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**EDWARD MULLIKIN,**  
PUBLISHER OF THE LAWS OF THE UNION.

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Feb 16 12w

**WAS** committed to the Jail of Baltimore city and county, on the 13th day of January, 1833, by Charles Keran, Esq., a Justice of the Peace in and for the city of Baltimore, as a runaway, a coloured man, who calls himself **CHARLES DONALDSON**, says he is free, was bound and served out his time with Jacob Carc, Sweep Master, living in Baltimore. Said coloured man is about 21 years of age, five feet five and a half inches high; has a scar on his right shoulder. Had on when committed, a pair of corduroy pantaloons, white box coat, black fur hat, and a pair of coarse shoes.  
The owner of the above described coloured man, is requested to come forward, prove property, pay charges, and take him away, otherwise he will be discharged according to law.  
**D. W. HUDSON,** Warden of Baltimore city and county Jail.  
Jan 28—Feb 9 Sw

**LOT FOR SALE**  
WILL be sold, at a low price, a **LOT OF LAND**, containing 24 acres, about one mile from the town of Easton. Apply to the editor of the Whig.  
Feb 12 Sw



**BY AUTHORITY.**  
LAWS OF THE UNITED STATES  
PASSED AT THE 22D. SESSION 22ND. CONGRESS.

[PUBLIC No. 6.]  
AN ACT to explain an act entitled An Act to reduce the duties on Coffee, Tea, and Cocoa, passed the twentieth of May, one thousand eight hundred and thirty.  
Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That in all cases in which the importers of coffee, or cocoa, which remained in the Custom House stores under the bond of the importers, on the thirty-first of December, one thousand eight hundred and thirty, shall have paid on the same a greater amount of duty than is imposed by the act passed on the twentieth day of May, one thousand eight hundred and thirty, on coffee or cocoa, imported after the thirty-first day of December, one thousand eight hundred and thirty, the Secretary of the Treasury is directed to refund, out of any money in the Treasury not otherwise appropriated, to such importer, the amount of such excess so collected.  
Sec. 2. And be it further enacted, That, in all cases in which the importers of coffee, tea, or cocoa, which remained in the Custom House stores, on the thirty-first day of December, one thousand eight hundred and thirty, under the control of the proper officer of the customs, shall have been compelled to pay on the same a greater amount of duty than is imposed by said act, on coffee, tea, or cocoa, imported after the thirty-first day of December, one thousand eight hundred and thirty, the Secretary of the Treasury is directed to refund, out of any money in the Treasury not otherwise appropriated, to such importer, the amount of such excess so collected.  
A STEVENSON,  
Speaker of the House of Representatives.  
HU L. WHITE,  
President of the Senate pro tempore.  
Approved, February 9, 1833.  
ANDREW JACKSON.

**TWENTY-SECOND CONGRESS,**  
SECOND SESSION.

WEDNESDAY, Feb. 6, 1833  
**SPEECH OF MR. TYLER, OF VA.**  
ON THE JUDICIARY BILL

Mr. Tyler, after a few preliminary remarks, said, that he should not, perhaps, then have addressed the Senate but for the voice of some who might conceive that the proper course of prudence for him to pursue, was to remain silent. He knew the situation in which he was placed here and elsewhere, and he knew also that there was a formidable opposition arrayed against him. He knew that the slightest expression variant from the feelings of some which he uttered trippingly from the tongue, might subject him to animadversions which would possibly prove fatal in the result. Still he divested himself of the feelings to which such circumstances might be supposed to give rise; he wished it to be understood distinctly, that he had well weighed the matter—that he threw aside all personal considerations, and was prepared at every risk, to defend the great principles on which he had acted in the whole course of his political life. Such conduct on his part might be deemed rash and precipitate, taking into view the circumstances to which he had alluded; but he said so; he had come into the Senate as the advocate of those principles which neither his judgment nor his heart could permit him to relinquish, and when it should be decided by those who had sent him there—if such should be the case—that he was no longer to be a member of that body, he should depart thence without a feeling of regret; but for the abandonment of principles, upon the preservation and observance of which depend the perpetuation of the Constitution and the safety, the liberty, and the happiness of the country, it was indeed no time for the indulgence of personal considerations, when the battlements were rocking above our heads—when the discord was within, and the storm without was raging in all its strife—as such a period he could not abstain from private thoughts—to the lover of his country, the dust of the meale ought to be as the breath of his nostrils.  
Mr. Tyler commenced by saying, that he would, without further preface, go into the weighty and important question before them. He must state, as a preliminary, that it was found, by all the arrangements which history afforded, that all ages of the world, and in all nations, beneath the sun, or on the face of creation, there would be found to exist two parties; the one disposed to advance the power and authority of the government under which it lived, or in other words to extend its authority, and the other jealous of power and sedulously watching and endeavoring to guard against the slightest usurpation of it. It was a truth verified by the experience of all history, that even under the most tyrannical and oppressive governments, there would be found those who would vindicate actions however arbitrary, base, or profligate they might be—there were flatterers of despotism, under whatever form of government that despotism might prevail—and the doctrine that this monarch was the viceregent of the Almighty, and that to touch a hair of his was sacrilege against the Lord's anointed; was not confined to monarchies alone. Mr. Tyler observed

that the party which strives against those in possession of authority, must necessarily always be the weaker. In fact, fearful odds would always be against the former. Some would invariably be allured by the splendor, the emoluments and the patronage of office; others would be indisposed to disturb the tranquil tenor of their way; and as to others again, there would be no small difficulty in awaking them to a true knowledge of their own duties and their own rights. It was a circumstance of two frequent occurrence that the task of arousing the minds of men to the performance of their public obligations, was attended with a fatal delay—men might be shaken from their stupor at an hour that is too late, and thus might awaken only to find themselves in manacles and chains, with despotism waving its iron scepter over them in unresisted and resistless sway.

It would be singular, indeed, Mr. Tyler went on to say, that the power and the operation of that political influence, which prevailed in all time and in all nations, should not also have visited us. It extended through all regions; however, enlightened their inhabitants might be. It was felt, and extensively felt in our own country, during the war of the Revolution. Who was there that had not heard of the distinction of whig and tory, and of the opprobrium heaped, even till this day, upon the latter as traitors—as enemies to, and base betrayers of, the liberties of their country? For his own part, he (Mr. T.) had always thought that the obloquy cast upon them, generally, was unjust. He considered that, on the whole, injustice had been done to the great body of the tories of that day. He believed further, that in many instances they had been as honest in their intentions, and as sincere in their opinions, as the whigs. It was due to them in his judgment, to say that they had been greatly misguided in their course by the influence of pre-existing circumstances. They lost sight of the great truth, that their allegiance was due to their country here. Their eyes were fixed on the British diadem, and their judgments were blinded by the rays which emanated from and sparkled around it. They probably had not forgotten, that the power of Great Britain had, in former wars, been more than once put forth for the protection of the colonies in their infancy, and during their growth into mature and strength. And to this consideration might be added the sacred recollection, that with the soil of that kingdom, the bones of their ancestors were commingled. Neither, continued Mr. T., were these the only considerations which might be supposed to have actuated many of the tories in the part which they took during the struggle for our independence; another circumstance might have operated perceptibly or imperceptibly on their minds; and it was not unnatural, or to be wondered at, that it should have so operated with some.

The British Government stood out as the most free in the world; and the tory of the revolution, in his admiration of her greatness and her glory, had been too apt to forget what he owed to the country of his birth or adoption. In the formation of the State Governments, also, parties existed, and had their influence; and not only in this, but the same operation was observable in the revision of the articles of the old Confederation, and in the debates in Convention on the adoption of the Constitution. They would find that on all these occasions there had been a struggle of parties, a collision as he would say, of opposing influences. The last of those influences which had the tendency, and the last of those parties which had the object of opposing the strides of power, he was happy to think had prevailed.

In that Convention, Mr. Tyler said, there were three parties. At the head of the first was Alexander Hamilton, at the head of the second party, he was sorry to say, Virginia was to be found, together with others of the larger States. The third party, which proved the predominant one, consisted of the middle sized and the smaller States. Mr. Tyler here observed, that he could not, in connection with this branch of the subject, proceed without expressing his disagreement to the doctrines advanced yesterday by the Senator from Maine, (Mr. Holmes,) which, if carried into effect, would, by consolidating the Government, inevitably lead to the crushing of smaller States.

But to revert to his argument. How had the three parties of which he was speaking, been arrayed? Alexander Hamilton was at the head of the first, which was decidedly monarchical. The larger States composed the second party, which was in favor of a national government. The smaller States, the scouted and despised weaker States, were the advocates of a Federal Government. They were the successful advocates of the adoption of our present happy Constitution.

Here, however, he wished it to be observed, that in speaking of Mr. Hamilton as the head of the monarchical party, he did not wish to be understood as speaking in a spirit of reproach to the memory of that great man, and still less of detracting his amazing powers of mind, or what was more, far worthy of commendation—his purity of intention. Alexander Hamilton, said Mr. Tyler, ranked among the first men of the country, and the age in which he lived, and he would have been an ornament and a pride to any age; for vigor of intellect he had no superior;

for heaty of purpose he had no superior; as for the boldness of his determination, the pursuit of what he conscientiously believed to be honorable objects, he had no superior. It was his (Mr. Hamilton's) belief that the existing system of Government was too weak to support itself, and he therefore bent all the power of his mind to give it what he thought would be an exalting strength, by the adoption of monarchical principles. By Mr. Tyler said, the object of Alexander Hamilton could not be concealed, and it was defeated as soon as discovered. He had, then, no alternative but of quitting the Convention, together with those of his friends who had united with him in his views, or of forming a junction with the national party; the party, he should more explicitly say, which he, (Mr. Tyler,) did describe as being in favor of a national government.

As the head of the second party, or among the most prominent members, was the late Edmund Randolph. I knew him well, said Mr. Tyler, and in speaking of him now in connexion with the hen state of parties, and the course of public policy recommended, it is far indeed from my intention, to speak of him with disrespect, or even unkindness. I would have as much as the dead to repose in the slumber of the grave; and I can have no disposition either, to disturb the peace of the relatives of one who took charge of a portion of my infancy. Edmund Randolph, Mr. Tyler said, in those times, occupied a large share of the public attention. He was a prominent public man. His eloquence was of the first order. As an advocate, he could be surpassed by few; and as a statesman he stood high in the national councils. But, Mr. T. said, he regretted that he was not prepared to sanction or approve of the principles of government which that distinguished man avowed and advocated, according as the evidences of his doctrines had come down to us.

At the head of the federal party, of that party which stood forth in favor of the federal constitution, was Mr. Dickerson of Delaware—the smallest State in the Union; it was true, and yet this State was one of the most signalized by talent, in proportion to its representation of any of the States of the Union. The project of Mr. Edmund Randolph was, that it was expedient and proper to have a National Government; a Supreme National Government; a Supreme Executive; a Supreme Legislature; and a Supreme Judiciary. These were to be supreme in the exercise of their respective functions. But this was not all. Congress was to have a power of veto on the laws of the States. Mr. Tyler said, that certain of his recollection might be defective on this point, that Mr. Madison had been a strong advocate of this project; but it might be so; those gentlemen whose memories were equally weak with his own on the subject, could ascertain by referring to the journal of the proceedings of the convention, which would determine the matter. Laying this aside, he would ask then, what would have followed from an accordance with a proposition for a frame of Government like the one proposed by Edmund Randolph and the national party, in whose first rank he stood? He, Mr. T., should hesitate to say that the design was to reduce the States to the condition of provinces, but the effect would have been such. The States would have been, in their relations to the General Government, mere corporations placed at the feet of those whom they had created; and there would have been in this confederacy one consolidated and united Government—a Government in fact one and indivisible.

Even after the project had been defeated, and the ascendancy of the party in favor of a Federal Government had been obtained by a majority of the smaller States, the State of New York was divided, as indeed it almost invariably had been. It was scarcely necessary for him to speak of the blindness evinced on that occasion. New York, in truth, was at that time engaged in deliberating whether she should become a great State or not. Whether to her should appertain the proud distinction of "the empire State." One of the members of the New York delegation, who had always before denied his vote to the third party, (the reporter understood Mr. Tyler to say) gave it on this occasion, and then the scale was turned. And so it was that the nations were defeated, routed, horse, foot and dragons. It was Mr. Dickerson, of Delaware, who had fought the good fight, and who had mainly contributed to the achievement of this great intellectual victory. To the small State of Delaware—to that portion of our Union which appears only as a speck upon its mass, we have been now more indebted for our constitution, than to any other State. Yes, to that intelligent and patriotic State it is chiefly owing that the Constitution was adopted—the constitution which he thought prescribes the happiest form of government ever devised by human wisdom to advance and elevate the condition of mankind, and which has already lead us to an extent of prosperity, a parallel to which the annals of the world do not exhibit.

Mr. Tyler, after remarking that the present debate embraced within its scope the very elements of constitutional freedom, which he observed he would presently endeavor to show, proceeded to detail the argument advanced in the Convention by Mr. Dickerson of Delaware. That gentleman had said that the members of the national party were reckoning without their host, and that they had better look to the instructions which they had received from those whose interests, and whose wishes and views they had delegated to represent them. He asked them if they were authorized to vote for a monarchical government, or for a supreme national government, which would trample down and ride over the prostrate States? No, they had been sent there to revise the articles of the old confederation—to infuse more ardor and vigor into the federal system—to breathe into it new life, and to impart to it a new soul; to do all this, and not to make war upon its very existence, and being. If the operations of government are paralyzed, apply the proper stimulus to a healthful action; if you want a Supreme Court, create one to carry every constitutional provision of law into effect; if the requisitions made upon the several States of the confederacy for their respective quotas are—disregarded apply a remedy to the evil; if you want money to collect the taxes. Do all things necessary to give renewed life and vitality to the confederation of these States, but go no further. Revise, but do not change the articles of our copartnership. Let us have no monarchical or national government.

Such, said Mr. Tyler, were the views of Mr. Dickerson of the spirit and intent of the instructions given to the members who represented the States in convention. He (Mr. Tyler) would not now detain them by referring to those instructions, as well on account of the exhaustion which he felt himself, as from the fact that they must be familiar to the Senators. Such as they were, they, in his opinion, displayed in bold relief the principles held by the States, in regard to the adoption of the Constitution.

The Senator from Maine, (Mr. Holmes,) he said, had yesterday observed, that the old confederation was no Government. If it were not a Government he (Mr. T.) should like to know in what nondescript animal it was. Government—what possessed the powers of a Government—it could make war and peace—negotiate treaties—levy armies, and do to well out the list of its powers, it could do almost every thing that the present Government can do under the existing Constitution. In fact, collated with the articles of the confederation, it will be found that many of the provisions of the Constitution—almost all the articles of it, are nearly *totidem verbis*. Mr. Tyler here quoted a variety of instances in which the similarity of terms is very striking, extending in most of the cases to the very words. He asked, in continuation, why the change of one or two little words or phrases should be regarded as operating such a magical influence on the Constitution? He recommended gentlemen to compare the two instruments together—to compare them with attention; and that being done, and the spirit of both properly regarded, we shall hear, he thought, no more of this Government not being a confederation of States—we shall hear no more of its being a national or consolidated Government—we shall hear no more of its growing out of the States—but we shall reflect, upon it with admiration and love, as a system of Government, beautiful in its terms, its features and its proportions.

But alas, he must observe by the way that now a days every thing was becoming national. You cannot pass through the public streets of this city without being met by the word at almost every step. There were National Hotels, National Boat Dockers, National Smiths, and National Quill Hatters. Every thing indeed, is NATIONAL, NATIONAL, NATIONAL! And this, when the term was not in the Constitution. If any thing were wanting further to show that the Government emanated from the States, it was conclusive that the Constitution was formed by the States, is amendable only by the States, is capable of preservation only by the States. And yet, in the face of all these facts, undeniable, and undeniable facts, it is contended, that is not a confederated Government, but a consolidated one, or a Government of general powers. If such, said Mr. T., be the case, I will endeavor to show that it cannot continue, and that it is impossible for it to exist without degenerating into a monarchy.

He would not stop to battle with the distinctions of the Senator from the New Jersey—he might have it as he pleased. It was ratified by the people—the whole population of the people of the States. If, however, it were meant to express the collective opinion of the people, as individuals, it was the most unfortunate opinion which could have been devised. The State of Delaware, and little Rhode Island, were as large in their influence, and throw as much weight into the scale, as Massachusetts, or any of the larger States. And little Rhode Island could sit on her sovereignty as nobly as the best of them. Heaven forbid that he should touch it. So far from it, it thrilled his bosom with pleasure—it made his heart glad, when the Senator, who, in part, so ably represented that State, presented them the other day with a memorial, in which he found that the title of the Governor of Rhode Island spoke any thing but the memorial dependant on a superior power. He heard the Governor of Rhode Island, in that memorial, designated as the "Governor and Commander in Chief of the land and naval forces of the State of Rhode Island and Providence Plantations." Such titles, Mr. T. said, he wished to see perpetuated and honored. He cared not for empty titles of birth and aristocracy, which were so much honored in other countries; but such titles as his he would preserve in our own. Let the "Governor and Commander in Chief of the land and naval forces of Rhode Island," still preserve both the power and the title given to him by a Sovereign State.

But, sir, said Mr. T., the ratification was made by the people of the States. He intended, before he closed, to ask the Senator from New Jersey to draw a picture—he would even permit him to do it from the resources of his imagination, (and those, he knew, were very abundant,)—but he would ask him, in some way or other, to draw a picture of a State without people. For his own part, Mr. T. said, he could not form the most indistinct idea of such an abstract or spectral existence. A State without people. Why, the people are the State, and the States are the people. They might as well talk of a State without land. He might as well say, because the Constitution was declared to be, "the Constitution of the people of the United States," that it was not the Constitution of the people, but merely the Constitution of the States. The very terms employed, expressed the title of the people, and explained it to be a Constitution for the government of the people of the United States; and therefore, that it was a federal system, and not a national one.

The idea which formed the basis of the argument to establish his power, was the sovereignty of the States; that it was but an emanation of those sovereignties; that it was merely created to discharge the duties assigned to it by those sovereignties. Those duties were prescribed—they were to secure the happiness, prosperity and independence of the several States. It might as well be said that an ambassador was a sovereign power, and that he was so because he represents a sovereign power. But the ambassador was bound by his instructions, and so were they, in that assembly. The very moment the ambassador went beyond his instructions, he was responsible for his misconduct. And so were they. To whom were they responsible? To those by whom the power was delegated to them. But if, said Mr. T., we really are a sovereignty, what sort of a sovereignty are we? Surely this was the strangest sovereignty that was ever seen! They had not even a symbol of sovereignty amongst them, a crown, or a scepter, as to enable them to take advantage of the argument of Hobbes and other early English writers, who established the right of crowned sovereignty, by deriving it from God, and declaring that sovereigns were his earthly viceregents. But what was their situation? They derived their power from the States, yet they were sovereign; it was said! They held it at the will of the people, still they were sovereign. He, (Mr. T.) for his own part, renounced this doctrine; it was unjust; it was illogical; it was an Anti-American doctrine. The American doctrine was, that all power was derived from the people; and that the people only were sovereign.

But, if the General Government was not sovereign, it was supposed that this difficulty would arise. How was allegiance due to the several States? This was the difficulty which it was thought must arise from a denial of the sovereignty of the General Government; and that, therefore, it was necessary to urge the doctrine of federal sovereignty to drag along with it a pernicious doctrine, which was without reality; which, if brought into existence, must destroy the Union. The doctrine to which he alluded was this: that the allegiance of a citizen was due to the General Government, and not to the State of which he obtained his citizenship; that no allegiance whatever was due to the States. I, said Mr. T., should like to know how I am a citizen of the U. States? I have never yet seen a man who was a citizen of the United States, I am a citizen of Virginia. Should I wend my way to the State of New York, what do I find? Not that I am a citizen of the United States. No. But I find that I am entitled to the privileges and immunities of New York, or of any other State wheresoever I may go. This is all. But they do not make me a citizen of New York, de facto.

To change the illustration—let a citizen of New York go now into Virginia. The elections of that State are going on. By the law of Virginia a residence of twelve months was required before a person could vote. Well, the citizen from New York might do every thing there, but exercise the privilege which the State had reserved to its own citizens, as indispensable to their benefit and her own sovereign power as a State. But the citizen of N. York could not vote in Virginia. Yes, sir, said Mr. T., it is because I owe allegiance to Virginia, that I owe obedience to the United States. Because my State has entered into a bond, which binds me, a citizen of that State, to obedience. You may twist the matter as far as you can, and turn it as much as you please, but "I owe allegiance to Virginia, and only owe obedience here, because I do owe allegiance there."

Mr. T. said, they had been told that "obedience" and "protection" were reciprocal terms. He would agree to the position. Who was it then that protected him? Who was it that protected him in his rights of property—from the assassin's dagger, from the plunderer—from the iron rods of the midnight thief—from every danger? Who was it, that protected him, when he then stood? Was it by virtue of the sovereign power of the United States, or was this protected? Was it the influence of the power of the General Government, which