

form, to be independent of the Union. The right of the people of a single State to dissolve themselves at will, and without the consent of the other States, from their most solemn obligations, and to re-constitute their own government, is a principle which is not only not acknowledged, but is positively repugnant to the principles upon which the general government is constituted, and to the objects which it was expressly formed to attain.

Against all acts which may be alleged to transcend the constitutional power of Government, or which may be inconvenient or oppressive in their operation, the Constitution itself has prescribed the modes of redress. It is the acknowledged attribute of free institutions, that, under them, the empire of reason must be substituted for the power of passion. To no other source can appeals for supposed wrongs be made consistently with the obligations of South Carolina; to no other can such appeals be made with safety at any time; and to their decisions, when constitutionally pronounced, it becomes the duty no less of the public authorities than of the people, in every case, to yield a patriotic submission.

That a State, or any other great portion of the people, suffering under the oppressive and tyrannical measures of the Government, may have a natural right, when their happiness can be no otherwise secured and when they can do so without greater injury to others, to dissolve themselves from their obligations to the Government and appeal to the last resort, needs not, on the present occasion, be denied.

The existence of this right, however, must depend upon the *ultima ratio*; which presupposes that the proper appeals to all other means of redress have been made in good faith, and which can never be rightfully resorted to, unless it is unavoidable. It is not the right of the State, but of the individual, and of all the individuals in the State. It is the right of mankind, generally, to secure, by all means in their power, the blessings of liberty and happiness; but when, for these purposes, any body of men have voluntarily associated themselves under a particular form of government, no portion of them can dissolve the association without acknowledging the correlative right in the remainder to decide whether that dissolution can be permitted, consistently with the general happiness. In this view, it is a right dependent upon the power to enforce it. Such a right, though it may be admitted to pre-exist and cannot be wholly surrendered, is necessarily subjected to the power of the Government, and voluntarily entered into, and in which the interest and welfare of the individual becomes identified with those of the community of which he is a member. In its effects between individuals, however deeply they may affect their relations, these principles are acknowledged to create a sacred obligation; and, in compact of civil governments, involving the liberties and happiness of millions of mankind, the obligation cannot be less.

Without adverting to the particular theories to which the federal compact has given rise, both as to its formation and the parties to it, and without inquiring whether it is merely federal, or social, or national, it is sufficient that it must be admitted to be a compact; to possess the obligations which a compact entails; to be a compact which power is created and which power is exercised; to be a compact which is voluntarily entered into by the several States and ratified by the people thereof; to be a compact by which the several States and the people thereof respectively have bound themselves to each other and to the federal government, and by which the federal government is bound to the several States and to every citizen of the United States. To this compact, in whatever mode it may have been done, the people of South Carolina have freely and voluntarily given their assent and to the whole and every part of it they are, upon every principle of good faith, invariably bound. Under this obligation, they are bound, and should be required, to contribute their portion of the public expense, and to submit to all laws made by the common consent, in pursuance of the Constitution, for the common defence and general welfare, until they can be changed in the mode which the compact has provided for the attainment of those great ends of the Government and of the Union. Nothing less than causes which would justify revolutionary remedy can dissolve this people from this obligation; and for nothing less can this people be exempted from their obligations, which are bound to the other States and to every citizen of the United States.

These deductions plainly flow from the nature of the federal compact, which is one of limitations, not only upon the powers originally possessed by the parties thereto, but also upon those conferred on the Government and every department thereof. It will be freely conceded, that by the principles of our system, all power is vested in the people, but to be exercised in the mode, and subject to the check which people themselves have prescribed. These checks are, undoubtedly, only different modifications of the same great popular principle which lies at the foundation of the whole, but are not, on that account, to be less regarded, or less obligatory.

Upon the power of Congress, the veto of the Executive, and the authority of the Judiciary which is "to extend to all cases in law and equity arising under the Constitution and laws of the United States, made in pursuance thereof," are the obvious checks; and the sound action of public opinion, with the ultimate power of amendment, are the salutary and only limitations upon the powers of the whole.

However it may be alleged that a violation of the compact by these measures of the Government can affect the obligations of the parties, it cannot even be pretended that such a violation can be predicated to those measures until all the Constitutional remedies shall have been fully tried. If the Federal Government exercise powers not warranted by the Constitution and immediately affecting individuals, it will scarcely be denied that the proper remedy is a recourse to the Judiciary. Such undoubtedly is the remedy for those who deem the acts of Congress laying duties on imports and providing for the collection to be unconstitutional. The whole operation of such laws is upon the individuals importing the merchandise; a State is absolutely prohibited from laying imposts or duties on imports or exports, without the consent of Congress, and cannot become a party under those laws without importing in her own, or wrongly interfering her authority against them. If, by thus imposing, however, she cannot rightfully obstruct the operation of the laws, upon individuals. For their disobedience upon violation of the laws, the ordinary remedies through the judicial tribunals would remain. And, in a case where an individual should be proceeded for any offence against the laws, he could not set up, in justification of his act, a law of a State, which being unconstitutional, would therefore be regarded as null and void. The

law of a State cannot authorize the commission of a crime against the United States or any other act which according to the supreme law of the Union would be otherwise unlawful. And it is equally clear, that, if there be any case in which a State, as such, is affected by the law beyond the scope of judicial power, the remedy consists in appeals to that power, either to effect a change in the representation or to procure relief by an amendment of the Constitution. But the measures of the Government are to be recognized as valid, and consequently supreme, until these remedies shall have been effectually tried; and any attempt to subvert those measures or to render the laws subordinate to State authority, is in itself a violation of the Constitution, and is worse than evasive. It would not be a proper resistance to a government of unlimited powers—as have been sometimes pretended,—but unlawful opposition to the very limitations on which the harmonious action of the Government and all its parts absolutely depends. South Carolina has appealed to none of these remedies, but, in effect, has defied them all. While threatening to separate from the Union, if any attempt be made to enforce the laws, she has otherwise than through the civil tribunals of the country, she has not only appealed in her own name to those tribunals which the Constitution has provided for all cases in law or equity arising under the Constitution and laws of the United States, but has endeavored to frustrate their proper action on her citizens by drawing the cognate cases under the revenue laws to her own tribunals, specially prepared and fitted for the purpose of enforcing the acts passed by the State to obstruct those laws; and both Judges and jurors of which will be bound by the import of oaths previously taken to treat the Constitution and laws of the U. States in this respect as a nullity. Nor has the State made the proper appeal to public opinion and to the remedy of amendment. For, without waiting to learn whether the other States will consent to a Convention, or if they do, will construe or amend the Constitution to suit her views, she has of her own accord altered the import of that instrument and given immediate effect to the change. In fine, she has set her own will and authority above the laws, has made herself arbiter in her own case, and has passed at once over all intermediate steps to measures of avoided resistance, which, unless they be submitted to, can be enforced only by the sword.

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where suit shall be brought against any individual in the Courts of the State for any act done under the laws of the United States, he should be authorized to remove the said case by petition into the Circuit Court of the United States, without any copy of the record, and that that Court should proceed to hear and determine the same as if it had been originally instituted therein; and that in all cases of injuries to the persons or property of individuals acting under the laws of the United States for disobedience to the ordinance and laws of South Carolina in performance thereof, redress may be sought in the Courts of the United States.

It may be expedient, also, by modifying the resolution of the 3d March, 1791, to authorize the Marshals to make the necessary provision for the safe keeping of prisoners committed under the authority of the United States.

Provisions less than these, consisting as they do for the most part, rather of a revival of the policy of former acts called for by the existing emergency, than of the introduction of any unusual or rigorous enactments, would not secure the laws of the Union to be properly respected and enforced. It is believed these would prove adequate, unless the military force of the State of South Carolina authorized by the late act of the Legislature, should be actually embodied and called out in aid of their proceedings, and of the provisions of the Ordinance generally.—Even in that case, however, it is believed that no more will be necessary than a few modifications of its terms to adapt the act of 1791 to the present emergency, as by that act the provisions of the law of 1792 were recommended to the crisis then existing; and by conferring authority upon the President to give it operation during the session of Congress, and without the ceremony of a Proclamation, whenever it shall be officially made known to him by the authority of any State, or by the Courts of the United States, that within the limits of such State the laws of the United States will be openly opposed and their execution obstructed by the actual employment of military force or by any unlawful means whatsoever, too great to be otherwise overcome.

In closing this communication, I should do injustice to my own feelings not to express my confident reliance upon the disposition of each Department of the Government to perform its duty, and to co-operate in all measures necessary in the present emergency.

The crisis undoubtedly involves the fidelity of the patriot and the sagacity of the statesman; not more in removing such portion of the public burden as may be unnecessary, than in preserving the good order of society and in the maintenance of well regulated liberty.

While a forbearing spirit may, and I trust, will be exercised towards the errors of our brethren in a particular quarter, duty to the rest of the Union demands that open and organized resistance to the laws should not be executed with impunity.

The rich inheritance bequeathed by our fathers has devolved upon us the sacred obligation of preserving it by the same virtues which conducted them through the eventful scenes of the revolution, and ultimately crowned their struggle with the noblest model of civil institutions. They bequeathed to us a government of laws, and a Federal Union, founded upon the great principle of popular representation.—After a successful experiment of forty-four years, at a moment when the government and the Union are the objects of the hopes of the friends of civil liberty throughout the world, and in the midst of public and individual prosperity unexampled in history, we are called upon to decide whether these laws possess any force, and that Union the means of self preservation. The decision of this question by an enlightened and patriotic people, cannot be doubtful. For myself, fellow citizens, devoutly relying upon that kind Providence which has hitherto watched over our destinies, and actuated by a profound reverence for those institutions I have so much cause to love, and for the American people whose partiality honored me with their highest trust, I have determined to spare no effort to discharge the duty which in this conjuncture is devolved upon me. That a similar spirit will actuate the representatives of this American people is not to be questioned, and I fervently pray that the Great Ruler of nations may guide your deliberations and our joint measures as that they may prove salutary examples, not only to the present, but to future times, and solemnly proclaim that the Constitution and the Laws are supreme and the Union indivisible.

ANDREW JACKSON.
WASHINGTON, January 16th, 1833.

EASTON, MD.
TUESDAY MORNING, JAN. 22, 1833.

THE MESSAGE.—To make room for the Message of the President, in relation to the differences between the General Government and South Carolina,—communicated to Congress on Wednesday,—we have been compelled to omit many articles of interest, intended for publication this morning.

After the Message had been read in the Senate, Mr. Grundy moved that it be referred, together with the accompanying documents, to the Committee on the Judiciary. Mr. Calhoun (says the Globe) "rose, (apparently under deep excitement) and in a short and vehement speech, contested some of the state-ments and views contained in the Message. Mr. Forsyth said a few words, particularly in reply to an allusion made by Mr. Calhoun, to the case of Georgia and the Supreme Court. The whole subject was then referred to the Committee on the Judiciary; and, on motion of Mr. Grundy, 3,000 copies of the Message and Documents were ordered to be printed."

Mr. Calhoun's speech we have in the Telegraph of Thursday, but occupying nearly two columns of that print, we have not room for it to-day. We shall give it in our next, together with Mr. Forsyth's, should it come to hand.

In the House of Representatives, the Message and documents were also referred to the Committee on the Judiciary, and 25,000 copies ordered to be printed.

During the year 1832, there were 3572 deaths in the city of Baltimore: Of this number 853 were by cholera—322 by cholera infantum—403 by consumption. Of the deaths by cholera 502 were whites—351 colored persons. Of the whole number of deaths 1162 were colored persons—998 free—164 slaves. The colored population of Baltimore, by the last census, is stated at 34,793 free, and 4,124 slaves.

In the House of Delegates of Maryland, on Thursday, Mr. Teackle, Chairman of the select committee, on the memorials before that body, praying the establishment of a State Bank, made a report, accompanied by a series of resolutions, favourable to the petitioners, with a view to ascertain the sense of the House, previous to preparing a bill; which report and resolutions were made the order of the day for tomorrow, 23d inst.

On Thursday, also, the Hon. James Thomas, governor elect, attended in the Senate Chamber, and in presence of both Houses of the Legislature, took the oath of office.

On Friday, the president of the Senate is believed to have the letter of George Reed, Esq. of Carolina, resigning his seat in the Senate, on account of ill health.

Alluding to the motion of Mr. Calhoun, in the Senate, calling on the President for a copy of his Proclamation, the Ordinance of South Carolina, &c. the Globe is very severe upon that gentleman; and says, "it is probable that he took this course, to arrest the progress of calm discussion, and to mar the spirit of conciliation which portended a sudden termination of the excitement, that gives him temporary importance—a bad eminence." It certainly required a good deal of hardihood in the Executive President, to introduce into the Senate the snares which he has been preparing for two years, to destroy its dignity—nay, its authority—its existence as the representative of a glorious confederacy of States. Calhoun, we believe, although he held his seat in the Senate, while without its walls, he was conspiring its overthrow and that of the Republic, had not the hardihood to call on the body to sanction his designs, and consent to self-immolation. Mr. Calhoun comes forth from the scene in which he has arrayed an armed force against the Government, and has the audacity to present himself in the Senate chamber, with the sword in one hand, and the Nullification Ordinance in the other, to demand submission—an acquiescence in the annihilation of the best government in the world—and this from a august assembly to which the States of the Union have most especially confided its preservation! We trust some Cicerus will be found in that body, who will mark the assault on our sacred institutions, with more than the fire of the Consul's eloquence, and hand his own name and that of the public enemy down to posterity, in the noblest strains of patriotic inspiration."

A CART AND GIG WHEEL-MAKER WANTED.
A good hand at the above business will obtain employment and good wages, on application to
WILLIAM TURNER,
Greensborough, Caroline county.
Jan 22 Sw

\$10 REWARD.
THE above reward will be given by the Trustees of the Methodist Episcopal Church in this town, for any information which may lead to the detection and conviction of the person or persons who broke the sash and glass over one of the front doors of said church, and the glass over the other.
Jan 22

BOARDING.
THE subscriber begs leave to inform his friends and the public, that he has opened a boarding house in the house formerly occupied by the late Thomas Ferrin Smith, on Washington street, opposite the Union Tavern, where he is prepared to receive gentlemen by the week, month or year, on reasonable terms. Being determined to devote particular attention to this business, he hopes to receive the patronage of the public.
CALEB BROWN.
N. B. Parents or guardians of children from the country, who may wish to place them at school in town, can have them accommodated with boarding by the subscriber, and the strictest attention paid to their morals and comfort.
Jan 22 G 16

NOTICE.
AT the request of some gentlemen on the Eastern Shore, (the breeders of the thorough bred horse)
"MARYLAND ECLIPSE" will stand the ensuing season, at Easton and Centerville. Competent and skilful breeders are invited to send their mares to foal, if any horses in this country. He has fine size and great beauty, particularly however of his stock, size and performance will be hereafter given at full length.
Jan 22

PUBLIC SALE.
THE subscriber having declined farming, will offer at Public Sale, on WEDNESDAY, the 23d inst. all his stock, and farming utensils; the stock consists of two pair of fine young mules; two young mares in foal, and some other excellent young horses, two yoke of oxen, thirty nine head of sheep; a parcel of shoats, and much cows—two ox carts, one horse cart, plough, gear, &c. between two and three hundred barrels of long and short corn, blades, large quantity of top fodder, corn cobs, wheat straw; and a large quantity of clover hay, nicely cured, also the crop of wheat and rye sowed on the farm.
Terms of Sale.—A credit of six months will be given on all sums of and above five dollars; the purchaser or purchasers will be required to give note with approved security, to give note from the day of sale—on all sums under five dollars the cash will be required.
Sale to commence at nine o'clock, and attendance given by
WM. H. HAYWARD.
Jan 15
P. S. The Subscriber wishes to rent his farm on which he now resides for the present year, the terms will be made easy to a good tenant.
W. H. H.

BOOK AND STATIONERY STORE.
AT THE POST OFFICE, ADJOINING MR. LOWE'S HOTEL.
THE subscriber has opened an assortment of BOOKS and STATIONERY, which he will sell low for cash.