

Mr. Drayton's Address good, except agreeing that the Tariff Law was Unconstitutional

Save Drayton's Address Genl. Washburn

# RALEIGH REGISTER,

## AND NORTH-CAROLINA GAZETTE.

"OURS ARE THE PLANS OF FAIR DELIGHTFUL PEACE, UNBROKEN BY PARTY LISTS TO MEN-LIKE BROTHERS."

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COL. DRAYTON'S ADDRESS To the People of the Congressional District of Charleston.

FELLOW CITIZENS—In consequence of the near approach of the period when the payment of the public debt was anticipated, it was naturally expected and desired, that the late Congress, before its adjournment, would revise and so modify the Tariff Act of 1832, as to reduce considerably the amount of the revenue which it provided for, and also the rate of the duties which were levied under it, upon the importation of protected articles. As early as January, 1832, two resolutions of the House of Representatives directed the Secretary of the Treasury "to collect information as to certain manufactures in the United States, and to communicate the same to the House, with such suggestions as he might think useful, with a view to the adjustment of the tariff, and with such a tariff of duties on imports, as might in his opinion, be best adapted to the advancement of the public interest." In the report made by the Secretary of the Treasury in compliance with these resolutions, he remarked, "that the impost system of the United States has been for many years, incidentally, but so intimately connected with the growth & protection of American capital and labor, as to have raised up great national interests, indispensable to the prosperity of the country, and which cannot be lost sight of, in any new adjustment of the system." In the circumstances which require, at present, a general reduction of the revenue, it is not deemed practicable to pursue, for any length of time, the degree of protection hitherto afforded to these interests which have grown up during the past legislation. The state of public feeling throughout an important portion of the country, which with greater or less intensity, calls for a revision of the existing Tariff, is not to be disguised.—Both patriotism and wisdom dictate that this sentiment should be respected, and as far as may be compatible with the common weal, that it be satisfied, not from any unworthy motive, but under that obligation of duty which requires that all be regarded with an equal eye: that all be borne upon with an equal hand; and under that no less solemn obligation, to preserve by any reasonable concessions, our inestimable Union." In the spirit of these sentiments, which redound so much to the credit of the head and heart of the Secretary, he prepared a bill for Congress, which with some alterations, would, in my judgment, have been peculiarly adapted to meet the exigencies of the times. This bill was referred to the Committee on Manufactures of the House of Representatives, who profess to make it the basis of a bill reported by them, which, after having received various amendments, became a law on the 14th of July, 1832.

For the vote which was given by me upon the final passage of this bill, all the newspapers, throughout the State, which are attached to the doctrine of Nullification, have charged me with having sacrificed the interests of my constituents, and with having acted, inconsistently, with opinions which I had, previously, expressed. Anxious that my fellow-citizens, whether they be my political friends or foes, should be in possession of the motives of my political conduct, in order that they may be enabled to determine whether I merit their confidence, or have justly exposed myself to their censure, I will submit to them, the reasons that governed me upon the subject under consideration.

The provisions of the Tariff Act of 1832 are, by no means, such as I desired them to have been, but when they were under discussion before Congress, the problem for the solution of the members of that body, was not, in ordinary circumstances, what a tariff act ought to be, nor in what manner it should be drawn, so as to satisfy the manufacturers of the North, or the agriculturalists of the South—the exclusive friends of protection, on the one hand, or of free trade, on the other—but whether any middle course could be devised, which would reconcile conflicting prejudices and interests—alleviate the fury raging in the bosoms of the two great rival parties into which the people were divided, & prevent that collision between

them, which might, not only disturb the harmony, but endanger the existence of the Union.

The difficulty of effecting this arrangement, was probably greater than any which had ever been presented to the deliberations of Congress, since the adoption of the Federal Constitution. Whilst a large minority of the people regard a protective tariff to be unauthorised by the Constitution, a majority of them have arrived at a diametrically opposite conclusion. If all those who were hostile to a protective tariff, pronounced it to be unconstitutional, and all those who were in favor of it, pronounced it to be constitutional, it might naturally be presumed that these discordant and opposite opinions, would be the result of prejudices or individual interests. But such is not the relative position of the contending parties. The advocates of protection are unanimous on their side of the question, whereas its adversaries differ among themselves. Many of the most intelligent delegates to the Free Trade Convention, which met in Philadelphia in September last, expressed their conviction of the legitimate power of Congress to pass protective tariff acts, though they condemned their principle, as fraught with evil and injustice, and the same opinions were avowed by Mr. Gallatin, the author of a memorial from that Convention, in which the injurious consequences of legislative interference with the capital and labor of individuals, are demonstrated with an ability and clearness, which have not been equalled by any production which has issued from the American press. The majority of the people not only think that protective duties are constitutional, but they are as confident, that they are essential to the advancement of the general weal, and in support of their views, they rely upon the numerous protective tariff acts which have been passed, and upon the approbation of them by every President of the United States. The minority are as thoroughly convinced, that a protective tariff impairs the property of the great mass of the community, and subjects them to a heavy taxation for the benefit of the comparatively few. When the people thus differ upon a subject, in which their interests are deeply involved—when those interests are believed to be fostered or depressed by legislation, according to geographical positions, it must be obvious that Congress ought to preserve the existing protection, as to give complete and general satisfaction. The only course, therefore, which the late Congress could adopt, to calm the public excitement, and to arrest the perilous march of deep and bitter discontent, was to propose a law upon the basis of mutual concession and compromise. Upon this basis the act of July, 1832, was founded, by which the conditions of concession and compromise were understood to be, that the advocates of restriction should consent to a considerable reduction in the rate of protective duties and in the amount of revenue to be collected from imports, and that some changes should be made in those parts of the system where its pressure was peculiarly obnoxious. The ultra-restrictionists, and the partisans of nullification did not subscribe to these terms, the former being averse to any diminution of the protective duties—the latter repudiating every species of compromise which did not include the abandonment of the principle of protection. These ultraists, however, were a minority. The majority acquiesced in the compromise which has been mentioned; but where the real or the supposed interests of the parties were so variant, it was vain to expect, that any compromise could be so executed as to be exempt from mutual objections. An approximation towards that which each of them desired, was as much as could have been reasonably calculated upon, in the passage of the first tariff act which had been introduced, during so many years, with the declared intention of reducing the rates of protection. That approximation, it seemed to me, was effected by the act of 1832, inasmuch as by it the minimums upon woollens were repealed, and the aggregate of the revenue and the amount of the protective duties considerably diminished.

Being satisfied that this act was incomparatively better than that of 1828, I accordingly voted for it. Upon what ground I can even plausibly, be charged with impolicy or inconsistency, for thus voting, I am unable to discover. It is true that I have always, expressed myself adverse to the constitutionality and the expediency of a protective tariff; but whatever may be my opinion and the opinions of the larger portion of the people of the South, I am compelled to admit, that the constitutionality of a protective tariff, is not only a debatable question, upon which wise and honest men may and do disagree, but that the weight of numbers, and of great names preponderates in favour of those who maintain its constitutionality. Under these circumstances, when I reflected that the act of 1832 diminished the existing duties, repealed the minimums upon woollens, (among the most odious devices of a most odious law), and lightened, generally, the burden of taxation, I felt myself not merely justified, but imperiously required to facilitate its passage, by every means in my power. Had

I supported a bill which augmented the protective duties, which extended the depreciable minimums, and which added to the public burthens, the impolicy and the inconsistency of my conduct might well have been noticed as meriting the severest animadversion.

It has been alleged against me, that I gave my sanction to a law which recognised "the protective system as the settled policy of the country." Upon what authority this allegation is made, I am ignorant. It is not sustained by any words which I have uttered, or by any inference to be drawn from either. If it is to be inferred from the fact, that they declared themselves willing to enter into, did not agree to abandon protection, which they claimed as a right, it is admitted that they did not. Nothing is more certain, than that no law would have been passed, had this abandonment been demanded as one of its conditions. The basis upon which the law was professed to be founded, was that of mutual compromise and concession. Now where one side surrenders the very ground which is in dispute, there may be victory or defeat; but mutual compromise and concession are terms utterly inapplicable to such a position of the parties. If by the allegation the meaning is intended to be conveyed, that Messrs. Blair and Mitchell and myself, who voted for the act of 1832, in any mode or manner, recognized "the protective system as the settled policy of the country," it will be sufficient to deny the imputation, and to ask for the proof. But neither the conduct of those of my colleagues whom I have named nor of myself, is susceptible of an ambiguous interpretation. Upon the floor of the House of Representatives, I repeated, what I had often stated, both there and elsewhere, that in my opinion, a protective tariff was unconstitutional, unequal and oppressive:—I call upon the friends of Free Trade—not to acknowledge the constitutionality or the policy of a protective tariff—not to yield any principle or to sacrifice any interest—but to forbear from insisting upon the sudden abandonment of a system, which would be attended with the ruin of millions—to endeavor to obtain an amelioration of its provisions, by compromise with their opponents, and to postpone all efforts to its repeal, to a more auspicious period. Gen. Blair so far from conceiving that his vote was a recognition of the settled policy of the protective system," declared, that he "did not vote for the bill as a compromise of the subject, or as a quietus of the complaints of the South, but on the principle of reduction," and Mr. Mitchell, who spoke at length against the bill, gave to it his support for reasons similar to those which had been assigned by Gen. Blair. Had my conduct in relation to this bill been the reverse of what it was, had I voted against it, and had this vote been cited, to establish that I had been inconsistent, and treacherous to my duty, I should have felt that I was incompetent to defend myself against these grave accusations. I might have urged, as a subterfuge, that I would not suffer my name to be enrolled in favor of any protective tariff; but would I not have been confounded and silenced by the reply, that if the law which I refused to vote for, had been rejected, a law more grievous, and which contained protective duties more onerous, would be in force; and that by declining to exert myself to accomplish the passage of the act of 1832, I virtually contributed to rivet upon my fellow-citizens the greater oppression of the act of 1828. The compromise which I recommended in the House of Representatives, was intended, and was declared to be intended, to meet the existing crisis which, in the apprehension of many wise and patriotic men, threatened the destruction of the Union. To avert this deep and dire calamity, an immediate remedy was necessary—that remedy could not be administered without the co-operation of the friends and the adversaries of protection; that co-operation, to the extent which has been mentioned, was obtained; it was unconnected with any compact, express or implied, as to "the settled policy of the country," or as to the true construction of the powers to lay and collect taxes or to regulate commerce. That the protective principle is contained in the act of 1832, is undeniable; it was also contained in the bill which was reported by Mr. McDuffie, as the chairman of the committee of ways and means; for in that bill duties of 25 per cent ad valorem, for prescribed periods, were to be levied upon the protected articles of Iron, Salt, Sugar, Cotton Bagging, Woollens, &c. afterwards the duty was to be, gradually reduced to 12 1/2 per centum, ad valorem, which under that Bill, was estimated to be the rate of duty which was necessary for revenue. The constitutionality of the protective system was as plainly admitted, by legislating for the continuance of some protected items, during a single year, as by legislating for all of them, without any limitation as to time. Although the principle of protection has never been abandoned by any Congress; although it is embraced within the provision of the act of 1832, I have, yet, never supposed myself at liberty now, than formerly, to use

all my exertions to erase it from our Statute Book; and I derive no little confidence from the fact, that a diminution of the power of those who have hitherto, been regarded to be the veteran and uncompromising supporters of protection, was manifested, by the passage of the act of July last, in spite of their unremitting and strenuous opposition to it, aided by the co-operation of several of those who term themselves the friends of free trade, among whom were included, both of our Senators and six of our Representatives. These Senators and Representatives might have been able to reconcile their conduct with what they conceived to be their duty, had I prevailed upon to think that I ought to have done so, until I shall be persuaded that the burthen of protective duties is increased, by reducing their rate and amount; and that where the choice is submitted to a representative of subjecting his constituents to a greater or lesser evil, he ought to prefer inflicting on them the greater.

Ameliorations in the existing Tariff have been achieved by the Act of 1832. When that change shall take place in Congress, which will be produced by the election of new members, according to the Appointment bill of the last session, there is every reason to expect that still further advances will be made, towards the fulfilment of what is desired by their friends of unrestricted industry. In the interim what has been done, cannot impede, but will rather accelerate the progress of more just and liberal legislation. Were I called upon to state what I firmly believe, to be the cause of the tariff system which now convulses our State, I should, conscientiously reply, that it is to be attributed to the act of the 27th of April, 1816, the passage of which was so strenuously advocated by three-fourths of the delegation from South-Carolina; they insisted upon "the necessity of affording protection to manufactures, to put them beyond the reach of contingency from foreign competition." The restrictive measures of the government before the late War with Great Britain, and the interruption to our Commerce, during that war, had virtually protected domestic manufactures; but when the act of April, 1816, was under discussion, the duties which were intended to have escaped observation.—In April, 1816, the principle of protection was openly avowed, and enforced in many instances, by correspondent duties. Then was invented the mischievous and delusive contrivance of the minimums, which was first applied to that fabric, the raw material of which constitutes the great staple of the South. It is true that a duty upon manufactures of cotton and wool, should be reduced within three years; but these were the only restrictions in that Act. Its protective character in other respects, was preserved. The minimum upon Cottons, by the operation of which those of the East Indies were driven from our market, was to be retained at 20 cts. instead of 25 cents, without the annexation of any limitation as to time. High duties upon other commodities were imposed, without any reservation; and among them the duty upon salt, which is now ten cents the bushel, was fixed at 20 cents, and the duty upon brown sugar, which under the act of 1832, will be 21 cents the pound, was fixed at 5 cents the pound. From the era of the passage of the Act of April 1816, the transfer of capital was invited and rapidly diverted from its natural channels, into investments in those employments of labor which were stimulated by legislative protection. These investments have been made upon so extensive a scale, that a withdrawal of them cannot be attempted, otherwise than slowly and gradually, without the inevitable ruin of millions of our fellow-citizens, a large proportion of whom were originally, as hostile to a protective tariff, as are now the inhabitants of our State. The sin or the error of having added in the passage of the Act of 1816, cannot be imputed to me. I am neither responsible for that law, nor for the calamities of which it has been the bane-fal source. I have never given a vote upon any question in favor of its principles. These principles I have always resisted, and I shall continue to resist them by all the means in my power, which are consistent with the obligations of honesty, a respect for the letter and the spirit of the federal compact, and the preservation of the integrity of the Union.

Since the date of my letter to a Committee of the State Rights and Union party, I have received from the Register of the Treasury, a statement exhibiting the amount of duties according to the present rates, compared with the duties as modified by the Act of 14th July, 1832, predicated upon the imports during the year ending 20th Sept. 1830, which I have left with the Editor of the Southern Patriot. Upon the assumption that the dutiable articles will be the same in quantity and price, after the 31st of March next, as they were in 1830, this statement shows that under the tariff act of July 1832, there will be a reduction of \$1,869,056 from the amount of duties on protected

articles, and of \$5,187,078 from the amount of revenue to be derived from the customs.

Notwithstanding these deductions from the revenue, and from the duties on protected articles, it is asserted in an "Address to the People of South Carolina," from our Senators and six of our Representatives, that the burthens imposed upon the Southern States, will be greater by the act of July, 1832, than they are by the existing tariff. As this assertion may make an injurious impression upon the public mind, I will transcribe that part of the "Address" which is intended to establish it, and briefly annex such remarks as may be necessary to correct its misstatements. According to certain passages in the "Address," "the burthens of the protecting duties are decidedly increased, estimating the cash duties and diminished credits, and they now actually stand at an average of more than 50 per cent; while the duties on the unprotected articles, which upon principle or equality and justice should sustain the principal part of the burthens of taxation, are with a few inconsiderable exceptions entirely repealed." Upon those manufactures which are received on exchange for the staple productions of the Southern States, the aggregate increase of the burthens of taxation, beyond what they were under the Tariff of 1828, is believed to be upwards of \$1,000,000, while the reduction or repeal of the duties on those imports which are received in exchange for the production of the Tariff States, amounts to about \$4,000,000. While, therefore, the aggregate burthens of taxation are diminished \$4,000,000 by this bill, the positive burthens of the Southern States are not diminished at all, and their relative burthens are very greatly increased."

It has already been noticed, that the Tariff Act of 1832, as compared with that which is now in force, reduces the duties upon protected articles by the amount of \$1,869,056. If, notwithstanding this reduction, the protecting duties are increased, this increase must be occasioned by "estimating the cash duties and diminished credits." Now the cash duties are confined to the importations on Woollens, and their amount would be equal to 1/2 per cent. on the rate of duty, upon Woollens, not costing more than 35 cents the square yard, upon which the duty is 5 per cent, and on Woollens costing more than 35 cents the square yard (of which the value of between 2 and 3 millions are imported) it is 2 1/2 per cent, increase in the rate of duty, such cloth being subject to a duty of 50 per cent on the rest of our importations, the diminished credits are equal to an increase of a fraction less than 1/2 per cent, the average rate of duty on all importations, excepting Woollens being about 25 per cent.

It not a little excites my surprize, that a paper of so grave a character as the "Address," which it is presumed, was drawn up with the utmost deliberation, should hazard the assertion, that "the duties on the unprotected articles, are, with a few inconsiderable exceptions, entirely repealed," when the amount of all the duties declared free by the Act of 1832, are estimated, in the statement of the Treasury,

Value of the imports in 1830, of protected articles, amounting to	\$39,129,629
Consisting of Wooll, Woollens, Cottons, Wool, and manufactures of do. Glassware, Iron and Steel, and manufactures of do. Clothing ready made, Hats, Carpeting, Sail Duck, Cotton Bagging, Molasses, Brown Sugar, Indigo, Cordage and Twine, Hemp, Salt, Coal, Window Glass, Leather, and manufactures of do. Marble, and manufactures of do. Oil Cloths, Japaned, Plated, Gilt Pewter, Brass and Leadin Ware—	12,831,772
Duty under the Tariff of July 1832,	9,962,716
Reduction on protected articles	\$1,869,056

† On a close calculation, omitting the 10 and 20 per cent addition to the value on goods paying ad valorem duties, the following is the difference arising from the alteration of the pound sterling, and the cash duties, with shortened credits.

The reduction on protected articles will be	\$1,869,056
Deduct interest on cash duties on Woollens, amount of which being 1,933,159, for ten months at 6 per cent per annum,	\$97,638
Do. on duties on other protected articles amounting being 9,009,557, for 31 months at 6 per cent per annum,	247,760
	\$355,411
Difference originating from change in the pound sterling, affecting imports for Great Britain, paying ad valorem duties, amount of these imports, \$11,514,637, and the difference \$1,075,169, at the average rate of duty on protected articles 37 1/2 per cent is	494,328
	750,949
Net reduction on protected articles,	\$1,199,107
Adding the 10 and 20 per cent which will be added to the above to about	\$1,510,000

at no more than \$160,000. The "Address" has not furnished us with any data to support the positions, that upon the manufactures received in exchange for staple productions of the Southern States—the aggregate taxation is believed to be increased upwards of \$1,000,000 beyond the tariff of 1828, "while the reduction or repeal of the duties on those imports which are received in exchange for the productions, of the tariff states, amounts to about \$4,000,000." How this gross inequality in the distribution of burthens and benefits is produced, by the act of 1832, I am unable to imagine. Upon some woollens, the duties will be, rather very considerably less. The duties upon cottons will be reduced in almost every instance, and increased in none. Upon silks, the duties will be largely reduced. The duties upon iron, hemp, cotton bagging, sugars and wines, are all diminished, in greater or smaller ratios. The staple productions of the South being received in exchange for every one of the commodities which I have enumerated, if the duties upon them be reduced, it necessarily follows, so far as it relates to these commodities (and they constitute the great articles of importation) that the burthen of Southern taxation will be diminished. Neither can I discover what "reduction or" repeal of the duties on those imports which are received in exchange for the productions of the tariff States, amounts to about \$4,000,000." I have specified the important articles upon which the duties will be reduced, after March 1833, and it is known to every merchant, that for the more valuable proportion of them, the productions of the South are received in exchange, in a greater degree, than are those of the North, whilst the Cotton and Rice of the Southern States are almost exclusively, exchanged for the Wines of Spain and Portugal, and for the Silks and Wines of France, and their rice and lumber for the sugars of the West Indies. The North will be benefited by the reduction of the duties upon indigo and upon raw wool not costing more than 8 cents the pound, and by the repeal of the duties upon madder, wool, cochineal, and some other materials used in dyeing and as ingredients in the process of manufacturing; but the community participates in those advantages, as the effect must, necessarily, be to lower the price of Manufactures.—With respect to the repeal of the duties upon tea and coffee, and the reduction of the duty upon India silks, I will submit the following communication which I have received from one of the most enlightened and experienced merchants in this city: "Nothing is more certain than that the Southern States will be more than proportionately, benefited, by any increased consumption of Teas and East India Silks, that will take place in consequence of the reduction of the duties upon them, because the course of trade is now so changed that compared with former times, little or no specie is exported. The India merchant now either furnishes himself with bills drawn by the United States Bank on London, at 12 months date (which pay in India at a premium) or he purchases merchant bills, at ordinary sights on London, and lodges his funds there, ordering his ship to touch at Gibraltar, where he can draw for his London funds, at 10 a 15 per cent advance, and he has dollars at par, or at most from 1 to 2 per cent premium, these dollars being procured, entirely, from Spain in payment of our rice, cotton, tobacco, &c. carried into that country by her own subjects clandestinely.—If the Bank furnishes the India Bills, it covers them, by merchants drafts on England. Thus whether the India cargo be procured by Bank bills or specie, they are all raised by bills on England, which bills are almost altogether found by Southern rice and cotton. Thus it plainly and incontrovertibly appears, that the South furnishes the principal part of the funds for Indian cargoes, and consequently, must be greatly benefited by the increased consumption of those articles, and who will deny, that in the increased consumption of coffee by being free of duty, that the South is benefited."

† The aggregate amount of duties under the new Bill, is estimated at \$15,126,959

Deduct duties on protected articles	10,962,716
Leaves a duty on unprotected articles of	\$4,164,243
Add interest for 53 months, shortened credits, at the rate of 6 per cent per annum,	\$114,316
Difference from change in the pound sterling on import from Great Britain, paying ad valorem duties, amount of the imports being \$7,179,853, and the difference \$348,210, at the average rate of duty on unprotected articles, at 14 1/2 per cent.	78,805
	193,521
Total amount of duties on unprotected articles	\$4,357,764
The increase in the aggregate amount of the duties, without the 10 and 20 per cent, and adding the difference from the new valuation of the pound sterling with cash duties and shortened credits, is \$53,770, equal to about 1 1/2 per cent,	