custom house and revenue officers. The simple question is—do you require obedience to the laws? How can you make the people of S.Carolina pay the duties? The custom house officers are not sufficiently numerous to enforce obedience to the law: pains, penalties, indictments, all hang over the head of that man who is bold enough to exact payment. The Legislature forbids the enforcement of the law; and he who attempts to enforce it must suffer the penalty of the law as surely as he is convicted of the offence The Marshal, in this stage of the business, cannot interpose. The militia cannot be called out, for the best reason in the world, that they are committed in support of the other side of the question.—Now what is to be done? It is the duty of the President to take care that the laws shall be executed. He is invested with the power by the Constitution, and the public hold him responsible for its exercise. You can vest the power no where else. The first section of the 2d Article of the Constitution invests the President with the "Executive power," and he is required to take an oath faithfully to execute the office and preserve the Constitution. The second section of the same article makes him the commander in chief of the army and navy of the U. States, and of the militia, when called into actual service. The only question is—is it necessary to give these means to enforce the laws. If we intend to enforce obedience to the laws, these powers must be given, and no where can they be constitutionally lodged but in the President. We give Andrew Jackson power simply to execute, for a limited time, the revenue laws of the country. Well, we confide this power to a man who has never abused any power reposed in him. He said that these proceedings were long anticipated. They were the subject of discussion during the late Presidential contest.—Every vote had an eye to the South. He spoke this with respect to the other candidates, all of whom he knew would have supported the Constitution. He made no invidious distinctions.

Why did South Carolina throw away her vote on a distinguished individual, who was not a candidate? With an eye to this question why did the people of the U States vote for Andrew Jackson? With a view to this same question. For this provision in the law, there was a precedent to which he would refer. The act of 9th January, 1809 sec. 11—13, vol. 4, p. 194—5, to enforce the embargo, &c. The 2d section of the bill extends the jurisdiction of the Circuit Courts in revenue cases. It gives the right to sue in these Courts for any injury incurred by officers, whilst engaged under the laws of Congress in the collection of duties on imports. It declares that property taken under the authority of the laws of the U. States, shall be irrepleviable, and only subject to the order and decrees of the Courts of the U. States; and it gives the penalty for the rescue of the property as is prescribed by the act of 30th April, 1790, sec 22, vol. 2, p. 95. The provisions of that law make the penalty not to exceed 300 dollars, and imprisonment for three months. This section has two objects in view: first, it gives power to the officers to sue in the Federal Courts; and second, it provides that they shall not be dispossessed of property seized by them under the laws of the General Government, without the authority of the Courts of the U. States. The object of this section is to meet legislation by legislation. There is nothing in this provision shocking or harsh.

The laws of South Carolina, made to enforce the ordinance, are harsh and oppressive beyond any of the feudel laws. Under the replevin act of South Carolina, the goods are first seized, if they are not given up the return is made and a *capias in withernam* issues; there is then a suit to recover back the duties; the Custom House officer cannot remove the suit to any other Court, and the judges and jurors who are to decide the case are under oath to support the Ordinance. For this misdemeanor the officers are subjected to a fine of 500 dollars and 2 years imprisonment. And they are liable to have their own property, to double the amount of the goods seized, taken, and carried away Every professional man knows to what cases a replevin law is usually confined. It views the custom house officer while discharging his duty, as a trespasser.—If the replevy is not obeyed, the intermediate enquiry which the Common Law provides is discarded, and a writ of reprisal issues It is not left discretionary with the Sheriff to take enough to satisfy the demand; but he is bound to take double the amount. There is no danger that this part of the law can ever be executed, for no one person will have property enough for so tremendous a grasp. The goods are taken finally from the custom house officer and carried off, and if he attempt to recapture them, he is liable to a fine of $10,000, and 2 years imprisonment. No such indictment is subject to traverse; that is, the accused shall not cross it; he shall not deny the facts alledged; he shall not plead 'not guilty;' This is the technical effect of refusing a traverse. But can the word be taken in that sense in South Carolina? Perhaps the word, as used in the Ordinance, has a meaning peculiar to the South

Mr. Miller explained. The word had a peculiar meaning in South Carolina. At the first Court the accused could traverse, but he had no right to continue the action. The Ordinance denied the right to the accused to continue the case after the first term, except for cause shown. The Ordinance, in creating this misdemeanor, merely applies to it the legal forms which in that State apply to all misdemeanors.

Mr. Wilkins. It was apparent that the constitution of the Courts in South Carolina make it necessary to give the revenue officers the right to sue in the Federal Courts. It was not intended to restrict this right to any amount in controversy, nor to citizens of other States. It falls under the clause of the Constitution which gives jurisdiction to the United States Courts in all cases arising under the Constitution, Treaties, and Laws of the United States. He would put a case in a few words: Suppose the Collector of the port of South Carolina is prosecuted He is carried to prison, or the *capias in withernam*, is issued against him. His property is carried off and sold. The case comes before the State Court. He sets forth that, under the laws of the U. States, he was obliged to do his duty. On the other side, it is said that the laws of the U. States had been nullified; and the State laws had taken their place. Out of this issue springs a case provided for by the bill. But it is objected that the case will arise under the State law. But, shape it which way you may, the case arises out of the Laws and Constitution of the United States, and the judicial power extends to all cases in law and equity. It ought to be so. There ought to be a judicial power co extensive with the power of legislation, and a co-extensive executive power Without this co extensive power, legislation would be useless in a free government. Neither domestic tranquility, nor uniformity of rules and decisions, can be secured without it.

It may be said, (continued Mr. W.) that in this way you overturn State legislation, and that they ought to give their own direction to State controversies. So they may, but let them not come in collision with the Constitution and laws of the Union. In every controversy within any State, arising under a State law, coming in collision with the Constitution, or with a law of the United States, the Federal Courts have appellate jurisdiction. He felt himself too much exhausted to read a case or two to which he desired to call the attention of the Senate. But he meant to content himself with a mere reference to the case of Martin vs. Hunter's lessee, in 1st Wheaton, p. 304, and the case of Cohens vs. the of Virginia, 6th Wheaton, p. 254, where this point had been decided. If appellate jurisdiction be given, the original could not be desired. All the residuum of jurisdiction remaining after the original jurisdiction given in specified cases, to the Supreme Court, might be exercised in any way by the inferior Courts that Congress might direct. These observations were applicable to the third section of the bill, which also provides for the extension of judicial jurisdiction, by allowing the party or officer of the U. States sued in the States Court for executing the laws of the Union, to *remove* the case to the Circuit. It gives the right to remove at any time *before* trial, but not after judgment had been given, and thus affects in no way the dignity of the State tribunals, Whether in criminal or in civil cases, it gives this right of removal. Has Congress this power in criminal cases? He would answer the question in the affirmative Congress had the power to give this right in criminal as well as in civil cases, because the second section of the third article of the Constitution, speaks of "all *cases in law* and equity," and these comprehensive terms cover all. He referred to the Case of Matthews vs. Zane, 4th Cranch, 382, which decides that if two citizens of the same State, in a suit in their State Court, claim title under the same act of Congress, the Supreme Court has an appellate jurisdiction, to revise and correct the decision of that Court.

This decision was founded upon the principle that the 3d art of the Constitution, considered in connection with the judiciary act of '89, would not give it a more extensive construction than it merited; and that the great object was, to render uniform the construction of the laws of the United States, and decisions under them upon the rights of individuals; and in such case it was entirely immaterial that both parties were citizens of the same State.

It was admitted by Mr. Harper, Counsel for Defendent in error, that the exercise of jurisdiction in such case would be undoubted if it was to maintain the authority of the *laws of the United States*, against encroachments of the *State authorities*.

The clause in the Constitution to which he adverted, refers to the character of the controversy, without regard to the parties, or the particular form of the action. The object of the suit, and not the tribunal, determined the jurisdiction. Was it to try the validity of an act of Congress? That question determined the jurisdiction. Was it to try any indictment for treason? That question determined the jurisdiction. It was more necessary that this jurisdiction should be extended over criminal than over civil cases. If it was not admitted that the Federal Judiciary had jurisdiction over criminal cases, then was nullification ratified and sealed forever: for a State would have nothing more to do than to declare an act felony or a misdemeanor to nullify all the laws of the Union. There were numerous prejudices peculiar to particular States which, under any other view, would throw all jurisdiction into the State tribunals.

He would put a case to the Southern gentlemen, by way of illustration. It was one which they would feel disposed to resent, and one to which he felt a repugnance to refer; but he would take it as illustrative of the opinions he had thrown out. There was to be found in the constitution, a clause which gives the right to the owner of a slave to pursue him from one State to another, and to take him wherever he may find him. Now it was known that there was in some States a strong feeling on this subject, and that particularly was this sensibility to be found in the State of Pennsylvania, where it was carried to a very great extent In great party times, he would suppose that a party in Pennsylvania rallied on this great principle. Pennsylvania was covered over with zealous and highly respectable abolition societies. He would suppose that Pennsylvania carried these feelings to such an extent, as to pass a law to nullify this clause in the constitution. He stated that he had, in the judicial station which he had occupied, had cases brought before him for decision, in which he had felt it to be extremely difficult to keep down this feeling. It had been even contended before him, that the pursuit of the slave by his owner into that State, was an unconstitutional act. He would suppose that Pennsylvania was to pass a law, declaring, that the moment a slave sets foot on her soil, he shall be at once elevated to the rank and privileges of a freeman, and that thus she should nullify the clause in the constitution on this point.

It would be deemed very hard by the Southern gentlemen that they could not try the question of the constitutionality of that law before the Supreme Court. And if the State of Pennsylvania were to pass a law imposing a fine of 10,000 dollars and five years imprisonment on any owner of a slave found in pursuit of him, and that her jurors and judges are all sworn to regard this law, he would ask whether the United States Courts could not have jurisdiction in this matter. The power of the Judiciary would be entirely nugatory if it could be evaded by throwing the case into the form of a criminal proceeding. He referred the Senate to the case of the United States vs. Moore, 3d Cranch p 139, where it was admitted that Congress might give the power; and to that of Martin v. Hunter's Lessee, 1 Wheaton p 350-1, where it was admitted that criminal are the strongest cases.

The fourth section of the bill was merely matter of form. There was was no constitutional principle involved in it It only authorized the Courts of the United States to supply the want of a copy of the record It was intended to obviate the difficulty which was likely to arise from the novel provision contained in the 8th section of the Replevin Law of South Carolina, which makes it penal in the Clerk to furnish such record. This provision did not meddle with the penalty of the Clerk of the State Court, but contented itself with providing means to supply the deficiency.

The fifth section authorizes the employment of military force under extraordinary circumstances too powerful to overcome without such agency, and to be preceeded by the Proclamation of the President. What he had already said had reference also to this section of the bill. He would now merely refer the Senate to some precedents.

The first precedent which he would notice was to be found in the Act of May 2d, 1792, vol. 8, p. 284, repealed by the Act of Feb. 28, 1795, renewing the power to call forth the militia, which Act was still in force. This law grew out of the Western Insurrection in Pennsylvania. Like the present bill, although it was merely intended to meet that exigency, it was so framed as to continue in force. So the bill under consideration, although it had special reference to South Carolina, pointed not to her alone. If the opposition to the laws should extend itself, whether in the South or the North, the general principles of the bill would be equally applicable. It was an amendment of our code of laws to which the attention of Congress had now been called, and which was rendered immediately necessary by the peculiarity of our present situation.

The second precedent to which he would invite the attention of the Senate was the Act of the 3d of March, 1807, vol 4, p 115. "to suppress insurrections and obstructions to the laws," and "to cause the laws to be duly executed" That act authorized the President to call out the land & naval force to suppress insurrections, &c. These were the objects for which then, as in the present bill, this extraordinary power had been conferred.

Another precedent would be found in the Act of Jan 9, 1809, sec. 11, vol. 4, p. 194, to enforce the embargo, and which gives the power to employ the land and naval forces, in general terms, to assist the custom house officers. There was at that moment a great excitement, although nothing like the solemn position in which South Carolina has now placed herself. Yet it was deemed expedient to confer on the President this power.

He would now refer to the last precedent with which he should trouble the Senate. It so happened in the History of Pennsylvania that that State took from Virginia a strip of land bordering on the Alleghany and Ohio rivers On this strip of land where Virginia had been accustomed to exercise jurisdiction for which she had opened the titles, and where she had held her courts, there arose an insurrection. This had been called the Western Insurrection, but it was a singular fact that it was confined to this narrow strip of land which Pennsylvania took from Virginia. The President was then authorized to call out the Militia of the State, because they were not committed against the United States, but were willing to obey the call. The man to whose name history has no parrallel put himself at the head of these troops to quell the insurrection. All power was placed in his hands by the act of Nov. 24, 1794, vol. 2, p. 451, and the President was authorized to place in West Pennsylvania a corps of 2500 men either drafted or enlisted.

The sixth section of the bill had reference to the replevin law of South Carolina, and was justified and rendered necessary by the 12th section of that act which prohibited any person from hiring or permitting to be used any building, to serve as a jail for the confinement of any person committed for a violation of the revenue laws, under penalty of being adjudged guilty of a misdemeanor and fined 1000 dollars and imprisoned for one year. The State law, therefore, closes all the gaols and buildings of South Carolina against prisoners held by process from the United States for a refusal to yield obedience to *their laws*. It was necessary, therefore, that something should be done. The case might not be fully met by the resolution of 3d March, 1791, vol. 2, p. 236; and this section merely incorporates that provision, without the introduction of any novel principle.

The seventh and remaining section of the bill extends the writ of habeas corpus to a case not covered by existing laws. These laws do not extend to any other than cases of confinement under the authority of the United States, and when committed for trial before the United States Courts, or are necessary to testify. He referred the Senate to vol 3, p. 68, to the 14th section of the judiciary act. The present section merely extended the privileges of that act, which was so essential to the protection of the liberties of our citizens. It extended the act to cases of imprisonment for executing the laws of the U. States. There would be nothing objectionable in this section, if it came in conflit with no code of law. If a citizen were confined under the provisions of the Ordinance of the 24th November, 1832, he could have no remedy under the laws as they now exist. As all such cases arose under the laws of the State of South Carolina, this section only extended the privileges of the writ of habeas corpus to meet those particular cases which had originated in the present state of things.

He had now done, having fully attempted to explain the reasons which had induced him to give his sanction to the bill. He should only say in addition, that if it were the pleasure of Congress to enact this bill into a law, he should most fervently pray that no occasion might ever occur to require a resort to its provisions. It was his desire that the present bill, when it should become a law, might be rendered unnecessary by a return of the state of happy tranquility which would renew the cement of our Union, and might lie for ages to come, without the necessity of reference to its provisions, slumbering in the libraries of the lawyer and among archives of legislation.

Mr. Poindexter then stated, that as there was Executive business on the table which required the early attention of the Senate, and as it was not yet 3 o'clock, he would move to postpone the further consideration of the bill, and to make it the special order for to-morrow, with a view to make a subsequent motion that the Senate proceed to the consideration of Executive business.

Mr. Holmes suggested the propriety of changing the motion into a motion for adjournment He would himself make that motion, not because he intended to occupy the floor on the morrow, although in the progress of the debate, he might call the attention of the Senate, for a few moments, to some remarks, but that he thought the hour had nearly arrived when it would be as well to adjourn. He did not know how the bill would stand on the special orders, if the motion of the gentleman from Mississippi should prevail.

The Chair stated, that this bill was the only special order.

Mr. Holmes moved that the Senate now adjourn, but withdrew his motion at the request of Mr. Poindexter.

Mr. Poindexter then referred to the early hour of the day, and stated that there was business which required the Executive action of the Senate, pending the discussion of this bill. He hoped, therefore, that the Senate would consent to the motion for postponement, which he had made.

He then renewed his motion to postpone the further consideration of the bill, and to make it the special order for to-morrow.

The motion was agreed to.

On motion of Mr. Poindexter, the Senate then proceeded to the consideration of Executive business.

After remaining some time in secret session, the Senate adjourned.

The proceedings of the meeting in Denton, for the formation of a Temperance Society, are in type, but, with several other articles of interest, are crowded out by the important debate in the Senate of the United States.

A most violent eruption of Mount Ætna took place on the 17th and 18th of November, which destroyed Bronte, a town situated nine leagues from Catania, and which contained a population of 10,000 persons.

EASTON, MD.

TUESDAY MORNING, FEB. 5, 1833.

LATER AND HIGHLY IMPORTANT FROM EUROPE.

FALL OF ANTWERP.

The New York Courier and Enquirer of the 30th inst. contains intelligence by the Florida, Capt. Griswold, from London of the 25th ult. 4 days later. Antwerp has CAPITULATED, and Gen. Chasse with his garrison are prisoners of war.—The citadel when entered by the French, is said to have been in a deplorable condition, literally burnt up, and reduced to a heap of ruins, by the bombs of the besiegers. Thus after a protracted siege of twenty-four days, with seventy-five thousand men, the French have taken a few hundred Dutch, and with their guns battered down the walls of the citadel.

VIRGINIA.—The resolutions which we published in our paper of Tuesday last, adopted by the house of Delegates of Virginia as a substitute for the resolutions reported by Mr. Brodnax, have been adopted by the Senate also, and Benj. Watkins Leigh appointed commissioner to bear them to South Carolina.—The resolutions re-assert the doctrine of '98—declare that the proceedings of Virginia, at that epoch, do not sanction those of the South Carolina Convention and Legislature upon the subject of Nullification and secession; and solicit a suspension of the Ordinance and its accessary acts, until the end of the next session of Congress, to give time for a modification of the Tariff, which the resolutions recommend.

We hail the passage of these conciliatory resolutions, and the appointment of the distinguished individual who bears them, as the harbinger of peace and brighter prospects in our political horison.

In the Senate, Mr. Calhoun's resolutions, which with the bill from the judiciary committee, being the orders of the day for Monday the 28th ult. were on that day taken up, and on motion of Mr. Mangum postponed until Thursday. Mr. Webster objected to the postponement of the bill. A short desultory debate ensued, which however was nothing more than a sort of throwing and excepting the gauge of battle, between the great combatants. We have not room to give the preliminary remarks on either side, but will endeavour to afford our readers as extended a view of the general debate as possible, as soon as received.

The following account of the proceedings of a meeting of the nullification party in Charleston S. Carolina, at which Charles Coatesworth Pinckney, the lieutenant Governor presided, and the late Governor Hamilton took a distinguished part, gives to the meeting the sanction of such high authority in that State, that its acts may be deemed tantamount to the legitimate proceedings of their convention; we have therefore published it, with as little abridgement as the limits of our paper would allow, preserving all its important features.

It is a difficult matter for those who have taken such high ground, at once to descend to the proper level, but in the concluding resolutions will be found the spirit of compromise, which we humbly trust the Virginia resolutions, and the temperate action of congress, will bring to maturity:—

From the Charleston Mercury.

MEETING OF THE STATE RIGHTS AND FREE TRADE PARTY.

The meeting on Monday night, of which we subjoin the official account, was the most gratifying exhibition of the spirit and feeling of Carolinians that we ever witnessed. The building was crowded by an assemblage of more than two thousand citizens, and a more delightful exhibition of the enthusiasm and firmness of free born men, rallying around their liberties, could not have been wished for by the most ardent Whig in our ranks. It would have taught the advisers of the unhappy President of the United States, a salutary lesson to have witnessed the proceedings—to have marked the scorn and pity which he has earned from the men whom they dreamed that he could alarm—the loud, long laugh of derision which rose whenever his *paternal threats* were mentioned, and the burst of acclamation which greeted every sentiment in which the speakers declared the unalterable resolution of South Carolina, to maintain her rights or perish in the attempt.

The Chairman was surrounded by veterans of the Revolution, who exhibited throughout the proceedings, an interest and animation unsurpassed by that of the most ardent Youth present—and none could look upon the assembly, and hear the burning words of the Speakers, and observe the eager sympathy with which they were met, and fail to be convinced, that every heart there was beating warmly, and every arm nerved and ready against tyranny, come in what shape it may!

The Resolutions proposed were seconded by Gen. Hamilton, whose speech was frequently interrupted by bursts of enthusiastic applause. He approved decidedly of the Resolutions recommending that we should avoid all conflict with the federal authorities, while the Bill modifying the Tariff was yet before Congress. We owed this to our friends out of the State. We could pause with honor. His conduct would be guided by the tone of the Resolution proposed. He had himself made an importation, having made a shipment of Rice to the Havana, and ordered a return cargo of Sugar. He would allow his importation to go into the Custom House Stores and wait events. He would not produce an unnecessary collision, but, if our hopes of a satisfactory adjustment of the question were disappointed, he knew that his fellow citizens *would go even to the death with him for his sugar*. (He was interrupted by a unanimous burst of accord.) The last message of the President made it easy to forbear for the present, even with the most fastidious sense of honor. We are armed and in the trenches for the support of liberty, and we coolly and fearlessly await the blow.

We never heard a more hearty shout of applause than when Gen. Hamilton most felicitously adverted to the coincidence of the Natchez Sloop of war, sent on by "the ruler of our destinies," having anchored in the very place where the Tamar Sloop of war anchored in the Revolution. (Rebellion Roads.)

With regard to the President's call upon Congress to give him power to coerce South Carolina, Gen. Hamilton said that should Congress grant the authority, he should forthwith (as he was empowered to do as President) re assemble the Convention and submit to them THE QUESTION OF SECESSION, and none could doubt what their choice would be. If we were denied by the Government of the U. States the right of peaceably seceding, we would then triumph in asserting it, or die in the attempt. This declaration was greeted with overwhelming acclamations.

Col Pearson followed in a speech to the eloquence of which we cannot do justice in an abstract. He placed the inconsistencies of Gen. Jackson in the most ridiculous light, and after exciting the utmost mirth at the expense of the ruler of our destinies, showed how mortifying it was to the citizens of a State of this confederacy that the Executive of the Union should so disgrace himself as Andrew Jackson has been induced to do by those who have practised on his imbecility. He gave a vivid and true account of the enthusiasm of the interior. Told how the violence of the Proclamation had been thrown back, broken into mere froth from the rock of Carolina firmness; how *even the women of* our country laughed at the threats of the toothless tiger, but he warned us to watch the movements of the wild beast, now cowed by the glance of freemen; but who would spring *upon his master*, could he catch them unawares. If Congress granted the modest request made in the last message for dictatorial power, why we would but fight it out. The whole interior were up in arms, and would pour in a torrent into Charleston on the first aggression, and if the power were usurped by Congress and given to a maligant tyrant to fight us down, *they would not disgrace us* We would die honorably if we did not conquer. S. Carolina had already done enough for glory in that she alone had stood up against the Proclamation, and snatched the thunderbolt from the would be Jove, and shaken it in his face; and that while Virginia had shrunk from maintaining the principles of '98, and was willing to show *"that she meant nothing under heaven,"* South Carolina had, like her own Jasper, caught up the fallen banner of State Rights, and spread it to the breeze!

At an early hour the Circus was filled to overflowing, and from an accurate estimate it is conjectured that there must have been at least three thousand persons present. CHAS. COATESWORTH PINCKNEY, Lieutenant Governor of the State, was called to the Chair, and Alexander H. Brown, Esq. appointed Secretary. The Chairman explained the object of the meeting, after which Judge Colcock made an address replete with warm and enthusiastic sentiments of Patriotism, and concluded by submitting the following Resolutions.

Whereas, a public manifesto under the style and title of a "Proclamation by the President of the U. States," has been set forth as an authoritative exposition of the Constitution of the U. States, and the rights of the States in this Union, and whereas, this edict of the Executive, affirms and expounds and threatens to enforce by the sanction of military coercion, the following points of constitutional law, viz.

That the Declaration of Independence was made by the people of the several colonies as one community, and not by independent States, each acting by virtue of its own sovereignty, by which one nation was created, and not a confederacy of sovereign States.

That no State can be said to be sovereign, whose citizens owe allegiance to laws not made by it.

That the Judiciary in expounding, and the Executive in executing the laws of the Union, are the only functionaries who of right possess the power of finally and authoritatively deciding on the constitutionality of these laws; that this right does not belong to a State in the Union, but was virtually surrendered when "the United Colonies" agreed to from a single NATION.

That the "United Colonies" having agreed with the other States to form a single NATION, no State from that period, possesses any right to secede. "To say that any State may at pleasure secede from the Union, is to say that the U. States are not a Nation, and that secession, like any other revolutionary right, is only to be justified by the extremity of oppresion."

That a State having no right to decide in the last resort, whether the compact has been pursued or violated, this right devolving exclusively on the departments of Federal Government, the Executive has the power to enforce by military coercion, what HE believes to be constitutional law, although declared otherwise by a Sovereign Party to the compact.

Resolved, That this meeting views with equal astonishment and indignation, the claims of power set forth in the foregoing summary, which is a correct exposition of the doctrines contained in the text of the aforesaid manifesto.

Resolved, That the alledged origin of the government of this confederacy, as set forth in the said proclamation is historically untrue That by disingenuous verbal refinements, its authentic history has been perverted to the extraordinary purpose of erecting on the ruins of the sovereignty of the several States, a great consolidated government without limitation of powers.

Resolved, That it is an unfounded reproach to the memories of the great and immortal spirits who declared our Independence, and formed the confederation of 1776; to say that a consolidated government was created by them, and not a confederacy of free, sovereign and independent States.

Resolved, That the allegation also made in the aforesaid proclamation, that by the constitution of the U. States a similar consolidation of the government is ratified, is equally without foundation, as is proved by the separate and distinct capacity in which the States formed that instrument, assembled in its ratification, and reserved to themselves all rights not delegated to the general government.

Resolved, That the separate sovereignty of the States is in no degree affected by their delegating a part of their powers, to be exercised through a joint agency called the government of the U. S. whose laws are alone supreme and binding on the States when made in pursuance of the Constitution. We, therefore utterly deny the flimsy sophism, that a State is not sovereign, because its citizens are bound to obey constitutional law of the U. States. made in strict conformity with an express power, which in her sovereignty such state has clearly delegated.

Resolved, That the claim which the President of the U. States has set up by his previous acts, and the context and tenor of the aforesaid proclamation, of being himself the final and exclusive judge of the constitutional validity of the laws, which he is called upon to execute, coupled with an avowed negation on his part, of a similar nature, appertaining to a sovereign party to the compact, not only puts "an inferior department of the Government created by the compact above the sovereign parties to the compact itself," but steps at nothing short of concentrating in the hands of a single functionary, the whole power of the Union.

Resolved, That we view with abhorrence the direct and immediate corollary flowing from the aforesaid premises in the said proclamation, to wit: that no state had a right peaceably to secede from this Union.

Resolved, That we regard the ulterior right of secession as inseparable from the sovereign character of the parties to the compact, that no claim to perpetuity is set up in the instrument itself, nor among the enumerated powers is any power given to the general government to coerce a seceding State into the Union. And hence it ceases to be a subject of surprise, that in expounding a written instrument in which no such power is found, the President should have taken refuge in the poor resource of all arbitrary government for the justification of this power, the stale and dangerous pretext of state necessity.

[Then follows an assertion of the right to secede from the Union, and their determination to peril life itself if need be, in support of it;—with a series of resolutions expressive of their indignation at what is called "the undignified vituperation and reproach in which the President has indulged against a sovereign state;" at "the menaces of military coercion, &c. and approving of the conduct of the Legislative and Executive departments of the government of S. Carolina, and of the bold and lofty spirit of the people of the state. That the free trade and state rights party of Charleston will volunteer en masse. That they have viewed with indignation the concentration of the naval and military forces of the U. S. in the harbour and on the frontiers of South Carolina; that, past history has shown, that while they may be conciliated by kindness, they cannot be driven from their purposes by threats. &c.]

Then follow these resolutions,

Resolved, That although we have felt it to be a sacred duty to manifest these determinations and to express these sentiments, we have nevertheless seen with lively satisfaction not only the indications of a beneficial modification of the tariff but the expression of sentiments in both branches of congress as well as in other quarters, auspicious to the peace and harmony of the Union, and that these indications shall be met by corresponding dispositions on our part—*It is hereby declared that it is the sense of this meeting that pending the process of the measures here alluded to, all occasion of collision between the Federal and State authorities should be sedulously avoided on both sides in the hope that the painful controversy in which South Carolina is now engaged, may be thereby satisfactorily adjusted, and the Union of these States, be established on a sure foundation.*

Resolved, Should these expectations, which we sincerely and patriotically cherish, be disappointed, and the State be left no other resource but in a firm reliance on her own sovereignty, we mutually pledge ourselves to each other and our country to sustain the ordinance of her convention, the laws made in consequence thereof, and our constituted authorities, be the hazards what they may. And in order that our citizens may be shielded from the payment of the protecting duties imposed by the acts of Congress, pronounced by the convention of the people of South Carolina, unconstitutional; null and void, the chairman of this meeting is hereby requested and authorised, to nominate and associate with himself three commissioners, to open a correspondence with the citizens of the different districts and parishes in this state for the purpose of organizing and forming a Free trade importing company, in order that if practicable, the whole of the articles of foreign merchandize consumed by the people of this State, may hereafter be imported, free from the odious and unconstitutional tribute which we have hitherto paid.

Resolved, That while this meeting sees with satisfaction from the President's recent message to congress, that he now acknowledges, that under the existing laws and constitution of the United States he has no right to resort to *military force* for the purpose of coercing the State, and of enforcing within their limits, those acts which have been pronounced by the convention to be unconstitutional, void and no law. Yet we cannot avoid the expression of our regret at the reiteration by the President, of the imputation upon our citizens and constituted authorities of a design to levy war, or commit some act of outrage against the United States, when all our measures as well as our public declarations, have manifested a determination not to resort to force except the same should become absolutely necessary in *self-defence*, to repel invasion, or to maintain within our own limits, the authorities, rights and liberties, appertaining to the people of South Carolina, as a sovereign state.

Resolved, That we should regard the conferring by Congress upon the President, of the extraordinary powers demanded in his recent message, as a gross and palpable violation of the constitution of the United States, as investing the chief magistrate of this confederacy with dictatorial powers, and giving to the executive to a certain extent, an absolute control over the lives, liberties and property of the people.

Resolved, That the propositon made by the President to supercede the jurisdiction of the courts of this State over our own citizens in cases arising under her ordinance and laws, and giving to the federal courts an absolute control over the judicial tribunals of the State would if carried into effect, be utterly subversive not only of the rights of the States, but of every principle of civil and political liberty, and if submitted to, would establish amongst us a foreign judicature having cognizance of our own state laws and giving judgement in cases arising between our own citizens, contrary to the whole form and structure of our Government, and in manifest violation of the constitution, both of the State and of the United States.

Resolved, That while we cannot submit to the imputation of having acted rashly or unwarrantably in adopting measures of defence in reference to a system against which S. Carolina has been in vain protesting *for upwards of ten years*, we deem it proper once more solemnly and publicly to disclaim all the objects which have been imputed to us, save only that of relieving ourselves from the operation of a system which we believe, in the strong language *once held* by our political opponents themselves to be "utterly unconstitutional, grossly unequal and oppressive, and such an abuse of power as is incompatible with the principles of a free government and the great ends of civil Society," and which we *still believe* must if persevered in, reduce this fertile State to poverty and utter desolation and her citizens to a condition of colonial vassalage.

Upon taking the question on the preamble and resolutions, the same were adopted without a dissenting voice.

On motion of Col. Jno. Bryan, it was

Resolved, That we the volunteers of the city and district of Charleston, will wear a blue cockade, with the Palmetto button in the centre, so long as our services shall be deemed necessary in maintaining the rights of the State of S. Carolina. And that all persons throughout the district who have determined to support the State against military coercion on the part of the General Government be and are hereby requested to do the same.