopted in a given time." There is no doubt he referred to the proposition of Mr. LANSING. The reply of Mr. MADISON is clear and emphatic. "My opinion," said he, "is, *that a reservation of a right to withdraw if amendments be not decided on, under the form of the Constitution, within a certain time, is a conditional ratification, that it does not make New York a member of the New Union*, and consequently that she could not be received on that plan. *Compacts must be reciprocal*, this principal would not in such a case be preserved. *The Constition requires an adoption in toto, and forever. It has been so adopted by the other States. An adoption for a limited time would be as defective, as an adoption of some of the arrticle only.* In short any condition whatever must vitiate the ratification. What the new Congress, under the power to admit new States, may be able and disposed to do in such a case I do not enquire, as it is not the material point at present. *The idea of reserving a right to withdraw was started at Richmond and considered as a conditional ratification, which was itself abandoned as worse than a rejection!*"

Such was the opinion of JAMES MADISON, the leading member of the Convention which framed the Constitution, and one who contributed, perhaps, more than any other of the great men of that day, towards securing its ratification by the People of the several States. His speeches in the Virginia Convention, and his able productions in its defence, prove that he had studied profoundly, and understood well its provisions and the principles upon which it was based. "A reservation of a right to withdraw is a conditional ratification and does not make the State so ratifying it a member of the Union! Such an idea was abandoned as worse than a rejection!" Could language be plainer or more emphatic?

The enquiry naturally arises, why should they have sought to *reserve such a right in express terms*, if it already existed, as independent of or paramount to the Constitution, or inherent in the theory of the Government? If such a right existed without any express reservation, surely it could not have escaped the profound sagacity of MR. MADISON, and his known sincerity would have induced him to declare the fact, instead of insisting upon the absurd position (if the right did so exist) that to make it an express condition would have excluded the State from the Union! It is evident that in MR. MADISON'S opinion no such right existed, nor was it his intention to suffer a reservation of any such right to be incorporated in the Constitution, in express terms!

I might proceed to shew the consequences to which the recognition of such a doctrine would lead, how it would place most of the States in the power of one, what embarrassments would be brought on the Nation, what an effect it would have on public credit, how the confidence of Foreign Nations in the stability of our Institutions would be weakened or destroyed, how by the withdrawal of one State, in the event of War, that State might become an inlet to invasion, how one State or a few could deprive the others of important places for National defence acquired by the common blood and treasure, how the States in the interior could be cut off entirely from the commerce of the Ocean, by the withdrawal of a few Atlantic States, how every kind of public property and the public liabilaties would become a source of angry quarrel, how broils would be engendered, civil wars follow, conquests succeed, the aggrandizement of some, the impoverishment and subjugation of others![*]

But my Fellow-Citizens, whatever may be the conflicting views and opinions of men on the principles of our Constitution, and especially in reference to that particular doctrine to which I have referred; however dangerous to our peace and prosperity and repugnant to the Constitution, it may be considered by some, and however necessary to the protection of liberty and consonant with the theory of our Government, it may be regarded by others, yet there is one alarming fact, which it would be weak and criminal in the extreme, to attempt to evade or conceal. The period has arrived so much deprecated by WASHINGTON, and his compatriots, when men have begun to calculate value of this Union! A calculation made, too, by many, with no view to test its virtues, its blessings, its disadvantages or its evils, for the purpose of wholesome reform, without impairing its strength and beauty, but with a preconceived, premeditated, unalterable wish and determination, *if possible*, TO DESTROY IT!

IS THIS UNION WORTH PRESERVING? Never since the formation of human Government, has a more momentous question been presented for the consideration and decision of any People! *Coriolanus* stood before the gates of Rome and demanded the surrender of that proud city. *Alaric*, covered with the spoils of conquest, and flushed with victory, held the flaming sword suspended over her destinies. The tyranny and usurpations of the *Stuarts*, threatening to sweep away every barrier to civil freedom, forced the stout hearts of the English people to demand even at the hazard of civil bloodshed, security, substantial security, for their political rights. Our own forefathers were called to respond to the issue distinctly made by the "forest born Demosthenes," and his compeers of "liberty or death." The genius of *Bonaparte* swept like a whirlwind over the face of Europe, laying prostrate thrones and dynasties, when governments and princes and people had their very existence suspended upon the decision of a moment. Such, aye, such events, were but ripples on the ocean of man's destiny, compared with the mountain wave which rises up, in the inquiry, whether this vast structure of human wisdom and Republican freedom is to continue longer the pride and hope of civilation and christianity, or be dashed to pieces and destroyed by the hand of faction and fanaticism!

IS THIS UNION WORTH PRESERVING? Ask yourselves whence came the monuments of National greatness and prosperity which meet the eye on all sides in passing through your Country! What has secured your safety and peace at home and respect abroad? What fills the heart of your countrymen in a distant land with a proud consciousness of security against insult or oppression? To what are you indebted for those brilliant exploits upon the sea and on the land, which have given your country a bright name amongst the Nations? Whence came those "victories of peace," which, more than all the achievements of war, will live in time to come, in the recollection of the good? What has reared up your institutions of learning, your colleges and your churches, whence are emitted so many rays of virtue and religion! Go ask the mighty dead, whose lives were devoted to the cause of this Union, WHETHER IT BE WORTH PRESERVING? Go to the grave of the great WASHINGTON, and learn from the spirit which hovers around that consecrated spot, whether this Union was worth the toils and dangers he encountered to establish it? The answer is already at hand. He gave it before he departed to take his allotted place amongst the great of past ages!—He left it as a sacred legacy to his People! Let them heed it, and let Disunion and Fanaticism stand rebuked and abashed, before the awful solemnity of its warnings! "Your Union is a main pillar in the edifice of your real Independence, the support of your tranquility at home, your peace abroad, of your safety, of your prosperity, of that very liberty which you so highly prize. Cherish a cordial, habitual, and immovable attachment to it, accustoming yourselves to think and to speak of it as a palladium of your political safety and prosperity, watching for its preservation with jealous anxiety and indignantly frowning upon the first dawning of every attempt to alienate any portion of your Country from the rest or to enfeeble the sacred ties which now link together the various parts!"

IS THE UNION WORTH PRESERVING? It is an inquiry of momentous importance, not to any one section, to the North, to the South, to the East or to the West alone, but to the old and young—the rich and poor, the bond and free, even to the humblest amongst them, of the millions of souls who are spread over this vast Republic! It cannot be sacrificed without entailing the heaviest curses upon every section. The State that strikes it down either to advance her own interest, or to jeopardize the interest of others, will drink to the bottom the cup of its own folly and madness. It will be the act of the suicide, the administering the fatal poison to one's own household, the application of the destructive torch to one's own dwelling!

Nor is any section of the country more deeply interested in its preservation than the South. Let us not shrink from the inquiry. Sooner or later we shall have to decide.—We have amongst us, a domestic institution, which at the time of the formation of the Constitution presented difficulties to its adoption and to the establishment of a National Government. A spirit of compromise and concession, however, prevailed, and ample protection to this institution was provided in the Constitution. Under that Instrument Congress is bound to make provision for the restoration of slaves, escaping into other States. If Congress were to neglect this duty it would be in bad faith and a most flagrant violation of the Constitution. Thus far that duty has been performed. Congress cannot seal the lips or paralyze the tongue of fanaticism! Must the Union be dissolved on that account? Would such an alternative lessen the violence of fanatical denunciation against our Institutions?—Would it not rather increase that violence, as well as facilitate the means of insult and wrong to us? Would not dissolution bring with it the most oppressive burthens, in preparing against foreign aggression and interference, which would exhibit themselves on all sides of us? Could we cease our trade with foreign nations? Has England any sympathy for our peculiar Institutions? On the contrary has she not shown, through her statesmen, her public press, and her fanatical missionaries sent out to declaim against our peace, that there is amongst her people, a deep seated hatred to this Institution and but little regard for our rights? Could we even break off our trade with the *free* States? Would intercourse cease? Would there be any possibility of erecting a Chinese wall around us? Would there not arise from the very condition into which disunion would throw us, new dangers, fresh causes of difficulty? If all the States in which this Institution exists were formed into one confederacy, how long, pray, would they continue harmonious and united? A change in the condition of the border States, would soon come, and there would succeed as eager a desire *then* as *now*, to calculate the value of Union! If *this* Union, our ancient, revolutionary, constitutional Union, cannot stand, the idea that the slave States, or any other large section of the country, can long continue under *one* government, unless it be a monarchy or despotism, would be chemerical in the extreme! So long as the National Legislature does its duty towards us, and refrains from an invasion of our rights of property, *I am for clinging to the Union*; for, in my soul, I believe, that our peace, and the security of our property, all we hold dear, depend on the maintenance of the Constitution *as it is* and the Union *as it is!*

Every sentiment which has come down to us from our forefathers admonishes us *that without* UNION *our Liberties and Independence cannot be perpetuated.* It was their *living* sentiment! It was their *dying* sentiment! They speak to us from every page of their eventful history. Every sacrifice of treasure and blood which they made, in the darkest hours of their trials, point to this conviction of their minds. They wrote it upon the battle field with their own blood, they inscribed it across the Arch of the Heavens by their fame! In the hearts of their children they infused it, as a holy sentiment, as a never dying trait, and we are their degenerate offspring, if we have forgotten or discarded it.

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[*] The reader's attention is called to the following extract from the Proclamation of General Jackson against the proceedings of South Carolina, issued Dec. 11, 1832. The "ordinance" passed by that State claimed the right and threatened to *secede*, if Congress attempted to enforce the Tariff laws within her limits:

"The Constitution of the United States then forms a government, not a league, and whether it be formed by compact between the States or in any other manner, *its character* is the same. It is a government in which all the people are represented, which operates directly on the people individually, not upon the States—they retained all the power they did not grant. But each State having expressly parted with so many powers as to constitute jointly with the other State a single nation, *cannot from that period possess any right to secede, because such secession does not break a league, but destroys the unity of a nation*; and any injury to that unity is not only a breach which would result from the contravention of a compact, but it is an offence against the whole Union. To say that any State may at pleasure *secede* from the Union is to say that the United States are not a nation; because it would be a solecism to contend that any part of a nation might dissolve its connection with the other parts, to their injury or ruin, without committing any offence. *Secession, like any other revolutionary act, may be morally justified by the extremity of oppression*; but to call it a constitutional right is confounding the meaning of terms, and can only be done through gross error, or to deceive those who are willing to assert a right, but would pause before they made a revolution, or incur the penalties consequent on a failure." (*Sta. Man.* 2 vol. 801.)

Also to the following from his "Nullification Message," transmitted to Congress, Jan. 16, 1833.

"By these various proceedings the State of South Carolina has forced the General Government unavoidably to decide the new and dangerous alternative, of permitting a State to obstruct the execution of the law within its limits or seeing it attempt to execute a threat of withdrawing from the Union. That portion of the people at present exercising the authority of the State, solemnly announce their determination to do one or the other. In my opinion both purposes are to be regarded as revolutionary in their character, and subversive of supremacy of the laws, and the integrity of the Union. The result of each is the same, since a State, in which, by a usurpation of power, the Constitutional authority of the Federal Government is openly defied and set aside, wants only the form to be independent of the Union. *The right of the People of a single State to absolve themselves at will and without the consent of the other States, from their most solemn obligations and hazard the liberties and happiness of the millions, composing this Union, cannot be acknowledged.*" (Ib page 817.)