

RALEIGH REGISTER,

AND NORTH-CAROLINA GAZETTE.

"OURS ARE THE PLANS OF FAIR DELIGHTFUL PEACE, UNWARF'Y BY PARTY RAGE, TO LIVE LIKE BROTHERS."

VOL. XXXIV.

FRIDAY, JANUARY 4, 1833.

NO. 3.

THE REGISTER

IS PUBLISHED EVERY FRIDAY,
By Joseph Gale & Son,
Raleigh, North-Carolina.

TERMS.

THREE DOLLARS PER ANNUM; one half in advance. Those who do not, either at the time of subscribing, or subsequently, give notice of their wish to have the Paper discontinued at the expiration of their year, will be presumed as desiring its continuance until countermanded.

ADVERTISEMENTS.

Not exceeding sixteen lines, will be inserted three times for a Dollar; and twenty-five cents for each subsequent publication: those of greater length, in the same proportion. If the number of insertions be not marked on them, they will be continued until ordered out, and charged accordingly.

UNION CONVENTION.

THE REPORT

Of the Committee of the Union and State Rights Convention, lately assembled at Columbia, to whom was referred the Ordinance of Nullification and certain resolutions of the Union Party, in relation thereto.

The documents which have been referred to your Committee, disclose the character of Nullification and the spirit and sentiments of the Union Party. And your Committee have no hesitation in saying, that the progress of Nullification has amply justified the friends of the Union in denouncing it as Revolutionary and destructive of Liberty.

The Ordinance of the State Convention has presented the doctrine to the world in all its deformity, stripped of the thin veil of sophistry which was formerly thrown over its revolting features. The provisions of this Ordinance as respects the relations between the State and the United States are too revolutionary to be mistaken. The laws of the Union are no longer to be enforced in South-Carolina—the cognizance of cases in which the United States are a party, is withdrawn from the Federal and given to the State tribunals—in those tribunals every Judge and juror is sworn to decide against the United States—the 25th section of the Judiciary Act is nullified; and having thus in effect precluded the Federal Government from the civil tribunals; the Ordinance further declares, that if Congress or the Federal Executive proceed in any other way than through those tribunals, the State will secede from the Union: The first blow is struck with a declaration that any retaliatory measure shall be followed by a formal secession. No hardihood of assertion will be found equal to the task of reconciling this Ordinance with the professions of those who have taught the people that Nullification is a peaceful constitutional measure. It is not only revolutionary but essentially belligerent. The natural consequences are DISUNION AND CIVIL WAR; and the mere possibility that is left, of averting this catastrophe, in no degree alters the character of the measure. For so the occupation of territory, or the issuing of letters of marque and reprisal might end in submission to the demands of the assailant, and terror supply the place of arms; but it is idle to deny that these are hostile enterprises. How they will be received and met by the General Government we will not anticipate: But we cannot regard the threatened destruction of a mild and rational system of liberty, without apprehensions of the keenest anxiety. If as regards the General Government, Nullification is revolutionary and hostile, in relation to the Union Party, it betrays all the features of an odious tyranny, and evinces that its progress will be as fatal to liberty as it is to the Federal Constitution. But another step of the dominant party is wanting, to put the friends of the Union, so far as the State authorities are concerned, entirely out of the protection of the law. It was only necessary for the Convention to declare that the test oath should be taken by every individual, and that a refusal to do so, should constitute a forfeiture of life or goods; as they have declared it shall be taken by every officer, under pain of the forfeiture of office without trial, and upwards of 17,000 voters would have been at once exposed to a sweeping outlawry. Nor would there be the smallest difference in principle between the two cases—as there is no more color of justice or of right, in depriving any one of an office against the terms on which it was granted and without trial, than in depriving him in the same manner of his life or his estate.—The Convention have assumed to do this, on the ground that they are above the Constitution and the Law; which is a tyrannical exercise of a despotic power. The power is despotic, because it submits to no rule, and it is tyrannical because the act which it requires of the citizen is contrary to his oath of allegiance to the United States.

Under the Constitution of the United States, the liberty of the citizen is doubly guarded. Not only are the Executive, Legislative and Judicial authorities, distributed as in all free Governments between different departments, but the civil power itself is still further restrained by being divided between two Governments

State and Federal; to the total exclusion of that mad and arrogant domination which knows no limits, but its own will. But the pestiferous securities of a system thus emphatically established to maintain justice, give rise to corresponding duties, and when power encroaches upon power, the same institutions which give security to freedom, aggravate the evils which tyranny imposes on the people. No one denies the omnipotence of Parliament, because it is an established principle of the British Constitution. But the omnipotence of the State of South-Carolina is announced for the first time by the re-creation of the Convention, in language as new as it is imperious. They have imposed a test oath, which none but he that believes the Constitution to be a rope of sand, can take: and the alternative of the citizen is between violating his allegiance to the United States, and disobeying the menacing commands of the State authorities.

Whether we are bound to the Constitution of the United States by the tie of allegiance, is determined by the fact of being citizens of the United States.—Those who deny such allegiance, are driven to the extremity of contending, either that the Federal Union is no Government, or that the Government of the United States, has no citizens. But to dispute the existence of the Government is to reject truth altogether, and a Government without citizens or subjects, is a solecism in language which renders exposure unnecessary. And if there be any equal tie between the citizen and the General Government, neither the State Convention nor the Legislature can dissolve or release it; for whatever may be their authority over the Constitution of the State, they have no authority to alter the Constitution of the United States. The proceedings of this Convention, are indeed entirely anomalous. The proper function of such a body is to organize Government and establish institutions for securing the great principles of Liberty and Justice; but they have, in fact, trampled upon the Constitution of the State, without altering it. They have not devised constitutional rules for the action of State Government, but violated those which have always hitherto been held sacred; and their Ordinance resembles more the Proclamation of a Monarch, than an act intended to settle the principles of a free Government. If the Federal Government was at an end, the provisions of the Ordinance however unjust and severe, might be lawful, but as long as we are citizens of the United States, an act like that passed by the Convention, is the assumption of power against law and right. The Ordinance is therefore, nothing more than a declaration of the will and high determination of the ruling powers of South-Carolina, to which our obedience is commanded in the language of despotism.

Nor can it be said that these proceedings are formally a secession from the Union, and justifiable as an appeal to the natural right of resistance. For, in fact, the people have given their sanction to nullification upon the most solemn assurances of its being a conservative, not a revolutionary measure. Can any man pretend to say, that the sense of the good people of this State has ever been taken on the question of secession? And can there be a deception more gross, than to rend this confederate republic into fragments, and set up the bloody flag of anarchy, under the pretence of maintaining the Union, and prosecuting a redress of grievances in a peaceable manner? By the same rule, they might have sold the State into foreign bondage, or delivered us up to the colonial yoke, from which we were freed by the united arms and counsels of America. And is there no duty on the part of the citizen to cling to the defence of the Constitution, when its pillars are shaken? Can it be possible that all the defences of freedom shall be surrendered with tame indifference to the first enemy that surprises the Garrison? No, the defence of the Constitution is the defence of liberty itself—a duty from which no man can excuse himself on account of the arduous nature of the service. The people have been misled—they have listened too easily to those who "prophesy smooth things to them." And now, to warn them of their danger—to speak unwelcome truths, and show how infinitely the dangers of Nullification exceed the importance of the evils for which it is proposed as a remedy—is an arduous duty, but one to which no real lover of his country can hesitate to devote himself.

Nor can we doubt that the exasperation of the people will moderate, and that they will decide upon the question of secession with more calmness, seeing that the great excitement which now prevails, arises principally from a theoretical dispute.—The new theory of the South-Carolina Politicians, that the producer pays the duty, has done more to provoke the public mind than all other causes together. It will be a most melancholy fact, if a system of rational, constitutional government, which has done so much, and promises so fair for the happiness of mankind, should fall a sacrifice to a speculation—and to an erroneous speculation. That the idea is erroneous, and that the error is easily detected, few, except those who have embraced the doctrine as a matter of faith, will be willing to deny.

The argument is, that the Planter is the producer of the manufactures for which his crop is exchanged, and the fallacy of the opinion consists in considering the merchant as the agent of the planter. It is just as reasonable to assume that the planter is the agent of the merchant. If there were no duties on foreign manufactures, the planter would sell his crop as he now does, and for no greater price. The merchant would sell his goods for a profit as he does now; but as some goods would come into market at less cost, having no duty to pay, the price would be less; and in this way, the planter, in common with every other consumer, would gain; but he would have no more inducement to turn merchant then, because goods would be cheap, than to do so now, because they are high. The possession of cotton has no more tendency to make one a merchant, than the possession of so much money, or of any thing else that may be sold or exchanged. If the protecting duties were abolished, the European merchant would bring more goods to Charleston, and the Northern merchant less; but free-trade would no more convert planters into merchants, than the restrictive system into manufacturers. In the same way, by assuming that the merchant is the agent of the planter, the conclusion is drawn, that a duty on imports is equivalent to a duty on exports. It is true, that if a person under the protecting system were to pay an export duty on his cotton, and import his goods duty free, the result would be the same as if the duty had been paid upon the goods. But this does not prove that a duty on imports is equivalent to a duty on exports; for in the case supposed, the cotton though taxed, is sold as if it was free—and the goods though free, as if the protecting duty had been actually levied upon them.

But if the system was changed, and exports were taxed and goods admitted duty free, cotton would fall in price to the extent of the duty imposed, and goods in proportion to the duty taken off. In the fall of cotton, the Planter would sustain the whole burthen, but the gain arising from cheap goods, he would only share with the rest of the community. The objections to the protecting system are abundantly sufficient to justify vigorous and unceasing opposition—but to regard them as a justification of revolution, amounts to the wildest extravagance of opinion. Should we be called abettors of the Tariff, because we are unwilling to overturn the Government? With as much reason may the lawgiver be reproached with the encouragement of crime, because every offence is not visited with the last severity of the law.

Our obedience has been challenged to Nullification as a duty which protection imposes. We admit the principle in all things lawful—and shall not forcibly obstruct the constituted authorities of the State as long as we are protected by the law. It is not true however, that we owe all allegiance exclusively to the State; or that we are indebted to the State alone for protection. We have been protected by the United States in peace and in war. Nor is the Union less efficient in the protection of the Citizen, though it operates silently, by preventing those scenes of proscription, confiscation and new made treasons, of which till now we have happily been ignorant, and of which indeed we never heard till the Union itself was in danger.

We do not believe that a majority of the good people of this State approve of secession, or meditate violence against their fellow-citizens of the Union Party. We shall therefore not interfere to prevent the Legislative regulations of Nullification from being executed by such constitutional and legal means as the authorities may be able to employ: Protesting always against their injustice and invoking in our behalf the reason of our fellow-citizens, and their natural detestation of tyranny: nor shall we be driven from the position of peaceable citizens by any thing short of intolerable oppression.

Your Committee therefore recommend the adoption of the Remonstrance and Protest herewith reported:

REMONSTRANCE AND PROTEST OF THE UNION AND STATE RIGHTS PARTY.

The Union and State Rights Party of South-Carolina, assembled in Convention, do Remonstrate and Solemnly Protest against the Ordinance passed by the State Convention on the 24th day of November last,

1st. Because the People of South-Carolina elected delegates to the said Convention, under the solemn assurance that these delegates would do no more than devise a peaceable and constitutional remedy for the evils of the protective tariff, without endangering the Union of these States. Instead of which, that Convention has passed an Ordinance in direct violation of all these pledges.

2d. Because the said Ordinance has insidiously assailed one of the inalienable rights of man, by endeavoring to enslave all freedom of conscience by that tyrannical engine of power—a Test Oath.

3d. Because it has disfranchised and proscribed nearly one half of the Freeman

of South-Carolina for an honest difference of opinion, by declaring that those whose consciences will not permit them to take the test oath shall be deprived of every office, civil and military.

4th. Because it has trampled under foot the great principles of Liberty secured to the citizen by the Constitution of this State, in depriving the freemen of this country of the right of an impartial trial by Jury, thereby violating that clause of the Constitution it tended to be preserved, which declares that "The trial by Jury as heretofore used in this State, shall be forever inviolably preserved."

5th. Because it has violated the independence guaranteed to the Judiciary, by enacting that the Judges shall take a revolting test oath, or be arbitrarily removed from office, thereby depriving them of the privilege of trial by impeachment, which by the Constitution of the State is intended to be secured to every civil officer.

6th. Because the Ordinance has directly violated the Constitution of the United States, which gives authority to Congress to collect revenue, in forbidding the collection of any revenue within the limits of South-Carolina.

7th. Because it has violated the same constitution, in that provision of it which declares that no preference shall be given to one Port over any other in the United States, by enacting that goods shall be imported into the Ports of South-Carolina without paying any duties.

8th. Because it violates the same constitution, and tramples upon the Rights of the citizen, by denying him the privilege of appeal in cases in Law and Equity arising under the Constitution and Laws of the Union.

9th. Because it has virtually destroyed the Union, by carefully preventing the General Government from enforcing their laws through the civil tribunals of the country, and then enacting that if that Government should pursue any other mode to enforce them, then this State shall be no longer a member of the Union.

10th. Because the tyranny and oppression inflicted by this Ordinance, are of a character so revolting, and the effects anticipated from its ruinous, that the commerce and credit of the State are already sensibly affected, and will soon be prostrated; and its peaceable and industrious citizens are driven from their homes to seek tranquility in some other State.

The Union Party of South-Carolina, in Convention assembled, do further remonstrate and solemnly protest against the project of a standing Army, proposed by the party in power, as dangerous to the liberties of the people. They would respectfully ask their fellow citizens, whether such an Army must not be confessedly necessary to protect the Nullification Party, against the people of the rest of the United States, should they resolve to coerce them. What other object therefore can such a force accomplish, than to serve as an instrument of Tyranny over their Fellow Citizens?

This Convention doth further protest, against an effort, by a system of Conscription, to force the citizens of the State from their fire-sides, and their homes, to take up arms, and incur the pains and penalties of treason, in support of a doctrine which the people were assured was pacific in its nature, and utterly inconsistent with any idea of danger to the Constitution or the Union.

Solemnly remonstrating, as they hereby do, against the above mentioned grievances, the Union party, would further express their firm determination, to maintain the principles which have ever been the rule of their conduct: and while on the one hand, they will continue their unflinching opposition to the protective Tariff, so on the other, they will not be driven from the enjoyment of those inalienable rights which by inheritance belong to every American Citizen. Disclaiming therefore all intention of lawless or insurrectionary violence, they hereby proclaim their determination to protect their rights by all legal and constitutional means, and that in doing so, they will continue to maintain the character of peaceable citizens, unless compelled to throw it aside by intolerable oppression.

HOS. TAYLOR, President.
HENRY MIDDLETON,
DAVID JOHNSON,
RICHARD L. MANNING,
CHARLES TUCKER,
FRANKLIN J. MOSES, } Secretaries of
JAMES EDWARD HENRY, } Convention.
[These documents are also signed by 177 members.]

UNION MEETING.

From the Wilmington Advertiser.

Pursuant to public notice given at an adjourned Union Meeting, held in the Court House, at Wilmington, Nov. 1st, a very large concourse of the citizens of New Hanover, Brunswick, Sampson, Duplin, and Bladen, assembled in the Presbyterian Church, in Wilmington, on Wednesday evening, 12th of December. Gen. James Owen was unanimously called to the Chair, and Gabriel Holmes, Esq. nominated Secretary.

The Meeting was opened by prayer, by the Rev. Thomas P. Hunt; and the object of the meeting was ably stated by the Chairman. Eloquent and patriotic addresses, expressive of the most devoted attachment to the Union and Constitution of the U. States, and amply refuting the doctrine of Nullification, were delivered by Messrs. Cyrus Stow, Joseph A. Hill, and Thomas Loring; after which, the following Resolutions were submitted, and unanimously adopted by the meeting:

Resolved, That in the opinion of this meeting, the assertion of South-Carolina, of a right in herself, to judge, in the last resort, of the extent of the powers of the General Government, and to withhold obedience to its laws, whenever she deems them to transgress the limits of its authority, is unwarranted by the Constitution, is the assumption of a power not incident to her as a State, and not resulting from the nature of our political institutions, and in its exercise utterly incompatible with the allegiance which her citizens owe to the General Government, with the peace of the Country, and the existence of the Union.

Resolved, That we consider the people of the United States as constituting one great political society, and the Government thereof, though Federal in many of its provisions, as essentially a National Government: that as such we owe it a direct allegiance, and acknowledge the duty of obedience to its acts, until they are by the proper tribunals pronounced unconstitutional and void.

Resolved, That, to guard against the well known tendency in power to strengthen and enlarge itself, the framers of the Constitution have carefully distributed the powers entrusted to the Government into various coordinate departments, in such a way as to make each a check upon the other. To this jealous distribution of power, to the independence of the judiciary which is abundantly secured, and to the frequency of popular elections, they trusted as ample security against the usurpation of power by the General Government.

Resolved, That we have unimpaired confidence in these preventive and remedial powers.

Resolved, Though the Government of the United States is unquestionably a Government of limited and delegated powers, yet we believe that it is entrusted with the authority to determine the extent of these powers, because in the absence of such a power, it could not give a sanction to its laws, and would present the anomaly of a Government without the means of executing its own provisions, by its own authority.

Resolved, That we cherish an ardent attachment to the Union of these States, and of the people thereof; that we venerate it as the work of our ancestors, and value it as the source of our public prosperity and our private security; as the certain pledge of domestic concord, and the sure guarantee of public liberty; that as a bond of brotherhood among those who have a common ancestry, a common glory, and a common country, we are prompted by every motive of interest and affection, to preserve it unbroken.

Resolved, That in the opinion of this meeting, a further and material reduction of the duties collected on imports, is required by the condition of the agricultural states and by the exigencies of the country.

Resolved, That while such regard should be had to the interests of those who have been induced to invest their fortunes in Manufactures, as justice and the public faith demand, we indulge the confident expectation, that the present system of imports will be so adjusted, as to equalize, as far as practicable, its burdens and its benefits.

Resolved, That the foregoing resolutions and proceedings of the meeting be published in the papers of this State.

Resolved, That the thanks of the meeting be awarded to the Chairman, for his able, impartial and dignified conduct in the Chair.

Signed, JAMES OWEN, Ch'n.
GABRIEL HOLMES, Sec'y.

NULLIFICATION.

The Mobile Register selects several articles from South Carolina and Georgia papers, on the subject of Nullification, and calls upon its readers to peruse them, in the following glowing language—"Citizens of Alabama! read, reflect and understand; and then ask yourselves candidly and seriously, whether there is any thing but national dishonor, individual ruin, and an entire demolition of the holy temple of liberty, to flow from the measures adopted by these infuriated men. For ourselves, we do verily believe these results to be inevitable; and believing thus, we should be traitors to our country and its liberties, did we refrain from sounding the alarm, and from calling upon all the friends of freedom to lend their aid in suppressing and discountenancing the dangerous and destructive heresy of Nullification. It addresses us no longer in the insidious guise of a peaceful and constitutional remedy, but arrays itself palpably and directly against the public authorities of the country, and sets at open defiance both the laws and the constitution."

Change of Opinion.—The noble feeling now manifesting itself in South Carolina, (says the Camden Journal,) is worthy of all praise. The patriotic stand taken by that portion of our citizens, who have heretofore voted with the Nullifiers, under the mistaken notion that their "remedy" was an honorable and pacific one, will endear them to their country, and hand their names down to posterity with immortal honor. So far from acting dishonorably to the party with which they have hitherto moved, so far from deserving distrust or taunt from their brethren of the old Union Party, they will have not only acquired the highest meed of honor from their country, but they will entitle themselves to the warmest fellowship and fraternity from us. We glory in such brethren. They will deserve every thing from us, and from their fellow-citizens throughout the Union. They will have been more instrumental than all others in the salvation of their beloved state!

We are willing to accord to them more honor, and a higher degree of merit than we deserve ourselves. They have stepped forward for their country at the very moment of her highest need. Honor and glory be their reward!—We hail them as the noble conservators of liberty—as the most deserving in the gallant band of patriots, now doing battle for freedom, and fighting manfully for the sanctity of the fireside. It is a most gratifying fact, that the people of this and the other sister districts of the State—the stamina of our community—the substantial portion of our population, are aroused to a sense of our real situation. Our true position is appreciated, and the yeomanry of S. Carolina are rising into a sentiment suited to the emergency. We say to them again, and we say to them in the name of the Union Party, whose sentiments we know we speak—All hail! Yours is a praise that every friend of freedom will rejoice to bestow—yours is a glory that posterity will ratify.

Family Lyceum.—We have received several numbers of a periodical print, under this title, edited by Josiah Holbrook, of Boston. It is a most interesting paper, which, like most of the works which emanate from the Athens of this Western Continent, is filled with important, philosophical and practical instruction. If, as some one has said, our knowledge when we enter on public life is gained by snatches, then these delightful "folios of four pages," which are thrown on our breakfast-table, giving additional flavor to our Coffee or Souchong, are most valuable auxiliaries to our more profound speculations in the World of Letters. How interestingly is the half hour before dinner spent, whilst the Company are assembling, filled up by a glance at some one of the numerous periodicals which are scattered over our widely spreading Country.

Fraud in the Gold and Land Lotteries.—A memorial from Gwinnet county having been presented some days ago, to the Georgia Legislature, alleging a fraud committed by one of the Commissioners, a Committee was immediately appointed to investigate the subject, and the keys of the building containing the Wheels and other matters belonging to the Lottery, were given up to them at the request of the Commissioners, and the drawing of course suspended. The investigating Committee have reported and recommended an Impeachment of the Commissioner. This was agreed to, and the Impeachment is now pending before the Senate.

The Norfolk papers state that five companies of United States Artillery, under the command of Major R. M. Kirby, of the first Regiment, received orders on Saturday last to proceed forthwith from Fort Monroe to Charleston, South Carolina. The battalion is full, and takes with it a completely equipped field train of sixteen pieces of different calibres, and a suitable supply of fixed ammunition.

The Bank of South-Carolina has been broke into and robbed of 156,000; but the principal thief has been taken, and \$108,000 of the money recovered.

Mrs. Mary J. Lucas will commence giving Lessons on the Piano the first Monday in January. Terms, twenty dollars per Session. Dec 27.

HEALTH.

WHILE in the enjoyment of health, few people think of availing themselves of the opportunity which may offer of fortifying their systems against the attacks of disease, which they might so easily do, by a light course of the Hygeian Medicines; which, though efficacious in restoring health when lost, presents an agreeable and pleasant preventive of contagion and epidemical complaints. They operate, in cases of Dyspepsia, with the unerring certainty of that most dangerous of all specifics, prussic acid, in removing those coats of dead phlegmatic humors which cover and render inert the digestive organs of the stomach, in purifying the blood, and restoring the whole body to a healthy and happy tone of feeling, and enabling the stomach to receive and retain whatever kind of food, either animal or vegetable, which usage has accustomed as fit for nourishing the human frame. In no case have they ever failed in effecting a cure, when properly persevered in, in a quarter what may have been the nature of the complaint.—Gentlemen of the first respectability of New-York, who have used these Medicines, have authorized references to them for testimony corroborative of these assertions. Besides which, the written and published testimony of hundreds can be adduced to the same purpose.

The system of physiology upon which the efficacy of these Medicines is established, is extremely simple, and may be easily comprehended; it recognizes in the human frame but one disease which, taken at its origin, is denominated impurity of the blood, connected with a disordered state of the digestive organs, however various may be the appearances and symptoms in which it appears upon the surface of the body. People afflicted with hypochondria, vertigo, weak eyes, nervous debility, sick headache, sour stomach, or pimples, and immediate and permanent relief from the use of the Hygeian Medicines. To ladies, in particular, they strongly recommend themselves, and among other things as a cosmetic, as they render the skin clear and smooth, and purge it of all humors and bad humors.

For sale by J. Gale & Son, Raleigh; E. J. Hale, Fayetteville; and T. W. W. of Newbern; by appointment of Dr. H. S. Mott, Graduate of the British College of Health.

Merrittiana, the Family Adviser of the British College of Health. 3d edition, 700 pages. Price 10s. sterling. Dec. 20.