

Raleigh Register,

AND NORTH-CAROLINA GAZETTE.

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

TUESDAY, MARCH 26, 1833.

No. 20.

THE REGISTER

IS PUBLISHED EVERY TUESDAY,
By Joseph Gales & 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.

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CONGRESS.

SPEECH OF MR. CALHOUN.

On the Bill further to provide for the Collection of Duties on Imports.

CONTINUED.

It had been further objected, that the State had acted precipitately. What! precipitately! after making a strenuous resistance for twelve years—by discussion here and in the other House of Congress—by essays in all forms—by resolutions, remonstrances, and protests on the part of her Legislature, and finally by attempting an appeal to the judicial power of the United States? He said attempting, for they had been prevented from bringing the question fairly before the Court, and that by an act of that very majority in Congress which now upbraids them for not making that appeal; of that majority who, on a motion of one of the members in the other House from South-Carolina, refused to give to the act of 1828 its true title, that it was a *protection*, and not a *revenue* act. The State has never, it is true, relied upon that tribunal, the Supreme Court, to vindicate its reserved rights; yet they have always considered it as an auxiliary means of defence, of which they would gladly have availed themselves, to test the constitutionality of protection, had they not been deprived of the means of doing so by the act of the majority.

Notwithstanding this long delay of more than ten years, under this continued encroachment of the Government, we now hear it on all sides, by friends and foes, gravely pronounced, that the State has acted precipitately—that her conduct has been rash. That such should be the language of an imbecile majority, who, by means of this unconstitutional and oppressive system, are annually extorting millions from the South, to be bestowed upon other sections, was not at all surprising. Whatever impedes the course of advance and ambition, will ever be denounced as rash and precipitate. And had South-Carolina delayed her action fifty years, she would have heard from the same quarter the same language; but it was really surprising that those who were suffering in common with herself, and who have complained equally loud of their grievances; who had pronounced the very acts which she had asserted within her limits to be oppressive, unconstitutional, and ruinous, after so long a struggle—a struggle longer than that which preceded the separation of these States from the mother-country—longer than the periods of the Trojan war—should now complain of precipitancy! No, it is not Carolina which has acted precipitately, but her sister States, who have suffered in common with her, that have acted rashly. Had they acted as she has done—had they performed their duty with equal energy and promptness, our situation this day would be very different from what we now find it. Delays are said to be dangerous, and never was the maxim more true than in the present case—a case of monopoly. It is the very nature of monopolies to grow. If we take from one side a large portion of the proceeds of its labor and give it to the other, the side from which we take must constantly decay, and that to which we give must prosper and increase. Such is the action of the protective system. It exacts from the South a large portion of the proceeds of its industry, which it bestows upon the other sections, in the shape of bounties to manufactures, and appropriations in a thousand forms—pensions, improvement of rivers and harbors, roads and canals, and in every shape that wit or ingenuity can devise. Can we then be surprised that the principle of monopoly grows, when it is so simply remunerated at the expense of those who support it? And this is the real reason of the fact which we witness, that all acts for protection pass with small majorities, but soon come to be sustained by great and overwhelming majorities. Those who seek the monopoly, endeavor to obtain it in the most exclusive shape; and they take care, accordingly, to associate only a sufficient number of interests barely to pass it through the two Houses of Congress—on the plain principle, that the greater the number from whom the monopoly takes, and the fewer on whom it bestows, the greater is the advantage to the monopolists. Acting in this spirit, we have often seen with what exact precision they count, adding wool to wools, associating lead and iron, feeling their way, until a bare majority is obtained, when the bill passes, connecting just as many interests as is sufficient to ensure its success, and no more. In a short time, however, we have invariably found that this *law*, becomes a decided majority, under the certain operation which compels individuals to desert the pursuits which they monopolize, and to seek the pursuits which they have rendered unprofitable, that they may participate in those pursuits which it has rendered profitable. It is against this dangerous and growing disease which South-Carolina has acted—a disease whose cancerous action would spread to every part of the system, had it not been speedily arrested.

There was another powerful reason why the action of the State could not be safely delayed. The public debt as he had already stated, for all practical purposes, had already been paid; and, under the existing duties, a large annual surplus of many millions, must come into the Treasury. It was impossible to look at this state of things without seeing the most mischievous consequences; and, among others, that it would not only be a source of power, and almost insupportable obstacles to throwing off the burden under which the South had been so long laboring. The disposition of the surplus would become a subject of violent and corrupt struggle, and could not fail to reap up new and powerful interests in support of the existing system; not only in those sections which have been heretofore benefited by it, but

even in the South itself. He could not but trace to the anticipation of this state of the Treasury, the sudden and extraordinary movements which had taken place at the last session in the Virginia Legislature, in which the whole South was vitally interested. It was impossible for any rational man to believe, that that State could seriously have thought of effecting the scheme to which he alluded by her own resources, without powerful aid from the General Government.

It was next objected, that the enforcing acts had legislated the United States out of South-Carolina. He had already replied to this objection on another occasion, and would now but repeat what he then said—that they had been legislated out only to the extent that they had no right to enter. The Constitution had admitted the jurisdiction of the United States within the limits of the several States, only so far as the delegated powers authorized; beyond that they were intruders, and might rightfully be expelled; and that they had been expelled by the legislation of the State through her civil process, as has been acknowledged on all sides in the debate, is only a confirmation of the truth of the doctrine for which the majority in Carolina had contended.

The very point at issue between the two parties there, was whether Nullification was a peaceful and an efficient remedy against an unconstitutional act of the General Government, which might be asserted as such through the State tribunals. Both parties agree, that the acts against which it was directed, are unconstitutional and oppressive. The controversy was only as to the means by which our citizens might be protected against the acknowledged encroachments on their rights. This being the point at issue between the parties, and the very object of the majority, being an efficient protection of the citizens, the State tribunals; the measures adopted to enforce the ordinance, of course, received the most decisive character. We were not children to act by halves. Yet, for acting thus efficiently, the State is denounced, and this bill reported, to overturn, by military force, the civil tribunals and civil process of the State! Sir, said Mr. C. I consider this bill, and the arguments which have been urged on this floor in its support, as the most triumphant acknowledgment that Nullification is peaceful and efficient; and so deeply entrenched in the principles of our system, that it cannot be assailed but by prostrating the Constitution, and substituting the supremacy of military force in lieu of the supremacy of the laws. In fact, the advocates of this bill refute their own argument. They tell us that the Ordinance is unconstitutional, that it infracts the Constitution of South-Carolina; although to him the objection appears absurd, as it was adopted by the very authority who adopted the Constitution itself. They also tell us that the Supreme Court is the appointed arbiter of all controversies between a State and the General Government. Why, then, do they not leave this controversy to that tribunal? Why do they not confide to them the abrogation of the Ordinance, and the laws made in pursuance of it, and the assertion of that supremacy which they claim for the laws of Congress? The State stands pledged to resist no process of the Court. Why, then, confer on the President the extensive and unlimited powers provided in this bill? Why authorize him to use military force to arrest the civil process of the State? But one answer can be given. That in a contest between the State and General Government, if the resistance be limited on both sides to the civil process, the State, by its inherent sovereignty, standing upon its reserved powers, will prove too powerful in such a controversy, and must triumph over the Federal Government, sustained by its delegated and limited authority; and, in this answer, we have an acknowledgment of the truth of those great principles for which the State has so firmly and nobly contended.

Having made these remarks, the great question is now presented—Has Congress the right to pass this bill?—Which he would next proceed to consider. The decision of this question involves the inquiry into the provisions of the bill. What are they? It puts at the disposal of the President the Army and Navy, and the entire Militia of the country. It enables him, at his pleasure, to subject every man in the United States, not exempt from militia duty, to martial law—to call him from his ordinary occupation, to the field, and under the penalty of fine and imprisonment, to obey the commands of a court martial, to imbue his hand in his brother's blood. There is no limitation on the power of the sword, and that over the purse is equally without restraint; for, among the extraordinary features of the bill, it contains no appropriation which, under existing circumstances, is tantamount to an unlimited appropriation. The President may, under its authority, incur any expenditure, and pledge the national faith to meet it. He may create a new national debt, at the very moment of the termination of the former—a debt of millions to be paid out of the proceeds of the labor of that section of the country whose dearest constitutional rights this bill prostrates! Thus exhibiting the extraordinary spectacle, that the very section of the country which is urging this measure, and carrying the sword of devastation against us, are at the same time incurring a new debt, to be paid by those whose rights are violated; while those who violate them are to receive the benefits in the shape of bounties and expenditures.

And for what purpose is the unlimited control of the purse and of the sword thus placed at the disposal of the Executive? To make war against one of the free and sovereign members of this Confederation; while the bill proposes to deal with, not as a State, but as a collection of banditti or outlaws. Thus exhibiting the impious spectacle of this Government, the creature of the States, making war against the power to which it owes its existence.

The bill violates the Constitution, plainly and palpably, in many of its provisions, by authorizing the President, at his pleasure, to place the different parts of this Union on an unequal footing, contrary to that provision of the Constitution which declares that no preference should be given to one port over another. It also violates the Constitution, by authorizing him, at his discretion, to impose cash duties on one port, while credit is allowed in others; by enabling the President to regulate commerce, a power vested in Congress alone; and, by drawing within the jurisdiction of the United States Courts, powers never intended to be conferred on them. As great as these objections were, they became insignificant in the provisions of a bill, which, by a single blow, by treating the States as a mere lawless mass of individuals—prostrates all the barriers of the Constitution. He would pass over the minor considerations, and proceed directly to the great point. This bill proceeds on the ground that the entire sovereignty of this country belongs to the American People, as forming one great community, and regards the States as mere fractions or counties, and not as an integral part of the Union; having no more right to resist the encroachments of the Government than a county has to resist the authority of the State; and treating such resist-

ance as the lawless acts of so many individuals, without possessing sovereign or political rights. It has been said that the bill declares war against South-Carolina. No; it decrees a massacre of her citizens! War has something ennobling about it, and, with all its horrors, brings into action the highest qualities, intellectual and moral. It was perhaps, in the order of Providence, that it should be permitted for that very purpose. But this bill declares no war, except, indeed, it be that which savages wage—a war, not against the community, but the citizens of whom that community is composed. But he regarded it as worse than savage warfare—an attempt to take away life under the color of law, without the trial by jury, or any other safeguard which the Constitution has thrown around the life of a citizen! It authorizes the President, or even his deputies, when they may suppose the law to be violated, without the intervention of a court or jury, to kill without mercy or discrimination!

It was said by the Senator from Tennessee, (Mr. Grundy) to be a measure of peace! Yes, such peace as the wolf gives to the lamb; the kite to the dove! Such peace as Russia gives to Poland; or death to its victim! A peace by extinguishing the political existence of the State, by awing her into an abandonment of the exercise of every power which constitutes her a sovereign community. It is to South-Carolina a question of self-preservation, and I proclaim it, that should this bill pass, and an attempt be made to enforce it, it will be resisted at every hazard—even that of death itself. Death is not the greatest calamity; there are others still more terrible to the free and brave; and among them may be placed the loss of liberty and honor. There are thousands of her brave sons who, if need be, are prepared cheerfully to lay down their lives in defence of the State, and the great principles of constitutional liberty for which she is contending. God forbid that this should become necessary. It never can be, unless this Government is resolved to bring the question to extremity, when her gallant sons will stand prepared to perform the last duty; to die nobly.

It is said (said Mr. Calhoun) on the ground that this Constitution was made by the States; that it is a federal Union of the States, in which the several States still retain their sovereignty. If these views be correct, he had not characterized the bill so strongly, which presents the question whether they be or be not. He would not enter into the discussion of that question now. He would refer it, for the present, to the future. He said on the introduction of the resolutions, on the table, and in a hope that another opportunity would be afforded for more ample discussion. He would for the present confine his remarks to the objections which had been raised to the views which he had presented when he introduced them. The authority of Luther Martin had been adduced by the Senator from Delaware to prove that the citizens of a State, acting under the authority of a State, were liable to be punished as traitors by this Government. As Mr. Martin was, as a lawyer, and a high authority might be considered, on a legal point, he could not accept of his determination of the point at issue. The attitude which he occupied, taken in view, would lessen, if not destroy, the weight of his authority. He had been violently opposed, in Convention, to the Constitution, and the very letter from which the Senator had quoted, was in effect to disavow Martin and his adoption. With this view it was to be expected that every consideration calculated to effect that object should be urged; that real objections should be exaggerated, and that those having no foundation except mere plausible delusions should be presented. It is to this spirit that the attributed opinion of Mr. Martin, in reference to the point under consideration. But if his authority is good on one point, it must be admitted to be equally so on another. If his opinion be sufficient to prove that a citizen of the State may not punish a traitor when acting under the allegiance to the State, it is also sufficient to show that the authority was intended to be given to the Constitution for the protection of man's creatures by the General Government, and that the provision in the Constitution, permitting a State to lay an impost duty with the consent of Congress, was intended to reserve the right of protection to the States themselves, and that each State should protect its own industry. Assuming his opinion to be of equal authority on both points, how embarrassing would be the attitude in which it would place the Senator from Delaware, and with which whom he is setting—that of using the sword and the bayonet to enforce the execution of an unconstitutional act of Congress. He now expresses his surprise that the slightest authority in favor of power should be received as the most conclusive evidence, while that which is at least equally strong in favor of right and liberty, is wholly overlooked or rejected.

Notwithstanding all that has been said, he must say, that neither the Senator from Delaware, (Mr. Clayton) nor any other who had spoken on the same side, had directly and fairly met the great questions at issue: Is this a federal Union? Is the sovereignty in the several States or in the American people in the aggregate? These very language which we are compelled to use, when speaking of our political institutions, afford a root collection of the great powers which the Union, federal, united, all imply a combination of sovereignties a confederation of States. They are never applied to an association of individuals. Who ever heard of the United States of New York, or Massachusetts, or Virginia? Who ever heard of the term federal or Union applied to the aggregation of individuals into one community? No, it is the other point less clear—that the sovereignty is in the several States; and that our system is a union of twenty-four sovereign powers, under a constitutional compact, and not of a divided sovereignty between the States severally and the United States. In spite of all that had been said, he maintained that sovereignty is, in its nature, indivisible. It is the supreme power in a State, and we might just as well speak of half a square, or half of a triangle, as of half a sovereignty. It is a gross error to suppose that the powers of the Union are divided between master and slave; a union of execution on one side, and of unqualified obedience on the other. That obedience which we are told by the Senator from Pennsylvania, (Mr. Wilkins) is the Union? Yes; action on the side of the master—for this very bill is intended to collect what can be no longer called taxes—the voluntary contribution of a free people; but tribute, tribute to be collected under the mouth of the cannon! Your custom house is already transferred to a garrison, and that garrison, with its batteries turned, not against the enemy of your country, but on subjects, (I will not say citizens) on whom you propose to levy contributions. Has reason fled from our borders? Have we ceased to reflect? It is madness to suppose that the Union can be preserved by force. I tell you plainly that the Union, if it passes cannot be preserved. It will prove only a blot upon your statute book, a reproach to the year, and a disgrace to the American Senate. I repeat, that it will be executed; it will rouse the dormant spirit of the people, and open their eyes to the aptness of despotism. The country has sunk into a state of political corruption, from which nothing could arouse it, but some measure on the part of the Government, of force and madness, such as that now under consideration.

Disguise it as you may, the controversy is one between power and liberty, and he would tell the gentlemen who are opposed to him, that as strong as might be the love of power on their side, the love of liberty is still stronger on ours. History furnishes many instances of similar struggles, where the love of liberty has prevailed against power, under every disadvantage, and among them few more striking than that of our own revolution; and as feeble as were the colonies, yet under the impulse of liberty and the blessing of God, they gloriously triumphed in the contest. There were, indeed, many and striking analogies between that and the present controversy; they originated substantially in the same cause, with this difference, that, in the present case, the power taxation is converted into that of regulating industry, in that, the power of regulating industry by the regulation of commerce, was attempted to be converted into the power of taxation. Were he to trace the analogy farther, he would find that the perversion of the taxing power, in one case, has given precisely the same control to the northern section over the majority of the southern section of the Union, that the power to regulate commerce gave to Great Britain over the majority of the colonies; and that the very articles in which the

colonies were permitted to have a free trade, and those in which the other country had a monopoly, are almost identical; the same articles, and under which the Southern States are permitted to have a free trade by the act of 1833, and which the Northern States have, by the same act, secured a monopoly, the only difference is in the means; in the former the colonies were permitted to have a free trade, with all countries south of Cape Finisterre, a cape in the northern part of Spain; while north of that the trade of the colonies was prohibited except through the mother country, by means of her commercial regulations. If we compare the products of the country north and south of Cape Finisterre, we will find them almost identical with the list of the protected and unprotected articles contained in the act of last year. Nor does the analogy terminate here. The very arguments resorted to at the commencement of the American revolution, and the measures adopted, and the motives assigned to bring on that contest, (to enforce the law) are almost identically the same.

But, said Mr. Calhoun, to return from this digression to the consideration of the bill. What ever opinion may exist upon other points, there is one in which he would suppose there could be none; that this bill rests on principles which, if carried out, will ride over State sovereignties, and that it will be idle for any of its advocates hereafter to talk of State rights. The Senator from Virginia (Mr. Rives) says that he is the advocate of State rights; but he must permit me to tell him that although he may differ in premises from the other gentlemen with whom he acts on this occasion, yet in supporting this bill he is in support of a very vestige of distinction between him and all others saving only that, professing the principles of '93, his example will be more pernicious than that of the most open and bitter opponents of the rights of the States. He would also add, what he was compelled to say, that he must consider him (Mr. Rives) as less consistent than our old opponents, whose conclusions were fairly drawn from their premises, whilst his premises ought to have led him to opposite conclusions. The gentleman has told us that the new forged doctrine, as he chooses to call them, had brought State rights into disrepute. He must tell him, in reply, that what he called new forged doctrine, but the doctrine of '93, and that it is he, Mr. Rives, and others with him, who, professing these doctrines, had degraded them by explaining away their meaning and efficacy. He (Mr. R.) had disclaimed in behalf of Virginia, the authorship of nullification. Mr. C. would not dispute that point. If Virginia chose to throw away one of her brightest ornaments she must not hereafter complain that it had become the property of another. But while as a representative of Carolina, he had no right to complain of the disavowal of the Senator from Virginia, he must believe that he (Mr. R.) had done his native State great injustice, by declaring on this floor, that when she gravely resolved, in '93, that "in cases of deliberate and dangerous violations of the Constitution, the States, as parties to the compact, have the right and are in duty bound, to interpose to arrest the progress of the evil, and to maintain within their respective limits the authorities, rights and liberties appertaining to them," meant no more than to claim the right to protest and remonstrate. To suppose that in putting forth so solemn a declaration, which she afterwards sustained by a noble and elaborate an argument, she meant no more than to assert what no one had ever denied, would be to suppose that the State had been guilty of the most egregious trifling that ever was exhibited on so solemn an occasion.

Mr. C. said that in reviewing the ground over which he had passed, it would be apparent that the question in controversy involved that most important and all political question, whether ours was a federal or a consolidated Government. A question on the decision of which depends, as he solemnly believed, the liberty of the People, their happiness, and the place which we are destined to hold in the moral and intellectual scale of Nations. Never was there a controversy in which more important consequences were involved, not excepting that between Persia and Greece, decided by the battles of Marathon, Plataea, and Salamis, which gave ascendancy to the genius of Europe over that of Asia, and which, in its consequences, has been instrumental to effect the destiny of so large a portion of the world, even to this day. There is, said Mr. C. often close analogies between events apparently very remote, which are strikingly illustrated in this case. In the great contest between Greece and Persia, between European and Asiatic polity and civilization, the very question between the Federal and consolidated form of Government was involved. The Asiatic Government, from the remotest time, with some exceptions on the eastern shore of the Mediterranean, have been based on the principle of consolidation, which considers the whole community as but a unit, and consolidates its powers in a central point. The opposite principle has prevailed in Europe—Greece, throughout all her States, was based on a federal system. All were united in one common, but loose bond, and the Governments of the several States partook, for the most part, of a complex organization, which distributed political power among different members of the community. The same principles prevailed in ancient Italy; and if we turn to the Teutonic race, our great ancestors, the race which occupies the first place in power, civilization, and science, and which possess the largest and the fairest part of Europe, we will find that their Governments were based on the federal organization, as has been clearly illustrated by an eminent and able writer on the British Constitution (Mr. P. J. G. J.) from whose writings he has derived the following extract:

In this manner the first establishment of the Teutonic State was effected. They were assemblies of seats, clans, and tribes; they were confederated hosts and armies, led on by princes, magistrates, and chiefs, each of whom was originally independent, and each of whom held a portion of his pristine independence, in proportion as he and his companions became united under the supremacy of a sovereign, who was superintended upon the State, first as a Military commander, afterwards as a king. Yet, notwithstanding this political connexion, each member of the State continued to retain a considerable portion of the rights of sovereignty. Every ancient Teutonic monarchy must be considered as a federation; it is not an unit, of which the several members partook therein contained as the fractions, but they are the integers, and the State is the multiple which results from them. Dukedoms and counties, barons and baronies, towns and townships, and shires, from the Kingdom, all in a certain degree, strangers to each other, and separate in jurisdiction, though all obedient to the supreme executive authority. This general description, though not always strictly applicable in terms, is always substantially and effectively; and hence becomes necessary to discard the language which has been very generally employed in treating

on the English constitution. It has been supposed that the kingdom was reduced into a single place, and a central subordination of Government, and that the various legal districts of which it is composed, arose from the divisions of the country. But this hypothesis, which tends greatly to perplex our history, cannot be supported by fact; and instead of viewing the constitution as a whole, and then proceeding to its parts, we must examine it synthetically, and assume that the supreme authorities of the State were created by the concentration of the powers originally belonging to the members and corporations of which it is composed. If we give way for a moment to a conjecture.

On the next day, Mr. Calhoun proceeded by remarking that he had omitted at their proper place, in the course of his observations yesterday, two or three points to which he would now advert, before he resumed the discussion where he had left off. He had stated that the ordinance against the Revenue, but against the system of protection. But it might be asked, if such was the object, how happens it that she has declared the whole system void, revenue as well as protection, without discrimination? Is this question which he proposed to answer. Her justification will be found in the necessity of the case; and, if there be any blame, it could not attach to her. The two were so blended, throughout the whole, as to make the entire revenue system subordinate to the protection, so as to constitute a complete system of protection, in which it was impossible to discriminate the two elements of which it is composed. South-Carolina at least could not make the discrimination, and she was reduced to the alternative of acquiescing in a system which she held to be unconstitutional, and which she felt to be oppressive and ruinous, or, to consider the whole as one, actually tampered through all its parts, by the unconstitutionality of the protective portion; and, as such, to be resisted by the act of the State. He maintained that the State had a right to regard it in the latter character, and that if a loss of revenue followed, the fault was not hers, but of this Government, which had improperly blended together, in a manner not to be separated by the State, two systems wholly dissimilar. If the sincerity of the State be doubted; if it be supposed that her action is against revenue as well as protection, let the two be separated, and let the duties as are intended for revenue, be put in one bill, and the duties intended for protection be put in another, and he pledged himself that the ordinance and the acts of the State would cease as to the former, and be directed exclusively against the latter.

He stated, in the course of his remarks yesterday, and trusted he had conclusively shown that the act of 1815, with the exception of a single item, to which he had alluded, was, in reality a revenue measure, and that Carolina, and the other States, in supporting it had not incurred the slightest responsibility in relation to the system of protection, which had since grown up, and which now distracts the country. Sir, said Mr. C. I am willing as one of the representatives of Carolina, and I believe, I speak the sentiment of the State, to take that act as the basis of a permanent adjustment of the tariff, simply reducing the duties, in an average proportion, on all the items, to the revenue point. I make that offer now to the advocates of the protective system; but I must, in candor, inform them, that such an adjustment would distribute the revenue between the protected and unprotected articles more favorably to the States and to the South, and less so to the manufacturing interests, than an average uniform ad valorem, and accordingly, more so than that now proposed by Carolina through her Convention. After such an offer, no man who valued his candor, will dare accuse the State, or those who have represented her here, with inconsistency in reference to the point under consideration.

He omitted, also on yesterday, to notice a remark of the Senator from Virginia, (Mr. Rives), that the only difficulty in adjusting the tariff grew out of the ordinance and the acts of South-Carolina. He must attribute an assertion, so inconsistent with the facts, to an ignorance of the occurrences of the last few years, in reference to this subject, occasioned by the absence of the gentleman from the United States, to which he himself alluded in his remarks. If the Senator will take pains to review the history, he will find that this protective system, advanced with a continued rapid step, in spite of petitions, remonstrances, and protest, of not only Carolina, but also of Virginia and of all the Southern States, until 1821; when Carolina, for the first time, changed the character of her resistance, by holding up her reserved rights as the shield of her defence against further encroachment. This attitude alone, unaided by a single State, arrested the further progress of the system, so that the question from that period to this, on the part of the manufacturers, has been, not how to acquire more, but how to retain that which they have acquired. He would inform the gentleman, that if this attitude had not been taken on the part of the State, the question would not now be, how duties ought to be repealed, but how to question as to the protected articles, between prohibition on one side, and the duties established by the act of 1823, on the other. But a single remark will be sufficient in reply to what he must consider the invidious remark of the Senator from Virginia (Mr. Rives). The act of 1833, which has not yet gone into operation, and which was passed but a few months since, was declared by the supporters of the system to be a permanent adjustment, and the bill proposed by this Treasury Department, not essentially different from the act itself, was in like manner declared to be intended by the administration, as a permanent arrangement. What has occurred since, except this ordinance, and these absurd acts of the ex-ministered State, to produce the mighty revolution in reference to this odious system? Unless the Senator from Virginia can assign some other cause, he is bound, upon every principle of fairness, to retract this unjust aspersion upon the acts of South-Carolina.

After noticing, said Mr. C. another omission, he would proceed with his remarks. The Senator from Delaware, (Mr. Clayton) as well as others, had relied with great emphasis on the fact, that we are citizens of the United States. I said Mr. C. do not object to the expression, nor shall I detract from the proud and elevated feelings with which it is associated; but he trusted that he might be permitted to raise the inquiry, in what manner are we citizens of the United States, without weakening the patriotic feeling with which he trusted it would ever be cherished. If by citizen of the United States he meant a citizen at large, one whose citizenship extended to the entire geographical limits of the country, without having a local citizenship in some State or Territory, a sort of citizen of the world, all he had to say was, that such a citizen would be a perfect non-descript; that not a single individual of this description could be found in the entire mass of our population. Notwithstanding all the pomp and display of

the English constitution. It has been supposed that the kingdom was reduced into a single place, and a central subordination of Government, and that the various legal districts of which it is composed, arose from the divisions of the country. But this hypothesis, which tends greatly to perplex our history, cannot be supported by fact; and instead of viewing the constitution as a whole, and then proceeding to its parts, we must examine it synthetically, and assume that the supreme authorities of the State were created by the concentration of the powers originally belonging to the members and corporations of which it is composed. If we give way for a moment to a conjecture.

On the next day, Mr. Calhoun proceeded by remarking that he had omitted at their proper place, in the course of his observations yesterday, two or three points to which he would now advert, before he resumed the discussion where he had left off. He had stated that the ordinance against the Revenue, but against the system of protection. But it might be asked, if such was the object, how happens it that she has declared the whole system void, revenue as well as protection, without discrimination? Is this question which he proposed to answer. Her justification will be found in the necessity of the case; and, if there be any blame, it could not attach to her. The two were so blended, throughout the whole, as to make the entire revenue system subordinate to the protection, so as to constitute a complete system of protection, in which it was impossible to discriminate the two elements of which it is composed. South-Carolina at least could not make the discrimination, and she was reduced to the alternative of acquiescing in a system which she held to be unconstitutional, and which she felt to be oppressive and ruinous, or, to consider the whole as one, actually tampered through all its parts, by the unconstitutionality of the protective portion; and, as such, to be resisted by the act of the State. He maintained that the State had a right to regard it in the latter character, and that if a loss of revenue followed, the fault was not hers, but of this Government, which had improperly blended together, in a manner not to be separated by the State, two systems wholly dissimilar. If the sincerity of the State be doubted; if it be supposed that her action is against revenue as well as protection, let the two be separated, and let the duties as are intended for revenue, be put in one bill, and the duties intended for protection be put in another, and he pledged himself that the ordinance and the acts of the State would cease as to the former, and be directed exclusively against the latter.

He stated, in the course of his remarks yesterday, and trusted he had conclusively shown that the act of 1815, with the exception of a single item, to which he had alluded, was, in reality a revenue measure, and that Carolina, and the other States, in supporting it had not incurred the slightest responsibility in relation to the system of protection, which had since grown up, and which now distracts the country. Sir, said Mr. C. I am willing as one of the representatives of Carolina, and I believe, I speak the sentiment of the State, to take that act as the basis of a permanent adjustment of the tariff, simply reducing the duties, in an average proportion, on all the items, to the revenue point. I make that offer now to the advocates of the protective system; but I must, in candor, inform them, that such an adjustment would distribute the revenue between the protected and unprotected articles more favorably to the States and to the South, and less so to the manufacturing interests, than an average uniform ad valorem, and accordingly, more so than that now proposed by Carolina through her Convention. After such an offer, no man who valued his candor, will dare accuse the State, or those who have represented her here, with inconsistency in reference to the point under consideration.

He omitted, also on yesterday, to notice a remark of the Senator from Virginia, (Mr. Rives), that the only difficulty in adjusting the tariff grew out of the ordinance and the acts of South-Carolina. He must attribute an assertion, so inconsistent with the facts, to an ignorance of the occurrences of the last few years, in reference to this subject, occasioned by the absence of the gentleman from the United States, to which he himself alluded in his remarks. If the Senator will take pains to review the history, he will find that this protective system, advanced with a continued rapid step, in spite of petitions, remonstrances, and protest, of not only Carolina, but also of Virginia and of all the Southern States, until 1821; when Carolina, for the first time, changed the character of her resistance, by holding up her reserved rights as the shield of her defence against further encroachment. This attitude alone, unaided by a single State, arrested the further progress of the system, so that the question from that period to this, on the part of the manufacturers, has been, not how to acquire more, but how to retain that which they have acquired. He would inform the gentleman, that if this attitude had not been taken on the part of the State, the question would not now be, how duties ought to be repealed, but how to question as to the protected articles, between prohibition on one side, and the duties established by the act of 1823, on the other. But a single remark will be sufficient in reply to what he must consider the invidious remark of the Senator from Virginia (Mr. Rives). The act of 1833, which has not yet gone into operation, and which was passed but a few months since, was declared by the supporters of the system to be a permanent adjustment, and the bill proposed by this Treasury Department, not essentially different from the act itself, was in like manner declared to be intended by the administration, as a permanent arrangement. What has occurred since, except this ordinance, and these absurd acts of the ex-ministered State, to produce the mighty revolution in reference to this odious system? Unless the Senator from Virginia can assign some other cause, he is bound, upon every principle of fairness, to retract this unjust aspersion upon the acts of South-Carolina.

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