gratulations to the good people in that part of Tyrrel upon this signal display of concern for their interest manifested by the Doctor, I will take the liberty to say that he would have given a more unequivocal evidence of regard for the interest of his constituents, if while Congress was appropriating large sums of money for the improvement of rivers and harbors in other States, he had put in our claim for a share. It was well known that there was a majority in Congress in favor of internal improvements, and that the bills for appropriations would in all probability pass. In this state of things was it not the obvious duty of your Representative, whenever such a bill was introduced to offer an amendment providing for the interests of his constituents? Although he may have designed to vote against the bill upon its final passage he should have supported and voted for his amendment, so that if the bill did pass notwithstanding his opposition, and his principle could not prevail, the interests of his constituents should be provided for—upon the same principle that any member of the Legislature would offer amendments to a bill the general policy of which he disapproved, thereby endeavoring so far as it was in his power to advance its beneficial operations and prevent that which appeared injurious, if the bill should eventually become a law. I take it for granted that such a course would be entirely consistent with parliamentary rules, because it is in accordance with common sense.

In my first address to you, fellow-citizens, is contained the 25th section of the Judiciary act, it will therefore be superfluous to recite it at large on the present occasion. The advocates for nullification treat the discussion of the constitutionality of this law as one of great subtlety and abstruseness, throwing into it a reasonable portion of metaphysical jargon, and when they have spread over the minds of their hearers or readers a cloud of sufficient mystery and darkness, spring to their conclusion and leave us to grope for the path they have travelled and to wonder at the confident boasting which they seem to feel themselves authorized to display.

To me the subject appears to be involved in neither mystery nor metaphysics, but to be a plain, practical one, within the grasp of any ordinary understanding. The object of the 25th section is to prescribe the manner in which *cases arising under the Constitution, the laws of the United States and treaties*, (not all cases as has been asserted,) are to be brought up before the Supreme Court for final determination after having been first decided in the courts of a State. For the sake of perspicuity the particular circumstances under which the appeal is granted will be omitted—not being at all material to the discussion—the naked question being whether cases of this description determined by the State Courts can be revised by the Supreme Court of the United States.

The 1st section of the 3d article of the Constitution declares that—

"The Judicial power of the United States shall be *vested* in one Supreme Court and in such inferior courts as Congress may from time to time ordain and establish."

The 2d section of the same article declares that—

"The *judicial power* shall *extend* to all cases in law and equity arising under this Constitution, the laws of the United States and treaties."

The 2d section of the 6th article declares that—

"The 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."

The last clause of the 8th section of the 1st article declares that—

"Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, *or any department* or officer thereof."

It is thus apparent if any State court should enforce a law which the State was prohibited from passing by the Constitution of the United States, or should adjudge an act of Congress unconstitutional, or should refuse to give effect to any treaty made by the United States, that these would be *cases arising under the Constitution, the laws of the United States and treaties*, and if so, then the judicial power of the United States *extends* to them and as the Judiciary is a *department* of the government, Congress is authorised to make all laws which shall be necessary and proper for carrying into execution the power thus vested in the Judiciary—and in pursuance of this authority, they have introduced into the Judiciary act the provisions of the 25th section, without which any State might make void the laws of the Union, trample upon the Constitution, and set at nought all national treaties. Of what avail then would be the guaranty that the Constitution, laws and treaties of the United States should be the supreme law of the land! What a miserable mockery to talk of a supremacy which cannot be asserted!

Let us then see by what process it is, that premises apparently so plain and conclusions so obvious are attempted to be resisted or obscured: and it shall be my business in this examination to meet the arguments of the nullifiers generally, as well as what has been urged by our late Representative particularly; and by him we are gravely informed, that the 25th section is a part "of an old act of Congress," and so it is, coeval with our national existence; but is it on that account to be the less respected! Are laws to be disregarded because they have been long established and sanctioned by the experience of ages! By that kind of reasoning we should subvert the most valuable and dearly cherished institutions of our country.

There seems to be a strange misapprehension of the meaning of the friends of the Union, when they assert that a proposition to repeal the 25th section is equivalent to a proposition to repeal the Union—the meaning of which though plain I should think to most minds, seems not to be understood by Dr. HALL, and upon his misunderstanding of it, is based nearly the whole of what he says upon this subject in both his circulars. In order, therefore, to prevent if possible, future misapprehension I will add, that the meaning of the phrase is, that a repeal of the said section would obviously produce such a state of things as must necessarily dissolve the Union—and to say that Congress have the power to repeal laws which they have heretofore passed and that the repeal of a law essential to the vital interests of the country would be ruinous, is neither "the old British tory doctrine" nor "the high church and state party doctrine;" but every day common sense and republican principle. And here I will take the liberty to remark, that it always creates a shrewd suspicion of the soundness of a cause, when slander urges unworthy prejudices in its support, more especially when the slander has neither the praise of novelty nor the semblance of equity to recommend it.

Whether there are any unconstitutional provisions in other parts of the Judiciary act, it is not at this time material to enquire, though the Doctor, notwithstanding his broad and unqualified assertion, does not produce any evidence of the fact, except a solitary instance of one short clause in the 13th section, which conferred an authority on the Supreme Court which they declined to exercise, because not in their opinion, warranted by the Constitution. Surely it is an extraordinary reason for repealing the 25th section, because the 13th contains a provision declared to be of no force by the Supreme Court, and therefore as harmless as if stricken out of the statute book. It is moreover not a little singular, that the Supreme Court should be very good authority with the nullifiers in the case of Marbury vs. Madison, and should be utterly disregarded in the multitude of cases in which they have adjudged and admitted the constitutionality of the 25th section. Yea the Doctor can quote the very language of the Supreme Court in the case of Gibbons and Ogden to answer his own purposes, and at the same time totally omit and disregard the fact that the constitutionality of the 25th section is distinctly recognized in that very case.

While adverting to the authorities on this subject, it will be as well to take notice of those offered by Mr. Davis, of South-Carolina, in his report introductory to the bill to repeal the 25th section. Whatever construction may be given to the Virginia and Kentucky resolutions, it is very certain, that there is not a single act of the Republican party to be found, in the records of our National Legislature, since the destinies of our happy country have been placed under their enlightened and patriotic guidance, in which the opinions and principles of the nullifiers are avowed or implied; and besides that, they have been expressly disavowed, by Mr. Madison. The 25th section has continued throughout their successive administrations to be the undisputed law of the land and in daily use, and has never been questioned save in the solitary instance of Hunter and Fairfax, and even in that case the judgment of the Supreme Court, pronounced in pursuance of its provisions, was duly carried into effect. To hold this law to be unconstitutional and subversive of republican principles, while it is certain that the republicans having the power in their own hands, never attempted its repeal, but sanctioned its constant and active use, is a gross slander on the patriot names of Jefferson and Madison and the whole Republican party.

If the Supreme Court of Pennsylvania has decided, as Mr. Davis says they did in the case of the Commonwealth against Cobbett, it would be nothing to the purpose in this discussion, because that was an application to remove the case into the Circuit Court of the United States and not the Supreme Court, made under the 12th and not the 25th section of the Judiciary act. But the Supreme Court of that "most Republican State," as Mr. Davis calls her, did not decide that the 12th or any other section of the act was unconstitutional, but that Cobbett had not bro't his case within the provisions of the law.

Thus then the matter stands upon authority. To the Virginia and Kentucky resolutions, got up at a time of great excitement, are opposed the denial of Mr. Madison, who is admitted to have been in part their author, and the uniform practice of the Republican party in Congress under the guidance of Jefferson, Madison and Monroe. To the opinion of the Court of Virginia are opposed the multiplied decisions of the Supreme Court of the United States, sanctioned by every administration since our national existence.

Mr. Davis labors with some diligence and apparent earnestness to prove that the "inferior courts," mentioned in the Constitution, do not include the State courts and then concludes that the advocates for the constitutionality of the 25th section, do not claim the power under any such construction, but under the comprehensive words "all cases in law and equity." But then he asserts that they have lately assumed this position, in consequence of the unanswerable opinion of the Court of Virginia. To this assertion I shall at present offer but one objection, which is, that it is not true—and if the honorable member's reading had been in a moderate ratio to his spirit, he would have known that long before the case of Hunter and Fairfax had been discussed or dreamt of, it had been expressly maintained, as it is now, that—

"The Constitution in direct terms gives an appellate jurisdiction to the Supreme Court in all the enumerated cases of Federal cognizance, in which it is not to have an original one: without a single expression to confine its operation to the inferior Federal courts. The *objects* of the appeal, not the tribunals from which it is to be made, are alone contemplated."

And to prevent any person having an overweening confidence in Mr. Davis, from repeating his mistakes under the impression that they are arguments, I will add that the above quotation is from the 82d number of the celebrated papers written by Jay, Madison and Hamilton, in the year 1788, and addressed to the people of the State of New-York, for the purpose of prevailing on them to adopt this very Constitution. Indeed there can be no difficulty with a candid man, if the different objects of the 1st and 2d sections of the 3th article are borne in mind and kept distinctly in view—the purpose of the first section being simply to create the organ through which the judicial power was to be exercised—the purpose of the second section being to describe the extent of that power.

Let us next enquire into the expediency of repealing the 25th section of the Judiciary act—and this is no other, neither more nor less, than an enquiry into the expediency of dissolving the Union: and this I say, because it is not only openly avowed by many of the party and advocated in the nullifying papers of South-Carolina and Georgia, but because it is the necessary tendency and irresistable consequence of such a measure. Now let us bear in mind that if a law, so obnoxious to the nullifiers, should be repealed, the decision of the courts in each State would be final, all appeal to any superior tribunal being taken away. Let it also be remembered that there are twenty-four States, each having a Legislature and Judiciary of its own. Is it not inevitable that these various courts, having no common power to supervise their decisions, would make different constructions upon the laws of the United States, the Constitution and treaties, and generate a confusion perplexing and intolerable as Egyptian darkness! Add to this, the Legislatures of the several States being liberated from all restraint, would begin to display the fondness for power, and their hostility to the General Government in every way that might be suggested by short-sighted interest, by caprice or resentment. In her present temper South-Carolina would declare the Tariff system unconstitutional, and prohibit the collection of the revenue by the General Government—and if she refused, the rest of the States would consider it an intolerable grievance that they should submit. New-York might tax the produce shipped from other States and confiscate the vessels on refusal to pay. All which cases and thousands of others which will readily suggest themselves, would be without redress, if each State is to settle the matter for herself—and that, she must and will do, if these provisions of the Judiciary act are repealed. Is it not manifest beyond all contradiction that this state of things must dissolve the Union: and prove the melancholy harbinger of a storm of fire and blood, which would spread desolation over all that is dear to patriotism and humanity!

Fellow-citizens! I will not insult your patriotic feelings by supposing for a moment that you are willing to see the fair fabric of American freedom, cemented with the blood and reared by the wisdom and patriotism of our Revolutionary fathers, crumbled in the dust and scattered to the winds. Beyond example have we been free, prosperous and happy, attracting the admiration and applause of the whole world, while our poets have sung and hearts have responded to the song, that ours was "the land of the free and the home of the brave." Let us *then cling* to the laws and the institutions of our fathers with the grasp of death, while the expiring sigh that bursts from our bosom shall be breathed in ardent prayer for their continuance to remotest generations.

J. R. LLOYD.

26th May, 1831.

Steam boat disaster.—We learn by a slip from our attentive correspondents of the New York Mercantile Advertiser, that the steam boat WASHINGTON, which left New York on Saturday afternoon, for Providence, (R. I.) was accidentally run into at 12 o'clock at night, by the Chancellor Livingston, and was so much injured that she sunk in 15 or 20 minutes.—The 2d engineer, Mr. Sherman, was drowned, and two male cabin passengers, names not yet ascertained, are missing. All the other passengers were saved, and proceeded to Providence in the President. The baggage, about 50 packages (one half the quantity on board) of merchandize, $20,000 in specie, and the same amount in notes, also saved.

[Subsequent accounts say, the Engineer was the only person killed.]

Arabian Horses...The Arabian Horses presented by Sultan Mahmoud to Mr. Rhind, were sold in New York on the 14th inst. at the following prices:

Stambaul, chesnut,	$575
Yemen, grey,	535
Kocklani, bay,	450
Zilcaadi, chesnut.	430

Stambaul, it is said, will be sent to Kentucky, Zilcaadi and Yemen proceed to New Brunswick, N. J. and the destination of Kocklani, is not yet known. These fine horses sold at about one fourth of the price, that it was expected they would bring. The purchaser of the grey (Yemen,) in less than twenty minutes after the sale, refused *one thousand dollars* for him, which was offered by a gentleman who could not arrive in time to attend the sale.