

foreign and independent States may of right to do."

They stop with nullification; but one step further on the part of the Government brings down secession and Revolution.

Mr. CALHOUN: It is not intended to use any force, except against force. We shall not stop the proceedings of the United States Courts; but maintain the authority of our own judiciary.

Mr. WILKINS—how can the Ordinance refer to any laws of the United States, when they are excluded from any operation within the limits of the State? Why do the laws and ordinance of South Carolina shut out the United States Courts from appellate jurisdiction? Why do they shut the doors of the State Courts against any requisition from the United States Courts? They intend that there shall be no jurisdiction over this subject, except through their own courts. They cut off the Federal judiciary from all authority in that State, and bring back the state of things which existed prior to the formation of the Federal constitution.

Here nullification is disclaimed, on one hand, unless we abolish our revenue system. We consenting to do this they remain quiet. But if we go a hair's breadth towards enforcing that system, they present secession. We have secession on one hand; and nullification on the other. The Senator from South Carolina admitted the other day that no such thing as constitutionally secession could exist. Then civil war, disunion, and anarchy must accompany secession. No one denies the right of revolution. That is a natural, indefeasible, inherent right—a right which we have exercised and held out, by our example, to the civilized world. Who denies it? Then we have revolution by force, not constitutional secession. That violence must come by secession is certain. Another law passed by the Legislature of South Carolina, is entitled a Bill to provide for the safety of the people of South Carolina. It advises them to put up their arms. It puts them in military array; and for what purpose but for the use of force? The provisions of these laws are infinitely worse than those of the feudal system, so far as they apply to the citizens of Carolina. But with its operations on their own citizens, he had nothing to do. Resistance was just as inevitable as the arrival of the day on the calendar. In addition to these documents what did rumor say? Rumor, which often falsifies, but sometimes utters truth. If we judge by newspaper and other reports, more men were now ready to take up arms in Carolina than there were during the revolutionary struggle. The whole State was at this moment in arms, and its citizens are ready to be embattled the moment any attempt was made to enforce the revenue laws. The city of Charleston wore the appearance of a military depot. As a further proof of the necessity of this bill, he would read a printed paper which might pass for what it was worth.

Mr. CALHOUN. What paper is it? Has it a signature?

Mr. WILKINS. It is a circular, but not signed. Mr. Wilkins then read the paper as follows:

(Circular.) Charleston—January, 1833.

Sir—You will on receiving this letter immediately take the proper measures for the purpose of ascertaining at what points, Depots of Provision, say of corn, fodder, and bacon can be established on the main roads leading through your District, at suitable stations, say from thirty to forty miles apart. Looking to the event of a possible call for Troops of every description, and especially of mounted men, in a sudden emergency, you will ascertain the routes by which they could most conveniently pass through your respective Districts, and the proper points at which they may put up after the usual day's march. Having settled this, the next point will be to enquire whether there are any persons at or near those points, who would undertake, on terms to be stipulated, to furnish corn, fodder, and meat? In what quantities and at what notice? It is desirable that this arrangement should be effected so as to enable us to command an adequate supply in the event of its being wanted, without actually making purchases at present. If this be impracticable, however, you must then see on what terms purchases can be effected, where and on what manner the articles can be deposited and taken care of? I will here give you a general outline of my scheme. I will suppose three great routes to be marked out from the mountains towards the sea, one leading from Laurensville, through Newberry to Columbia; another from Yorkville and Union by Winnsboro' and Chesterville to Columbia; and the third from Pendleton through Abbeville and Edgefield, Barnwell, and Colleton, to Charleston. Along these routes depots would have to be established at intervals of thirty or forty miles, besides separate depots at Camden and some other places. From Columbia these stations would be necessary along the STATE ROAD to Charleston. But one other route would then, perhaps, be necessary to be provided for, beginning at Darlington Court House, and ending at Georgetown, one station to be at Kingstree, and another at Lychee's Creek. From all other places some one of these stations might be struck. I present this imperfect outline merely to give you some idea of my general scheme. Your particular attention will of course be directed to your own District, and if you find it necessary you

may call in my Aids from the adjoining Districts, and such Staff Officers as you may think proper, and consult with them as to the best method of connecting the Districts by some general plan, and favor me with the result.

Another object to which I would call your early and particular attention, is the state of the arms, public and private, in the hands of the men. Great numbers have been issued from time to time, especially within a few years past. I wish to know how many of them may be relied on in the event of actual service. For this purpose it must be ascertained from actual inspection or otherwise, how many men in each Company have muskets, rifles, or other arms fit for use, and any unfit for use must be repaired. The latter must be collected together and repaired, if it can be effected in your neighbourhood, and if not, they must be boxed up and sent to Charleston; when after being repaired at the public expense, they will be returned to the Companies in which they may belong. To execute the arduous, responsible, and difficult duties imposed by this order, you are authorized to call to your assistance, all the Officers of the Staff within your District, and if further assistance is wanted, additional Officers will be appointed. The travelling expenses of yourself and such Officers as you may employ in this business will be paid. You will issue the necessary Orders in my name, countersigned by yourself as Aid de Camp, to all Officers within your District, urging them to do whatever you might find necessary to the prompt and effectual execution of this Order. You will, when convenient, call upon the Brigadiers or Major Generals, within your District, for their co-operation and assistance, and generally adopt all proper measures for the accomplishment of the important objects which I have in view, which may be stated in a few words to be, to secure the means of subsistence, so as to be enabled to bring troops to any given point in the shortest possible time; to ascertain the state of the Arms now in the hands of the men—and to have those unfit for use put in complete order. If any other means occur to you of accomplishing, in the prompt manner, these vitally important objects, you will be so good as to suggest them.

I am, very respectfully, &c. N. B.—I annex the form of three Orders, which you may find it necessary to extend, to enable you to accomplish the objects we have in view. You may modify them as you think proper, and then have copies signed on each of the Officers, who may be required to execute them within your Districts. They are not to be published in the papers. Copies of all such Orders as you may issue must be sent to me.

Adverting to another circumstance, as tending to show the excitement prevailing in South Carolina against the General Government—he said, that in every part of the State, the blue cockade, with the Palmetto button, was generally worn. That bit of ribbon, and the button, were no trifling sign of the military spirit prevalent among the people.

It seemed to him, indeed, from all these facts, known to us officially and by rumor, that it was impossible to avoid a collision with South Carolina, while her Ordinance remained in force, and that those gentlemen who represented that the passage of any bill by us would defeat the Ordinance, and prevent a collision, had mistaken the sense of the Ordinance, and the intention of the people of South Carolina.

Mr. MILLER here interposed, and said he had not expressed the opinion that Nullification would be abandoned upon the passage of a bill of any character in reference to the Tariff. If Congress passed a bill altering the Tariff acts of 1832 and 1833, he was of opinion that such act would set aside the Ordinance, which was specific in its application to the Tariff acts of 1832 and 1833. Even if a bill more oppressive than the existing acts should pass, the Ordinance now existing would thereby be defeated, and South Carolina would be under the necessity of assembling another Convention, and passing another Ordinance.

Mr. WILKINS found, he said, that he was not far from right. What prospect then was there of an abandonment, by South Carolina, of her present position? She offers us but two modes of adjusting the matter in dispute.

The first is by the total abandonment of the protective system; by the admission of the whole list of protected articles free of all duty, and raising the whole revenue, derived from duties on imports, exclusively, from the unprotected articles. The consequences of the adoption of this policy would be most fatal and disastrous to the industry of the Northern States. It would put the laboring classes of Pennsylvania on a footing with the paupers of the old world. It would prostrate at once and forever the policy which Pennsylvania had long cherished, which South Carolina had united with her in establishing and maintaining, and under which she was prosperous and happy. The admirable speech made by the Senator from South Carolina, in 1816, in favor of the protective policy, was engraved on the hearts of the people of Pennsylvania. In the dwellings of the farmer, the mechanic, and the manufacturer, it hung upon the wall, by the side of Washington's Farewell Address. He well remembered that speech, for it had a powerful influence on his own mind

in relation to the policy of the protective system.

Mr. CALHOUN here said, I think the gentleman for alluding to that speech has been much and very often misrepresented, and I shall take an early opportunity to explain it.

Mr. WILKINS. I shall be happy to witness the exhibition of the Senator's ingenuity in explaining the speech in such a manner as to make it accord with his present views. I should not have alluded to it, had not the Senator remarked upon the bill from our Committee as a bill "of abominations."

Mr. CALHOUN. It requires no apology.

Mr. WILKINS proceeded to state the considerations which rendered a compliance with the terms proposed by South Carolina improbable, if not impossible. For his own part, he was free to say that he could not bring his mind to assent to so destructive a measure. He spoke only for himself. What were the views of others of this body on this subject, he did not know, for he was not in the habit of making inquiries as to the opinions of others on such topics. Much as he loved the Union—much as he deprecated any collision between the State and Federal Governments, much as he was disposed to respect the opinions and wishes of a sister State, he would not himself assent to a total destruction even of incidental protection to our domestic industry. He would however, go far, very far, even to the sacrifice of much of that protection which we claim as just and necessary; but to the point proposed by South Carolina as her ultimatum, he could not go.

He did not believe that there was any probability of the assent, on the part of Congress, to the first proposition of South Carolina. There was but one other proposition made by S. Carolina for the adjustment of this controversy, and that was even less hopeful than the former. It was by the call of a general convention of the States, and the submission to them of an ultimate adjustment on the disputed powers.

Mr. W. was of the opinion that the division of the State representation assembled in convention on the matters in controversy, would not differ from the judgment of the representatives assembled in Congress. He did not think it at all probable that the convention would either alter the constitution in respect to the powers of the government over the subject of revenue, or that the protective laws would be pronounced by them unconstitutional, and null and void. But it was not at all probable that two-thirds of Congress and three-fourths of the States would agree to the call of a General Convention. The People were averse to any change in the constitution, and were of opinion that it could not be amended for the better. For his own part, it was his earnest hope, and confident belief, that no change would ever be made in the terms of our admirable compact.

On resuming the floor to day, Mr. WILKINS embraced the opportunity to state that, on a proper occasion, he should move one or two amendments to the bill, one of which would be to limit some of its provisions to the end of the next session of Congress; the provisions which it contains for amendments to the judicial system, he presumed, there would be no objection to leaving, as they are in the bill, unlimited.

When the Senate adjourned yesterday Mr. W. continued, I was speaking of the Tariff System—of this system, for the protection of American industry, which a vast portion of the American people believe to be intimately connected with the prosperity of the country. As a justification of the adherence, as far as practicable, to this system, he had had reference to the conduct of gentlemen from the South in regard to it. At one period, he now added, Maryland had been considered a Southern State, as she was still a slave-holding State; from the chief city of that State, directly after the meeting of Congress, under the Constitution of 1787, a memorial was transmitted to Congress, reciting the weakness and inefficiency of the old Confederacy, and its inadequacy to protect the manufacturing interests, and rejoicing that we had now a Government, possessing all necessary power to protect domestic industry, and praying the interposition of Congress for that purpose. Another incident he mentioned, which, he said, many members would recollect, of a member of Congress from S. C. having, in the year 1829, offered a resolution proposing that all the members of Congress should appear, at the commencement of the next ensuing session, clad entirely in clothing of American manufacture. He had already adverted to the agency of the South in passing the tariff law of 1816, and now, said he, let me make a personal reference, in connection with it, to another gentleman from South Carolina, now a member of this body (Mr. Miller) which reference I make with all possible respect for that gentleman. When the bill of 1816 was under discussion, that gentleman, then a member of the other House, made a motion, deeply interesting to Pennsylvania, and for which I, as one of her sons, feel grateful to him, to raise the duties on hammered bar iron (which the bill proposed to raise from nine to sixteen dollars per ton) to 20 dollars per ton. Thus amended, the bill passed the House, but the duty was reduced in the Senate to 16. On the final passage of the bill, including that and other duties, three members only from South Carolina were present, and they all voted for the bill. Strange revolution of opinion!

It is now contended by the same gentleman, that a duty of 18 dollars upon the same article, (two dollars below her own proposition,) as fixed by the Tariff of 1832, is so onerous, oppressive, and tyrannical, that the whole country is to be involved in a civil war, if not only that, but every other protective duty be not abolished!

Mr. W. said, he had also spoken, yesterday, in justification of the strongest provisions of this bill, of the talked of resistance to the laws in South Carolina. He had understood the Senator from South Carolina, [Mr. Calhoun,] the other day, as acknowledging that there was military array in South Carolina, but contending that it followed and did not precede the array of force by the United States.

[Mr. CALHOUN said he had admitted that there was military preparation, not array.]

Mr. WILKINS said, if we examine the measures taken by the Administration in reference to the present crisis, it would be found that they were not at all of that military character to justify the measures of South Carolina which it was alleged had followed them.

[Mr. CALHOUN said that South Carolina was undoubtedly preparing to resist force by force. But let the United States withdraw its forces from her borders, and lay this bill upon the table, and her preparations would cease.]

Mr. WILKINS resumed. That is, sir, if we do not oppose any of her movements, all will be right. If we fold our arms, and exhibit a perfect indifference whether the Laws of the Union are obeyed or not; all will be quiet. This, I admit, would be an admirable mode to avoid collision and prevent disturbance; but is it one that we can submit to? The moment we fail to counteract the Nullification proceedings of South Carolina, the Union is dissolved; for, in this government of laws union is obedience, and obedience is union. The moment South Carolina

[Mr. CALHOUN—Who relies upon force in this controversy? I have insisted upon it that South Carolina relied altogether on civil process, and that, if the General Government resorts to force, then only will South Carolina rely upon force. If force be introduced by either party, upon that party will fall the responsibility.]

Mr. WILKINS—The General Government will not appeal in the first instance to force. It will appeal to the patriotism of South Carolina—to that magnanimity of which she boasts so much.

[Mr. CALHOUN—I am sorry that South Carolina cannot appeal to the sense of justice of the General Government.] Order! Order! (from one or two members.)

Mr. WILKINS—The Government will appeal to that political sense which exhorts obedience to the laws of the country, as the first duty of the citizen. It will appeal to the moral force in the community. If that appeal be in vain, it will appeal to the Judiciary. If the mild arm of the Judiciary be not sufficient to execute the laws, it will call out the civil force to sustain the laws. If that be insufficient, God save and protect us from the last resort. But if the evil does come upon the country, who is responsible for it? If force be brought in to the aid of law, who, I ask of gentlemen, is responsible for it to the people of the United States? That is the question. Talk of it as you please, mystify matters as you will, theorize as you may, pile up abstract propositions to any extent, at last the question resolves itself into one of obedience or resistance of the laws—in other words, of union or disunion. Wherein, said Mr. W. consists our liberty? What is the foundation of our political institutions which we boast of, which we hold up to the world for imitation, and for the enjoyment of which the votary of freedom pants in every country of the globe—what is it? It is that of a government where the people make the laws, and where the people obey the laws which they themselves have made. That is our system of government, and by a large majority of the people it is respected accordingly. Why, Sir, said Mr. W. if you were to carry into effect the ultra doctrine of South Carolina at this moment, repeal your whole protective system, shut up our factories, stop our wheels, extinguish our fires, &c.—nay, ruin us by your legislation—yet would the people of Pennsylvania obey the laws, and abide your decision. But then they would appeal to the people, they would endeavor to bring public opinion to act upon Congress, and bear them back into the right course. They would appeal to moral influence, and to that alone.

I know, said Mr. W. that the gentleman from South Carolina cannot anticipate the application of force in the case now presented; but I pray him, again and again, to advert to one particular paragraph of the Ordinance. There were several cases in which the use of force is referred to in the Ordinance, in which Mr. W. admitted the right to use it. If, for example, as in a case supposed, Congress intended to overturn and subvert the State of South Carolina and overturn their liberties, he admitted the right of resistance by force. But, come down to the contingency in which the Ordinance declares that force shall be used, and it is in the event of the attempt by the United States to enforce the execution of the Revenue Laws. "Enforce" is the word employed in the Ordinance. For the meaning of this word it was not

necessary to resort to Johnson or Webster, the law may be "enforced" by execution, by judicial process, by a simple demand of payment of duties by an United States Officer. It needs not the iron grasp of power, the naked sword, or the fixed bayonet, to constitute enforcement of the laws. You enforce the laws every day, and every hour of every day, in the most tranquil state of society. This enforcement of the laws it is which, after the 1st of February, to be construed into an attempt to put down the people of South Carolina, and to justify the calling forth of thousands upon thousands of armed men to resist it!

Mr. W. here referred to the Charleston Mercury, which he held in his hands, containing the proceedings of a great meeting held at Charleston, S. C. on the 21st instant, among which were a number of resolutions, adopting the cockade to which he had reference yesterday, intermingled with notices of "Call to arms!" "Attention, volunteers!" &c. and one of these Resolutions (which he read) declares that the persons assembled at this meeting not only affirm the right of the State peaceably to secede from the Union, but are prepared, if need be, to peril their lives in the assertion of this claim, &c. Yes, Sir, said Mr. W. if not prevented, secession is at hand; for the very moment that the Marshal of the District calls out the posse comitatus, and heads that posse to enforce a judgment of the Federal Court to compel the payment of duties on imports (after the first of February) then has the contingency occurred of an attempt to enforce the laws; then has secession become the alternative. With regard to secession, Mr. W. went on to cite cases to shew the consequences to which the admission of this right in any State would lead, should other States adopt the heresy affirmed by the meeting whose proceedings he had read. This view of the subject he followed by saying, that Nullification, unless merged in revolution, was not to be stopped. The honorable member had told the House, that laying this bill on the table, and passing the bill depending in the other House, would put a stop to nullification. But what surety was there even of this? After the first of February, Nullification, with all its attributes and incidents, was to be in full operation in South Carolina. What would be its political operation? Where would it end? He put this question plainly to the gentleman from South Carolina. A Convention of the States was out of the question; an amendment of the Constitution was out of the question; where was the contest to end? Why, the laws must be suspended. South Carolina, whilst represented on this floor (ably as she is, and he hoped long would be) participating in the making of laws, would be obeying just such of them as she pleased, and no more—cutting and carving with her own sword to suit herself! What a state of things was this!

[Mr. CALHOUN here said, that South Carolina would be content to maintain this contest upon the principle of protection, paying without objection whatever taxes might be required to be levied for the purposes of revenue.]

Mr. WILKINS. If South Carolina appeals to the Federal Judiciary, she can bring up the question of the validity of any part of the revenue laws for decision, by this Federal Courts. Mr. W. had no doubt of the influence of the Senator from South Carolina over the people of that State; but as one had power to say what course that State would take if the suggestion of the Senator should be adopted. We must take this matter as we unfortunately find it. The merchants of Charleston may import goods free of duty, and the merchants of Baltimore, New York, &c. must pay duties. The people of South Carolina are exempt from all taxation, by duties on imports, which is the only taxation known to our laws; and the people of the rest of the Union are compelled to pay taxes. South Carolina participates in the benefits, but not in the burdens of the Government. The Ordinance to this effect, South Carolina is pledged to maintain, and it declares that no power shall prevent free ingress and egress into and from her ports. Every stream of water in the limits of the State, accessible from the ocean, is made a free port. Wherever goods are introduced—and land-duties, all obligation to pay the duties vanishes before the magical influence of nullification.

(The remainder of Mr. W.'s speech in our next.)

FRIDAY, FEB. 1. The Tariff bill was again taken up in committee of the Whole. The question which came up from yesterday was on the amendments proposed by Mr. White, of New York. The amendment offered by him was in the first section of the bill. Mr. White's amendment went to make the reduction of the duty on raw wool, and on tanned yarn, more gradual, so as to be as follows:

25 per cent. until 3d March, 1833  
20 " do " do " do " 1834  
15 " do " do " do " 1835  
10 " do thereafter (a permanent duty.)

Mr. Root of New York, thought the protection on wool not sufficiently high. And after a speech explanatory of his views, moved to amend Mr. White's amendment, so as to make the duty 25 per cent. till the 2d March, 1835 (in tending afterwards to raise the rate, in 1834, to 50 per cent. and then to decrease the duty gradually.) The question being put on this amendment, 100 votes were—ayes 61, noes 60. The Chair voting in the negative produced a tie. So the amendment was lost.

The question recurring on Mr. White's amendment. After some remarks from Mr. Stewart, in which he insisted that 25 or 30 per cent. of wool was no protection, and that as a duty was merely for revenue, he preferred 20 to 25 per cent. Mr. Burge followed, and further illustrated the same view. Mr. Root then moved another amendment, so as to increase the duty to 40 per cent. instead of 40, as he had before proposed for the year 1834. Mr. Polk opposed the motion. Mr. Davis of Mass. inquired if Mr. R. intended also to raise the duty on woolens. Mr. Root replied in the negative. After some further discussion, in which Messrs. Hoffman, Everett, VL and Jenifer took part, Mr. Root's amendment was negatived—Ayes 18, Noes not counted.

Mr. Everett, of Vermont, then moved to amend the amendment of Mr. White, so as to restore the protective duty of the act of last year on wool, viz: 4 cents per lb. and 40 per cent. valorem; which was agreed to—Ayes 87, Noes 67.

The question then recurring on Mr. White's amendment, as thus amended by Mr. H. Everett, Mr. Polk warmly remonstrated against its adoption, going, in substance, to declare that the House would do nothing in the way of compromise, but would insist on maintaining the protecting duties as they were at present in force. Mr. Ingersoll contended that the wool interest had suffered most in the bill of last session, and ought now not to be forsaken. Mr. Cambreleng referred to great speculations which had taken place in wool, and to competition between the wool growers and the manufacturers, in consequence of the duty being raised by a former act. If the amendment should be adopted, he should consider it as indicative that a bill was to pass—and that we were to have war between the North and South. Mr. Beardsley, of N. York, now moved to amend the amendment of Mr. Everett, so as to limit it to the first year, and then to decrease the duty successively by one cent each year, to the specific duty, and 5 per cent. ad valorem duty, as follows:

4 cents specific, and 40 per cent. ad valorem, 1st March, 1833  
3 cents, and 35 per cent. do " do " 1834  
2 cents, and 30 per cent. do " do " 1835  
1 cent, and 25 per cent. thereafter, (a permanent duty.)

and continued to keep the floor until Senate adjourned. Friday, Feb. 1. The Senate resumed the consideration of the bill further to provide for the collection of duties on imports. Mr. Bibb concluded his remarks in opposition to the bill. Mr. Frelinghuysen then obtained the floor, and spoke in support of the bill until 3 o'clock, when he gave way to a motion to adjourn.

HOUSE OF REPRESENTATIVES Saturday, Jan. 28. The House went into committee of the Whole on the Tariff bill. Mr. Burge addressed the committee until past 1 o'clock in opposition to the bill, when the committee rose and the House adjourned.

Monday, Jan. 29. Mr. Burge resumed and concluded his remarks in opposition to the Tariff bill. Mr. Young, of Con. and Howard, of Md. also addressed the committee on the same side of the question.

Tuesday, Jan. 30. Mr. W. B. Shepperd, of N. C. addressed the committee till near 3 o'clock in opposition to the bill. Mr. Stewart next obtained the floor, and continued to occupy it in a speech on the same side of the question until the House adjourned.

Wednesday, Jan. 31. Messrs. Bates, of Mass. and Pearce, of Rhode Island, addressed the committee in opposition to the Tariff bill.

Thursday, Jan. 31. The House again resumed the consideration of the Tariff bill in committee of the Whole; when Messrs. Bank, Pa. and Evans, of Maine, addressed the committee in opposition to the bill, and Mr. Jarvis of Maine, in support of it.

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2 cents, and 30 per cent. do " do " 1835  
1 cent, and 25 per cent. thereafter, (a permanent duty.)

This amendment was carried—Ayes 86, noes 69. The question being put on Mr. Everett's amendment, as amended by Mr. Beardsley, it was rejected—Ayes 72, noes 73. Mr. White's first amendment

CONGRESS.

SENATE.

Monday, Jan. 28.

The bill further to provide for the collection of duties on imports was taken up and read a second time. Mr. Wilkins in a speech of great length, advocated the passage of the bill. Before he had brought his remarks to a conclusion, the Senate adjourned.

Tuesday, Jan. 29.

Mr. Wilkins resumed and concluded his speech in support of the bill to provide for the collection of duties on imports.

Wednesday, Jan. 30.

The Senate proceeded again to consider the bill to provide further for the collection of the duties on imports; when Mr. Bibb, of Kentucky, took the floor and spoke until the Senate adjourned in opposition to the bill.

Thursday, Jan. 31.

Mr. Bibb resumed the argument which he commenced yesterday in opposition to the bill to provide further for the collection of the duties on imports.