Riegistisik.

AND NORTH-CAROLINA GAZETTE.

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

TUESDAY, APRIL 2, 1833.

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CONGRESS.

MR. WEBSTER'S SPEECH, In reply to Mr. Calhoun, On the Bill further to provide for the Collection of Duties on Imports.

he Collection of Duties.

On the 221 day of the same month, Mr. ALHOUN submitted the following Reso-

between the States ratifying the same.

hat Government, for that purpose, certain defi. threaten its subversion. make its discretion, and not the Constitution, the I fied. cases of compact among sovereign parties, with ne mode and measure of redress.

of these United States, taken collectively as in- lar notice. dividuals, are now, or ever have been, united on the principle of the social compact, and as such member affirm these propositions, viz: have not, as members thereof retained their so- are the parties. ents; and that they have not the right of judging mode and measure of redress. the last resort as to the extent of the powers It is true, sir, that the honorable member calls

Mr. WEBSTER followed him.

boman bog.

Indeman, in whatever form she may have ap-

always and every where, charms for me. Yet, States. tain and defend.

in the Senate or by the country, was likely to be, example in the resolutions before us. for subsequent publication: those of the Constitution of the country might depend on less not without a well considered purpose. become awakened to this great question ; it has grasped it, it has reasoned upon it, as become settled it, or now seems in the progress of sei "ac it, by an authority which none can disobe -the

authority of the people themselves. I shall not, Mr. President, follow the gentleman, step by step. through the course of his speech. Much of what he has said, he has deemed necestary, or content as a sum of are unconstitutional. In the judgment of sary to the just explanation and defence of his ger to it; and seession implies departing from our is not no to a sum of the other States they are not so. It is not ing to own political character and conduct. On this I such league or confederacy. The people of the shall offer no comment. Much, too, has consist- United States have used no such form of expres ed of philosophical remark upon the general na- sion, in establishing the present Government -On the 21st of January, 1833, Mr. Will- ture of political liberry, and the history of free They do not say that they accede to a league, but Chairman of the Judiciary Committee, institutions; and of other topics, so general in they declare that they ordern and establish a conintroduced the bill further to provide for their nature, as to possess, in any opinion, only a stitution. Such are the very words of the instruremote bearing on the immediate subject of this ment itself; and in all the States, without an ex-

he people of each State acceded, as a separate and to compare it with the Constitution of the

an separate Government; and that, whenever ger, therefore, of misunderstanding him, or those of powers not delegated by the compact, its ac's resolutions, and consider them as an authentic are unauthorized, and are of no effect; and that statement of those opinions, up n the great con-

These resolutions are three in number.

The third seems intended to enumerate, and to out any common judge, each has an equal right deny, the several opinions expressed in the Preo judge for itself, as well of the infraction as of sident's Proclamation, respecting the nature and powers of this Government. Of this third reso-

The two first resolutions of the honorable

re now formed into one nation or people, or 1. That the political system, under which we that they have ever been so united in any one live, and under which Congress is now assembled, stage of their political existence; that the peo- is a compact, to which the people of the several leof the several States composing the Union States, as separate and sovereign communities,

rereignty; that the allegiance of their citizens 2. That these sovereign parties have a right to has been transferred to the General Government; judge, each for itself, of any alleged violation of but of ratifying and confirming them; and this that they have parted with the right of punishing the Constitution by Congress; and, in case of language was not used inadvertently, because, in sole ju ige of his i wu mode and measure of rereason through their respective State Govern. such violation, to choose, each for itself, its own

eserved, and of consequence of those delegat- this a "constitutional" compact; but still he afd; are not only without foundation in truth, firms it to be a compact between sovereign States. but are contrary to the most certain and plain What precise meaning, then, does he attach to istorical facts, and the clearest deductions of the term constitutional? When applied to comcason; and that all exercise of power on the pacts between sovereign States, the term constiout of the General Government, or any of its de- tutional affixes to that word compact no definite

oriments, claiming authority from such errone-lidea. Were we to hear of a constitutional league ous assumptions, must of necessity be unconsti- or treaty between England and France, or a con utional-must tend, directly and inevita ly, to stitutional convention between Austria and Rusabvert the sovereignty of the States, to destroy sia, we should not understand what could be infed tal character of the Union, and to rear tended by such a league, such a treaty, or such its ruins a consol dated Government, without a convention. In these connexions, the word is institutional check or limitation, and which void of all meaning ; and yet, sir, it is easy, quite ust necessarily terminate in the loss of liberty easy, to see why the honorable gentleman has used it in these resolutions. He cannot open the On Saturday, the 16th of February, book, and look upon our written frame of Gov-Mr. Calhoun spoke in opposition to the ernment, without seeing that it is called a Constitution. This may well be appalling to him.— It threatens his whole doctrine of compact, and its darling derivatives, inultification and secession, The gentleman from South-Carolina said. Mr. with instant confutation. Because, if he admits PERSTER, has admonished us to be mindful of our instrument of Government to be a constitution, opinions of those who shall come after us .- | then, for that very reason, it is not a compact bemust take our chance, sir, as to the light in tween sovereigns; a constitution of Government, hich posterity will regard us. I do not decline and a compact between sovereign Powers, being judgment, nor withhold myself from its scrutthings essentially unlike in their very natures, whility, I fearlessly trust myself to the coun- ment. He cannot overlook it. He seeks, there- show her right to make a revolution. , now and hereafter, and leave both my mo fore to compromise the matter, and to sink all the substantial sense of the word, while he retains a The gentleman has terminated his speech in a resemblance of its sound. He introduces a new ne of threat and defiance towards this bill, even word of his own, viz. combact, as importing the "It become a law of the land, altogether principal idea, and designed to play the principal usual in the halls of Congress. But I shall part, and degrades constitution into an insignifi-

on in which the gentleman has placed will find himself disappointed. Sir, I must say self. Bur he does himself no justice. The to the honorable gentleman, that in our Ameri-We which he has espoused finds no basis in the can political grammar, constitution is a noun stitution-no succor from public sympathy - substantive; it imports a distinct and clear idea, cheering from a patriotic community. He of itself; and it is not to lose its importance and say that the people of the several States ratified of redress justly op n to the discretion and choice than a name. The articles of confederation, as 4. That an attempt by a State to abrogate, anas no foothold on which to stand, while he might dignity, it is not to be turned into a poor, ambisplay the powers of his acknowledged talents. guous, senseless, unmeaning adjective, for the very thing beneath his feet is hollow and trea- purpose of accommodating any new set of politi-He is like a strong man struggling in cal notions. Sir, we reject his new rules of synmoress: every effort to extricate himself, only tax altogether. We will not give up our forms ik, him deeper and deeper. And I fear the of political speech to the grammarians of the mbiance may be carried still further; I tear school of Nullification. By the constitution, we mode and measure of redress? It is obvious, is it mean not a "constitutional compact," but simply not sir, that this co-clusion requires for its sip he can approach near enough to hold out a and directly, the Constitution, the fundamental port quite other premises; it r quires premises mg hand, without danger of going down law; and if there be one word in the language, which speak of accession and of compact perwer of protection, she might very power on which the new constitution was tween States in their sovereign capacities, is a the also, into the bottomiess depths of this which the people of the United States understand, sovereign Powers, and, without such premises, allege, and allege and allege and allege and allege. this is that word. We know no more of a consti | it is altogether unmeaning. The honorable gentleman has declared that on tutional compact between sovereign Powers, than cision of the question, now in debate, may we know of a constitutional indenture of copart- truly state what the people did in forming this the cause of liberty itself. I am of the norship, a constitutional deed of conveyance, or a Constitution, and then state what they must do

ons and secured by union; it is that liberty which master of the human passions, who has told us one state and the Terri- decide constitutional questions for herself, ne-

must confess, that something for good or evil to the States, has been chosen for use here; doubt

greater length, in the same proportion. If an effort of mine. But circumstances are changplausibly argued that they may seced- from it .an intelligent and patrio ic community, and has it, in adopting the constitution, nothing was done I ut acceding to a compact, nothing would seem necessary, in order to break it up, but to secede from the same compact. But the term is wholly out of place. Accession, as a word applied to political associations, implies coming into a league, treaty, or confederacy, by one hitherto a stran-But the gentleman's speech, made some days than was, that they "ratified the Constitution" ago, upon introducing his resolutions, those re- some of thein employing the additional words solutions themselves, and parts of the speech now | "assented to " and " adopted," but all of them " Resolved, That the people of the several just concluded, may probably be justly regarded " ratifying." There is more importance than may States composing these United States are united as containing the whole South-Carolina doctrine, at first sight, appear, in the introduction of this s to a constitutional compact, to which That doctrine it is my purpose now to examine, new word by the honorable mover of these resosavereign community, each binding itself by its United States. I shall not consent, sir, to make to maintain those premises, from which his tomin own particular ratification; and that the union, any new Constitution, or to establish another form | conclusion is to be afterwards drawn. But, beof which the said compact is the bond, is a union of Government. I will not undertake to say what fore showing that, allow me to remark, that this a Constitution for these United States ought to phraseology tends to keep out of sight the just " Resolved, That the people of the several be. That question the people have decided for view of our previous political history, as well as States, thus united by the constitutional compact, themselves, and I shall take the instrument as to suggest wrong ideas as to what was actually is forming that instrument, and in creating a they have established it, and shall endeavor to done when the present constitution was agreed; General Government to carry into effect the ob- maintain it, in its plain sense and meaning, against to. In 1789, and before this Constitution was ajects for which they were formed, delegated to opinions and notions which, in my judgment, dopted, the United States had already been in a Union, more or less close, for 15 years. At least the powers, to be exercised jointly, reserving, The resolutions introduced by the gentleman as far back as the meeting of the first Congress, t the same time, each State to itself, the resi were apparently drawn up with care, and brought in 1774, they had been, in some measure, and to havy mass of powers, to be exercised by its forward upon deliberation. I shall not be in dan- some national purposes, united together. Before the confederation of 1781, they had declared inthe General Government assumes the exercise who agree with him, if I proceed at once to these dependence jointly, and had carried on the war jointly, both by sea and land; and this, not as separate States, but as one people. When, therethe same Government is not made the final judge stitutional question, by which the recent proceed- fore, they formed that confederation, and adoptof the powers delegated to it, since that would ings in South-Carolina are attempted to be justi- ed its articles as articles of perpetual union, they therefore, they did not speak of the States as ac-"Resolved. That the assertions that the people lution, I propose, at present, to take no particu- each other; there was a bond of union already

of the United States, shall be admitted into the

of acceding to the new articles of confederation,

cede. She must show that she has a right to reverse what has been ordained, to unsettle and

is second resolution, which is in these words. viz: "that, as in all other cases of compact, among sovereign parties, each has an equal right to judge for itself, as well of the infraction as of the

Mr. President, if the honorable member will opinion; but then, sir, the liberty which I constitutional bill of exchange. But we know if they would now undo what they then did, he ik is staked on the contest, is not political li- what the Constitution is; we know what the plain- will unavoidably state a case of revolution. Let our own, well understood, and long enjoyed the bond of our Union and the security of our place, that the people of the several States adoption. The Christopeake. The Western States may se-Sir, Llove liberty no less ardently than the fend it, in its plain sense and unsophisticated remment; and in the next place, he must state Louisiana may set the law as a revenue law, but dopton. Until two results of the most state louisiana may set the law as a revenue law, but dopton. Until two results of the most state louisiana may set the law as a revenue law, but dopton. that they have a right to undo this; that is to foreign alliance, and hold the mouth of the Mis has a law for protecting manufactures. It is a it was but a proposal, the more draught of an

peared in the progress of human history. As The sense of the gentleman's proposition, there- say, that they have a right to discard the form sissipni. If one State may second, ten may do re enue law; it is exhibited in the master States of antiquity, as fore, is not at all affected, one way or the other, of Government which they have adopted, and to so-twenty may do so wenty-three may do so. which the revenue is collected; if it be arrested breaking out again from amidst the darkness of by the use of this word. That proposition still is, break up the Constitution which they have rationally find the darkness of by the use of this word. That proposition still is, break up the Constitution which they have rationally find the darkness of by the use of this word. That proposition still is, break up the Constitution which they have rationally find the darkness of by the use of this word. That proposition still is, break up the Constitution which they have rationally find the darkness of by the use of this word. That proposition still is, break up the Constitution which they have rationally find the darkness of by the use of this word. That proposition still is, break up the Constitution which they have rationally find the darkness of by the use of this word. the middle ages, and beaming on the formation that our system of Government is but a compact fied. Now, sir, this is neither more nor less than what is to constitute the United States? Whose it is, in a word the sole reliance of the Governof new communities, in modern Europe, she has, between the people of separate and sovereign saying that they have a right to make a revolution. To releast an established Covernment to will be the army? Whose the Navy? Who ment for the means of maintaining itself and pertion. To reject an established Government, to will pay the debts? Who tulfil the public treat forming its duties.

ons and secured by union; it is that inderty which master of the intimal passions, who has come by the property is our paternal inheritance, it is our established, that words are things? They are indeed things, was done by the property? dearbought, peculiar American liberty to which and things of mighty influence, not only in addearbought, peculiar American interty to which I dresses to the passions and high-wrought feelings what the people or any part of them, must now are all questions which can arise only after a re Scales will decide differently; and, when these I am chiefly devoted, and the cause of which I dresses to the passions and ingu-wong it could be the discussion of legal and policy of mankind, but in the discussion of legal and policy of mankind, but in the discussion of legal and policy of the overthead of t ditical questions also; because a just conclusion an undeniable case of the overthrow of Govern- the Government. While the Constitution lasts, superior power, they can be decided only by Mr. President, if I consider the constitutional is often avoided, or a false one reached, by the mark the people may, they are repressed; they spring up to annoy the law of force. On entering into the Union, Mr. President, it I consider the constitutional is often avoided, or a laise one reached, by the great the grant of the gr question now before us as doubtful as it is important substitution of the parties their tren, that is revenuion. The doctrine now contant then, that is revenued on the parties their tren, that is revenued on the parties their tren, that is revenued on the parties of their tren, that is revenued on the parties of their tren, that is revenued on the parties of their tren, that is revenued on the parties of their tren, that is revenued on the parties of their parties of their tren, that is revenued on the parties of their parties of their tren, that is revenued on the parties of their parties of t tended for is, the taby nullification or secession, which must be preceded by its own destruction, sideration that, as to common objects, they in the Senate or by the country, was likely to be, example in the resolution declares that the people of the obligations a dauthority of the Government | Sec. ssion, therefore, since it must bring these | should have a part in making laws for other I might now d scuss it, this would be to me a the several States 'acceded' to the constitution, or less with it, is revolution and states. In other words, the people of all the I might now discuss it, this would be to me a the several states at the several states. In other words, the people of all the moment of deep solicitude. Such a moment has to the constitutional compact, as it is called. This But that is, what several states agreed to create a common Government, ADVERTISE WILLS, moment of deep sometimes. States agreed to create a common Government, word "accede," not found either in the constitution on the same question. I felt, I on itself, or in the ratification of it by any one of cy, and in constitutional language, without which overluras or controls are controls or controls. ing in this place, on the same question, I felt, I on itself, or in the ratification of it by any one of cy, and in constitutional language, without which overtures, or controls, or successfully resplaced by common councils. Pennante which overtures, or controls, or successfully resplaced to the right of lave showing that the honorable gent eman's right, sists the existing public authority; that which ing imposts in her own ports, in consideration that as asserted in his conclusion, is a revolutionary arrests the exercise of the supreme power; that the new Government, in which she was to have a right merely; the it does not, and cannot exist which introduces a new paramount authority in- share, should possess the power of laying im-Since that day, sir, the public opinion has and, therefore, when it is stated that the people under the Constitutes of the States. If South-Carolina now of the States acceded to the Union, it may be more Constitution, but can come into existence only precise object of null fication. It attempts to refuses to submit to this power, she breaks the when the Constitution is overtarown, This is supersede the supreme legislative authority. It condition on which other States entered the

> Sir, I mend to hold the gentleman to the will- been sul ject. She will have declared her own gy f r her conduct, if it be one which they do ten record. In the discussion of a constitutional opinions and her own will to be above the laws, not admit. It is not to be expected that any question, I intend to impose upon him the re- and above the power of those who are entrust- State will violate her duty without some plausistraints of constitutional language. The people ed with their administration. If she makes good ble pretext. That would be too rash a defiance have ordained a Const totion; can they reject these declarations, she is revolutionized. As to of the opinion of mankind. But, if it be a prewithout revolution? They have established a her, it is as distinctly a change of the supreme text which lies in her own breast-if it be no form of Government; can they overthrow it power, as the American revolution of 1776. more than an opinion which she says she has

> ed in the resolutions and their necessary conse- and to have a right in many important respects, rights also? May not the twenty-three entertain

proposition, they briner affirm that, as sover- will achieve, as to herself, a revolution. be supposed to he fe occurred, each may adopt any mode or me, are of rearess which it shall

did not come together for the first time; and, the main proposit in. If a league between sove- the laws of Congress to be rightful and proper, by a common Government, having the same auceding to the confederation, although it was a of its duration, and contain nothing making it not expect to see a dismemberment of the entire | Such are the inevitable results of this doctrine. league, and nothing but a league, and rested on perpetual, it subsists only during the good pleanothing but plighted faith for its performance. - sure of the parties although no violation be com-Yet, even then, the States were not strangers to plained of. If, in the opinion of either party, it be violated, such party may say that he will no tion was to make a stronger and better bond of aithough it might be one of its stipulations that union. . Their representatives deliberated toge- it should be perpetual. Upon this principle, the ther on these proposed articles of confederation, Congress of the Unite | States and France, in as they were already in union, they did not speak it professed to be a perpetual alliance.

with serious injur is, the suffering party, being | vered bottom. dress, has a right o indemnify himself by reprithis confederation, and joining in the measures and public war.

author ze captures and make open war.

wrongs, in her own wav.

sir, it is our own liberty, guarded by constitution. Was it Mirabeau, Mr. President, or what other break up a political constitution, is revolution. ties? Who perform the constitutional guarantees.

the reason, sir which makes it in cessary to aban- arrests the arm of the Executive Migistrate. It Union. She partikes of the common councils, and don the use of constitutional language for a new interrupts the exercise of the judicial power. therein assists to bind o hers, while she refuses vocabulary, and to substante, in the place of Under the name of an ordinance, it declares null to be bound herself. It makes no difference in plain historical facts, a series of as-unptions. and void, within the State, all the revenue laws the case whether she does all this without rea-This is the reason why it is necessary to give new of the United States. Is not this revolutionary? son or pretext, or whether she sets up as a reanames to thinks, to smak of the Constitution, Sir, so soon as this ordinance shall be carried in- soo that, in her judgment, the acts complained not as a Constitution, but as a compact, and o' to effect, a revolution will have commenced in of are unconstitutional. In the judgment of authority to which her citizens have heretofore them that she offers some reason or some apolovictiont revolution? . These are the true ques- That revolution did not subvert Government in formel, how can other States be satisfied with

Allow me now, Mr. President, to inquire fur- municipal administrations. It only threw off the of her own obligations? Or, if she may judge her into the extent of the propositions contain- dominion of a Power, claiming to be superior, of her obligations, may they not judge of their where sovere en communities are parties, authority to have been usurped or abused, the if it be their right in their own opinion, as exher, is no essent al difference between a com- American colonies, now the United States, bade pressed in the common council, to enforce the pact, a confeder tion, and a league. They all it defiance, and freed themselves from it by law against her, how is she to say that her right equally restion the plighted futh of the sove- means of a revolution. But that revolution left and her opinion are to be every thing, and their r ign party. A l igue, or confederacy, is but a them with their own municipal laws still, and right and their opinion nething? the forms of local Government. If Carolina now Mr. President, if we are to receive the Con-The gentleman's resolutions, then affirm, in shall effectually resist the laws of Congress, if stitution as the text, and then to lay down in its feet, that these wents-four United States are she shall be her own judge, take her remedy in- margin, the contradictory commentaries which neld together onl by a subsisting treaty, resting to her own hands, obey the laws of the Union have been, and which may be made by different for its fulfilment; al con inuance on no inherent when she pleases, and disobey them when she States, the whole page would be a polyglot power of its own but on the plighted taith of pleases, she will relieve herself from a paramount indeed. It would speak with as many tongues ash State; or, in other words, that our Union power as distinctly as the American colonies did as the builders of Babel, and in dialects as much s but a league, it id as a consequence from this the same thing in 1776. In other words, she confised, and mutually as unintelligible. The

States must decid ; each for itself, of any alleg | Carolina would be, as to herself, actual and dis | clared unconstitutional in South-Carolina, and d violation of t & lague : and if such violation linet revolution, its necessary tendency must al obediene to it is refused. In other States it is adso be to spread revolution, and to break up the mitted to be scricily constitutional. You walk Constitution, as to all the other States. It over the limits of its authority, therefore, when Other conseque Les naturally follow, too, from the whole Union. To allow State resistance to on the other side, a nullity; and yet it is passed reign powers have no limitation as to the time to admit nullification in some States, and yet therity in all the States.

Therefore, vir, since any Sat, before she can the power of Con ass; and that, as a sovereign every min sees, that the only alternative is a re- but here it is trampled under foot." prove her right to dissolve the Union, must show Power, she may to bress her own grievances, by peal of the laws, throughout the whole Union, her authority to undo what his been done, no her own arm, at fer own discretion; she may or their execution in Carolina as well as else State is at liberty to secede, on the ground that make reprisals, she may cruise against the pro- where. And this repeal is demanded because opinions, I maintains'ie and other States have done nothing but ac- perty of other members of the league; she may a single State interposes her veto, and threatens resistance! The result of the gentleman's opin- is not a league, confederacy or compact, between If, sir, the be of repolitical condition, it is time lons, or rather the very text of his doctrine, is, the people of the several States in their soveroverthrow what has been established, to reject what the people of the United States understood it. that no act of congress can bind all the States, eign capacities; but a Government proper. the people have adopted, and to break up what Let'us look for a noment to the practical conse- the constitutionality of which is not admitted by founded on the adoption of the people, and crethey have ratified; because these are the terms quences of these opinions. One State, holding all; or in other words, that no single State is ating direct relations between itself and individu-Feeling that I am performing my public and incapable of ever being the same. Yet the which express the transactions which have actually and incapable of ever being the same. Yet the which express the transactions which have actually an embargo law inconstitutional, may declare bound, against its own dissent, by a law of image of the same which express the transactions which have actually taken place. In other words, she must be posts. This is precisely the evil experienced ally taken place. In other words, she must be posts. This is precisely the evil experienced ally taken place. In other words, she must be posts. This is precisely the evil experienced ally taken place. In other words, she must be posts. This is precisely the evil experienced ally taken place. In other words, she must be posts. This is precisely the evil experienced ally taken place. secedes. Another, forming and expressing the under the old confederation, and for remedy of solve these relations; that nothing can dissolve If, Mr. President, indrawing these resolutions, same judgment on alaw laying duties on imports, which this constitution was adopted. The lead. them but revolution; and that, consequently, the honorable member had confined himself to ma withdraw alse. She secedes. And as, in ing object in establishing this Government, an there can be no such thing as secession without the use of constitution I language, there would her opinion, marie has been taken out of the object forced on the country by the condition revolution. have been a wide and awful hintus between his pockets of her citi ensillegally, under pretence of the times, and the absolute necessity of the premises and his conclusion. Leaving out the of this law, and as he has power to redress their law, was to give to Congress power to lay and the Constitution of the United States, acts of two words compact and accession, which are not wrongs, she' may temand satisfaction; and, if collect imposts without the consent of particular Congress passed in pursuance of it, and treaties of suffer myself to be excited into warmth, by cantidle epithet, attached to compact. The whole constitutional modes of expression, and strong hand. States. The revolutionary debt remained unsuccession, which I supties described into warmth, by cantidle epithet, attached to compact. The whole constitutional modes of expression, and strong hand. States. The revolutionary debt remained unsuccession, which I supties described into warmth, by cantidle epithet, attached to compact. The whole constitutional modes of expression, and strong hand. States. The revolutionary debt remained unsuccession, which a strong hand. States. The revolutionary debt remained unsuccession, which a strong hand. States are constitutional compact? I have gentleman has himself pronounced the college. Among the feelings which at this moment in this way he hopes to pass off a plausible gloss, lution would have affirmed that the people of the lection of digites, u ider existing laws, to be nomy breast, not the least is that of regret at as satisfying the words of the instrument; but he serveral States ratified this Constitution or form of thing but robbers, of course may be its requisitions on the States neg. law, so often as it has occasion to pass acts of Government. These are the very words of South- rightfully disposses ed of the fruits of their fla- lected them, there was no power of chercion legislation; and, in cases capable of assuming. arolina Lerself, in her own act of ratification. gitious crimes; and, therefore, reprisals, impo- but war; Congress could not lay imposts, or and actually assuming, the character of a suit. Let, then, his first resolution tell the exact truth; sitions on the comperce of other States, foreign other taxes, by its own authority; the whole the Supreme Court of the United States is the let it state the fact, precisely as it exists; let it alli onces against the m, or open war, are all modes General Government, therefore, was little more final interpreter. Constitution, or form of Government; and of South-Carolina; for she is to judge of her own to purposes of revenue and finance, were nearly nui, or nullify an act of Congress, or to arrest its then, sr, what will become of his inference in rights, and to set satisfaction for her own a dead letter. The country sought to escape operation within her limits, on the ground that, from this condition, at once feeble and disgrace. in her opinion, such law is unconstitutional, is a But, sir, a third's are is of opinion, not only ful, by constituting a Government which should direct usurpation on the just powers of the Gehat these laws of i post are constitutional, but have power of itself to lay duties and taxes, and neval Government, and on the equal rights of that it is the absolute duty of Congress to pass to pay the public debt, and provide for the other States, a plain violation of the Constitution and to maintain suc laws; and that, by omitting general welfare; and to lay these duties and and a proceeding essentially revolutionary in its to piss and maintai them, its constitutional ob- taxes in all the States, without asking the con- character and tendency. ligations would be rossly disregarded. She re- sent of the State Governments. I'ms was the Whether the Constitution be a compact be-

Mr. President, the alleged right of a State to cessarily leads to force, because other States the people of each State gave up a part of their all its forms. It did not subvert local laws and this? How can they all allow her to be judge

very instance now before us presents a practical But, sir, while practical nuhification in South- illustration. The law of the last session is destrikes a deadly blow at the vital principle of you pass the State line. On one side it is law :

Government, appears to me the wildest illu-ion, Beginning with the original error, that the Conand the most extravagant folly. The gentleman stitution of the United States is nothing but a seems not conscious of the direction or the ra- compact between sovereign States; asserting, pidity of his own course. The current of his in the next step, that each State has a right to subsisting between them; they were associated, longer fulfil its of li, a l United States; and the object of the confedera- consider the whole league or compact at an end, ther. To begin with nullification, with the avow obligations, and consequently of the constitution ed intent, nevertheless, not to proceed to se- ality of laws of Congress; and, in the next, that cession, dismemberment, and general revolution, it may oppose whatever it sees fit to declare unis as if one were to take the plunge of Nagara. | constitutional, and that it decides for itself on and, being authorized by their respective States, 1798, declared of Il and void the treaty of alli- and cry out, that he would stop half way down, the mode and measure of redress, the argument finally " ratified and confirmed" them. Inasmuch ance between the Juited States and France, tho' In the one case, as in the other, the rash adven- arrives at once at the conclusion that what a turer must go to the bottom of the dark abyss State dissents from it may nullify; what it oppo-If the violation of the league be accompanied below, were it not that that abyss has no disco- ses, it may oppose by force; what it decides for itself, it may execute by its own power; and Nullification, if successful, arrests the power that, in short, it is, itself, supreme over the legof the law, absolves citizens from their duty, islation of Congress, and supreme over the deper sense, when applied to Canada, which was sals, on the effenting members of the league; subverts the foundation both of protection and ciscons of the national judicature, supreme over altogether a stranger to the existing Union.— and reprised if the circumstances of the case obedience, dispenses with oaths and obligations the Constitution of the country, supreme over "Canada," says the 11th article, "acceding to require it, may be followed by direct, avowed, of allegiance, and elevates another authority to the supreme law of the land. However it seeks supreme command. Is not this revolution !- to protect itself against these plain inferences. The necessary is port of the resolutions, there- And it ruises to supreme command four and by saying that an unconstitutional law is no law. f re, is, that the United States are connected one twenty distinct powers, each professing to be and that it only opposes such laws as are uncon-Having thus used the terms ratify and confirm, I, by a league; if tit is in the good pleasure of under a General Government, and yet each seteven in regard to the old confideration, it would every State to decide how long she will choose ung its laws at defiance at pleasure. Is not this gree vary the result; since it insists on deciding have been strange, indeed, if the people of the to remain a memt ir of this league; that any anarchy, as well as revolution? Sir, the consti- this question for itself; and, in opposition to remain a United States, after is formation, and when they State may determine the extent of her own obli- tution of the United States was received as a son and argument, in opposition to practice and came to establish the pr sent Con litution, had gations under it, and accept or reject what shall whole and for the whole country. If it cannot experience, in opposition to the judgment of spoken of the Sta es, or of the people of the be decided by the whole; that she also my destand altogether, it cannot stand in parts; and, others, having an equal right to judge, it says, States, as acceding to this Constitution. Such termine whether if ranguts have been violated, if the laws cannot be executed every where, they only, " Such is my opinion, and my opinion shall language would have been ill suited to the occa- what is the extent of the injury done her, and cannot long be executed any where. The gen- be my law, and I will support it by my own sion. It would have implied an existing separa | what mode and in asure of redress her wrongs | tleman very well knows that all duties and im- strong hand. I denounce the law; I declare it and tion or disunion among the States, such as never may make it fit and expedient for her to adopt, posts must be uniform throughout the country. Constitutional; that is enough; it shall not be has exi ted since 1774. No such language, here | The result of the, whole is, that any State may He knows that we cannot have one rule or one executed. Men in arms are ready to resist its exfore, was used. The language actual y employ seedle at pleasure that any State may resist a law for South-Carolina, and another for other ed is, adopt, ratify, ordain, establish. Is which she here If may choose to say exceeds States. He must see, therefore, and does see, land with blood. Elsewhere it may be binding;

This, sir, is practical nullification-. And now, sir, against all these theories and

1. That the Constitution of the United States

3. That there is a supreme law, consisting of

ro Congress, on the faith that Congress would without it, it can be no Government now or at it contained in the instrument itself. We all at exercise it. If Congress now refuse to exercise any time. Yet, so, it is precisely against this pow-gree that it is an instrument which has been in it, Congress floes , she may insist, break the er, so absolutely indispensable to the very being some way, chathed with power. We all admit condition of the great, and thus manifestive vio- of the Government, that South-Carolina directs that it speaks with authority. The first one late the constitution; and for this violation of her ordinance. She attacks the Government in Von then is, what does it say of itself) W. at the Constitution, sh may threaten to secode also. its authority to raise revenue, the very main- ones it purport to be? Does it sive itself a da d rat fied this Constitution, or form of Go cede, and take to their own use the public lands. cease. It is of no avail that she declares that the Constitution began to speak only after its