imparted to him the confidence he there felt? No, sir, said Mr. T., the protection by which I am here surrounded—is that of the State of Virginia,—and though like the unseen sir, I know it, and I feel it to be a wall of adamant.

What protection could the General Government—the United States—afford him? They could give him this protection: When he went upon the highway of all nations—the ocean—the United States could give protection. By her maritime power she there surrounded him with a bond of protection and security. But let it be remarked, that he did not then stand on land, but on shipboard. He might have beside him, on the deck, a citizen of Rhode Island, or a citizen of New York; and the ship and its protection were common property of all the States. The protection there granted to him, as a citizen of Virginia, was in pursuance of an agreement entered into on the part of that State, which guaranteed to all her citizens such protection; and to which State, and all her agreements, he, as he had before, owed allegiance.

But a wonderful discovery had been made in the Constitution. It was there found that the Government had a power given to it, to punish for treason against the United States. First, let them look to the definition of the offence. "Treason against the United States shall consist only in levying war against them, or in adhering to their enemies," &c.

Now, he would put this case: Suppose this feature had not been introduced into the Constitution, was it not evident that no one would have the power to punish the offence designated, and that therefore it must go unpunished? Who could punish it? Could Massachusetts? Could Virginia? Could any other State? No. It must have gone unpunished, unless an express provision for its punishment had been inserted in the Constitution. And, as it was necessary to strike at all enemies to the Constitution, both foreign and domestic, this provision was inserted.

But let them take a case of treason against a State. Could the General Government punish that under this provision? Suppose a case of treason against a State should occur—that the majority in one of the States should seek to overturn the minority—could the General Government punish this as treason against the State, affecting only the State, and not affecting the Constitution or stability of the Union, because it was a matter of no consequence to the U. States, what or which party was the ascendant in a particular State. And yet, by the laws of the States, treason was as punishable as it was if committed against the U. States.

He thought it would puzzle the powers of logic, (and he knew he should be followed by very able logicians,) that he thought it would puzzle the powers of logic to show how a State could commit treason. Against whom could she commit it? Was it against the U. States? But it so happens that she was herself one of those States. And it was impossible, he took it for granted, that any State could commit treason against herself.

He feared, however, that he had detained the Senate too long on these points. He would now go to another.

It seemed to follow as a consequence of this doctrine of amalgamation, that he was not on that floor as a representative of Virginia, but of the United States. Now this appeared to him to strike at the very root of that vital principle—the right of instruction by the represented to their representatives. If he were not a representative of Virginia, what right had he to listen to her instructions, any more than the instructions of Rhode Island or Massachusetts?—The argument that he was there as a representative of the whole United States, could, at the utmost prove but this. That, because he, (Mr. T.) represented Virginia, he was found to advance the interests of the Union, inasmuch as, whatever advanced the interests of all the States must advance the interests of Virginia; and therefore he was bound to advance the interests of the whole United States.

The plain effect of the whole of these doctrines, to which he had alluded, was, to convert the States into mere provinces, and to make the President the common arbiter over all claims of the States, and over all the rights of the States. It would give him the power to veto all State laws—not merely by his word, or his pen—but by the sword and the bayonet. It would place him at the head of the regular army, arrayed against the States, and would invest him with more than dictatorial powers.—He might punish when he pleased, and consign to the halter whom he thought proper, as transgressors on the rights of the great sovereign power of the United States. In short, the consequence would be that the country might at once be changed into an aggregate mass, living under one consolidated Government, instead of a combination of separate and independent communities.

But, before he vested the President with powers like these, he should like to know if he might do it with safety. He did not speak then of A. Jackson. He was dealing in generalities. Could they entrust a President with such powers.

If the case of Georgia were presented to one President, they might hear of "suspended obligation." If to another, Georgia might, possibly, be patted on the back, and smiled upon in the face, and told that her proceedings were not only just but meritorious. He did not mean to cast reproach on either President. But he could not consent to live under such a system. It was irrational. These were matters on which all Presidents ought to be required to think alike. I, said Mr. T., might be in danger of being hung up for treason, for defending certain doctrines, under one President. Another might say, "Why, really you are a clever fellow; you have acted well, you have done your duty! Instead of hanging you here is a gold medal for you;" or something of that sort. Such a variable, uncertain state of the law as this, Mr T. said, was worse than the law of the Medes and Persians, "which altereth not."

But how came those doctrines again chosen at the present time. They were overturned in eighteen hundred. He had regarded them as absolutely defunct; it appeared, however, they were only in a state of torpidity. In 1800, after a hard fought battle, the democracy was victorious, and had trampled in the dust the power and claims of their opponents. And now, after a lapse of thirty years, these doctrines had crawled forth again to bask in the sunshine of the President's Proclamation.

The Senator from Maine had said, that he had found a strange bed fellow; that he could not account how such a change as had happened could have come to pass. Well, it was true; there had been strange changes. He, Mr. T., had a right to say so, when he found himself in opposition to the administration—of which he had once, as was known, been a supporter, as far as any rational man could be; and found the Senator from Maine an advocate of its measures. An association had been mentioned, as having been formed in times by gone. It consisted, as far as he, Mr. T. understood, of James Madison, Felix Grundy, John Holmes, and, if he might mention the name of the other party, the devil! It seemed that there had been a dissolution of the bond, and that the parties had called for a division of capital. He did not know by whom this dissolution was brought about, however. The honorable gentleman from Tennessee had now told them that he belonged to Andrew Jackson & Co., and said that he had nothing to do with his Satanic majesty. He, Mr. T., wished to know what had become of that eminent partner of the broken firm?

Mr. Holmes having begged to explain, Mr. Tyler gave him the floor. Mr. H. said there was some mistake in the statement of the partners in the firm alluded to. The original concern was James Madison, Felix Grundy, and the Devil. The Senator from Tennessee had inserted him (Mr. H.) into the copartnership, by way of a set-off to his Satanic Majesty. If the gentleman from Virginia wished to know what had become of his Satanic Majesty, he could merely state what was the general belief, and that was, that he had gone over to the nullifiers.

Mr. Tyler resumed. He had concluded, before receiving the information just given him by the Senator from Maine, that this Satanic Majesty had allied himself with another party, and was lending his potent aid in another quarter; for when he (Mr. T.) took up the bill before the House—when he looked into its contents, and contemplated its probable consequences, he could not help thinking that the evil spirit had had some influence in generating and maturing its provisions.

With regard to the idea which had entered into this discussion, of a joint stock company, and the right of one of the company to withdraw, he would at that time say nothing.—"Sufficient for the day is the evil day thereof." If that question came up, he should express his opinion fearlessly upon it. But he would not then, even as an humble individual, express his opinion upon that point. He would rather follow the course which had been adopted by his own State, which, when it came to discuss its Presidential relations, left the point to which he alluded untouched.

But this he would say: the President of the United States had declared that he did *not* recognise the right of secession on the part of a State. He (Mr. T.) would not allow the President to decide for him, or for his State, this great question. Nor would he support him in acting upon this foregone conclusion Should South Carolina secede, the President of the United States has already decided that he will control her, and compel her to remain in the Union by force. When the question came up, whether it was proper to make war against S. Carolina, and to restrain her actions by military regulations, it would then be time for them to consider the subject and decide upon it. But he would, for the present, rest on the patriotism of South Carolina, that if she were not absolutely driven to it, she would not secede.

Mr. Tyler said, he would prefer referring to the little States of Rhode Island and Delaware, because they were not connected with the question. If Delaware secedes from the Union, can you not bring her into it again, by conciliatory measures, without resorting to military violence? Mr. T. said he should dissect this bill, and demonstrate its unconstitutional tendency in every particular. And first, he would insist in reference to the argument of the Senator from New Jersey, that this was not a question as to the powers of the Supreme Court, but it was emphatically a question of arbitrary power. Sir, I join, said Mr. T., in the encomiums passed by the Senator on our venerable Chief Justice. Take him for the beauty and purity of his private life; for the moral force of consistency of his whole political career; for the purity of his heart, and for pre-eminence of his talents and acquirements, and he stands unrivalled before the eyes of his countrymen. If the Senator asks if I would entrust him with my life, if I would entrust him with my property, I would say at once, yes. But, Sir, he cannot still the storm, when it once bursts upon us; he cannot, when armies are marshalled in the field, stay the outset; for, when governments once come into hostile collision, there is but one ultimate argument, and that is the sword. Sir, the Senator quotes a resolution adopted in the Virginia Legislature in 1809, and I cannot conceive for what reason; for the resolution goes against this assumption of powers for the Supreme Court; but between the courts of Pennsylvania. But Virginia rejected, almost unanimously, the recommendation of the State of Pennsylvania. But how, asked Mr. T., will you get this common arbiter? If this Government appoints the arbiter, you might as well take the Supreme Court at once. If the States themselves appoints the arbiter, it must finally succumb to the power of the Federal Government; for it was idle to talk of common arbiters between Governments. It was cruel, however, in the Senator to make his State answerable for a report that had been thrown on the table of her Legislature. In what condition would even the Senate of the United States be placed, if made responsible for the mass of reports that had been thrown, without reading, on its table. The Senator, however, if he wanted to point out the sentiments of Virginia, might as well have referred to her celebrated resolutions of '98, and the report of Mr. Madison on them, which had lately been affirmed with so much unanimity in her Legislature. And while on this subject, he would make one single remark. He had frequently heard Virginia commended on that floor, and yet gentlemen were unwilling to listen to her precepts. Instead of taking her advice, her doctrines were condemned, while she was plastered with flattering epithets.

Follow her advice, said Mr. Tyler, and I will undertake to say, and will answer for it with my head, that you will avoid those collisions which threaten the stability of the Union. If, instead of calling her to account, if she but slumbers on her post, you will follow her well known and settled doctrines—listen to her as a sister, and respect her opinions, you will avoid those evils which have brought the country to the verge of a precipice. The Senator from Pennsylvania, (Mr. Wilkins,) charge Virginia with an insurrectionary spirit, and unfortunitely cites in support of the charge, the whiskey insurrection. Now, continued Mr. T., it is hard to cheat us in the first instance of our lands, and then charge us with having an insurrectionary spirit. That little strip of land where Pittsburgh now stands, and where the gentleman he believed resides, was once a part of Virginia, and was taken from her, as the gentleman had stated, by Pennsylvania. The courts of Virginia decided in our favor; and Pennsylvania nullified their decisions. For the sake of peace, Virginia, who had always made the greatest sacrifices for the preservation of the Union, surrendered this strip of land, which certainly gave no evidence of an insurrectionary spirit. There were black eyes enough in the collisions which frequently ensued; for the business of fighting was not confined to Kentucky. Touch but what a Pennsylvania farmer conceives to be his rights, and he understands the game of rough roll and tumble, as well as any man in Kentucky. As to the Virginians bordering on the State of Pennsylvania, there were not a more orderly, moral, and peaceable people on the face of the earth.

Sir, said Mr. Tyler, after reviewing the powers of the State and Federal Governments, it has struck me with astonishment that any portion of this Union should desire to see a consolidated Government established on the ruins of a Federal Republic; that beautiful system, which, if truly carried out, was calculated to render us the happiest and most powerful people on the face on the earth. He would compare it to nothing so properly as the solar system. It was the sun (the Federal Government) giving light, heat, and attraction to the planets revolving round it, in their proper orbits. No two could come in contact with each other; they rolled on in ceaseless splendour, so long as they preserve the course pointed out by the constitution. It was impossible for them to come into collision, either with the Government or with each other, so long as they were confined within their proper orbits. The people of the States were attached to the State Governments to whom they looked for protection; and to the Federal Government, which guaranteed the safety of the whole.—Take, on the other hand, a consolidated Government, the States but mere petty corporations, and what would be the consequences? Would such a Government secure and retain the confidence and affection of the people, or promote their interest? It would be a mere government of parchment, dependant on the will of an arbitrary majority, and he would not care how it was disposed of. You may but it, if you please at the point of the bayonet. Could any man coming from Maine or Massachusetts understand the rights and interests of the people or Virginia, or legislate poperly for their interior concerns? It was in vain to think of it.

Mr. T. said he thought he had long seen a tendency towards consolidation in the legislation of Congress. He would show how it worked. First, the power was assumed to direct the internal improvement throughout the Union; next the power to regulate domestic industry; and last comes the right to carry on a system of general education. Presently, popular convulsions, are threatened, or actually occur, and the powers as well as the terms of service of the President are enlarged. The next thing will be to appoint a President for life, and then the designation of the successor would naturally follow. Mr. President, the settlement of this momentous question of the powers of the Federal Government, must come; and that speedily. The banner of State Rights is already afloat throughout the Union; and the patriots who have hitherto been separated by interested collisions, are banding together. State Rights will triumph again as they did in 1800, when they had greater difficulties to encounter. I have no fear of the result. Many, it is true, may fall in the contest;—I myself may be the first sacrifice; but the principles for which I contend, which have been the guide of my political life, are destined to ultimate triumph.

Mr. Tyler proceeded to say, that he did not argue the question, or support the grounds he had taken, with any reference to the individual case of South Carolina. Let her take care, said he, for herself. He (Mr. T.) disclaimed all connexion with her doctrines; his sentiments were not disguised, and it was already well known that he was opposed to her present course; but still he would not decline to discharge his duty, and avow what were his opinions on the subject. In the course of the proceedings which had already taken place on this revenue measure, the President had taken occasion to advance doctrines, to which he (Mr. T.) could not accede. He was aware that he would subject himself to be carped at for the course he was about to pursue. [illegible] him say, once for all, that he had at no time courted the smile of the Executive—let him repeat that he was ever found opposed to the Executive when a course was adopted in his (M. T's.) opinion detrimental to the interests of the country, or opposed to the Constitution He had opposed him when the appointment of some scores of editors were sought for; he had opposed him when he assumed the power to appoint a minister to a foreign country without consulting the Senate, or having their advice and consent; he had opposed the Executive besides in other instances, where he (Mr. T.) thought there was a stretch of the constitutional power. But in doing so, he was influenced by no ill will, or personal feeling against the President, but solely from a feeling of what he considered to be his duty. He cared not what sanction the doctrines promulgated by the President had received, he cared not for the triumphs they had given, or for the flattery they had called forth, he (Mr T.) should ever be at his side to warn him, and to say, "Remember, Philip, that thou art mortal."

He would now come to what he considered the most important feature of the measure before. The bill in its commencement, be looked upon as containing the gems, the first fruits of consolidation. He should proceed to dissect it—to expose its deformities, with what abilities he possessed; for he believed it had not yet been sufficiently done. Part of the object of the first section of the bill went to confer power on the President to open new ports of entry where he pleased, and to close old ones. Let it be here observed, that the provision is general, and not confined to South Carolina. The President might, under this law, open new ports and close old ones, whenever he pleased, at his mere discretion; there was no limit to the power under the vague contingencies set forth. Wherein did the Boston port bill, which snatched from that city its port of entry to transfer it to Plymouth, at the era of the revolution, and which led to the revolution itself, differ from the power about to be conferred by the present bill? Was not one of the objects of the Constitution to guard against, and prevent the abuse of this very power? The framers of the Constitution gave to Congress alone the whole authority to regulate such matters. Now, he would ask, if they had the right to transfer this power so granted to them? He hoped it was far from the intention of the Senate to do so. Supposing that a bill of such tendency were passed, he would not stop now to inquire into the results, but simply to remark, that if Congress thus has the power of transferring its rights, the President will in like manner by the judge of its disposition.

But, under the provisions of this section, what, he would ask, became of that part of the Constitution, which says, that "*No preference shall be given, by any regulation of commerce or revenue, to the ports of one State over those of another; nor shall vessels bound to or from one State be obliged to enter, clear, or pay duties in another.*" He would say nothing of the right to be conferred, of claiming cash duties in one place, while credits were given in another. It was unnecessary to descant on it; the advantages, "the preferences," were manifest to all. Sir, said Mr. T., the right to close up a custom-house in one city, and to transfer it to another, gives the power of destroying the trade and commerce of the former. Take the case of Boston already given; or say some of the ports of entry in his own State; for instance a transfer from Portsmouth, from Rappahannock or other ports, to ports elsewhere, and what would be the consequence? He would ask if the removal would not annihilate those cities, whence the removal had been made? Will you then invest the President or any individual with power thus to declare war against the trade and commerce of such towns and cities as he may please? Heretofore he had been opposed to the granting of discretionary, or unlimited powers to the officers of the Government, but to none was he more opposed than to the present.

But might not the evil go further, and leave the innocent liable to be punished with the guilty?—Say there are some, or even but one, in the threatened city, ready to pay the duties—are you going to punish this one for the sake of the guilty? Again; let us say that the port of entry is removed and with it the trade and commerce of the place, can you restore these again at pleasure, when the mart has passed to another direction? If you cannot, would not this be destroying at one blow the employment and comforts of every individual and every family in the country. Such is not only the power to be given as regards the removal of custom houses, when "unlawful obstructions" are made to the collection of the revenue; but it goes farther, and extends to the case of "unlawful threats and menaces" against the officers of the Government. What were those threats and menaces to be? He wished for something more definite on the subject. Was that to be construed into a threat under the act, which might be spoken to one of the constables of the Executive—no, he would not say constables—but one of his collectors, or subordinate assistants by some drunken blackguard on the street? What is to be the difference? or who is to be the judge of what those unlawful threats are to consist in?—This would be sufficient to exhibit the objectionable features of the measure, but it was not all.—The President, under certain contingencies, is authorized to employ military force, not only against the principals, but also against all aiders and abettors of the same.

Suppose, he would say that the legislature of South Carolina was in session; he only made the supposition to show what might be the practical effects which might result from it; say they are passing laws in favor of nullification; they may then be held as "assisting and abetting;" and it is then under the bill in the power of the President and the agent of the Government to enter the state house and disperse the legislature of the State. He need not make the repetition of the instance, so well known to have occurred in British history But it did not stop here. Every State Convention might come under the same rule; every assemblage of the people, also, that met to remonstrate against any existing law. He himself had been prepared to speak against the tariff oppression, he did not know how far it might subject him to the new law; but this much he new, that there was a better mode, in case he was wrong, to punish him, than by military force.

He had always felt a great abhorrence to any thing tending to military force—it was a power he would trust at the discretion of no one individual, even had he done the best services to his country, or had he originated the Constitution itself. Though the Romans had conferred this supreme power on a Cincinnatus with safety, when they clothed with the same trappings of state a Sylla and a Marius, it was with a widely different result. He would confer this discretionary, undefined power on no one, he cared not who he might be, how valuable might have been his life, or how many splendid examples of devotion to his country's welfare or of patriotism, he might have shown. He would not even entrust it, were he still living, to him who was well styled the "*Pater Patriæ.*"

As regarded the 2d section, Mr. Tyler said, he would leave it to the sound sense of the Senate how far they could agree to it. It extended the criminal jurisdiction of the Federal Courts, and abridged the State Courts of their power. Thus, in the words of the act, "if any person shall receive any injury to his person or property, he shall be entitled to maintain suit for damage therefor in the Circuit Court of the United States." And further, the State Courts are to be divested of their jurisdiction; for it is in the power of any offender, in case of any prosecution against him, even for cold blooded murder—for no exception is made, so it is connected with the execution of the revenue laws, to stay the proceedings of the State Courts, and to remove his case to the Federal Courts. This section also conflicted with the amendments to the Constitution; for under it, the citizens of one State might prosecute a suit against another State. The citizen was further deprived of the right of replevin, and these various enactments were more fully borne out by the third section. Now, than those two sections, he could find nothing more detrimental; for the law was general, and not confined to one section of the country, but extended to all, apart from peculiar circumstances. Could the Senate then agree to them?

The provision made in the next section—the 4th—was unparralleled. All cases prosecuted in the State Courts were to be removed without record of the proceedings, if necessary. You are to petition, according to the foregoing section, for the removal of the case; and while the record may still be in the hands of the clerk, the plaintiff is to commence his suit again in the Federal Court, *de novo*, though the defendant had consented up to this moment to abide the trial in the State Court. He could not believe that the Senate of the U. States, when they would consider the purport of these laws deliberately, would ever sanction them.

But, Sir, continued Mr. T., the 5th section does even more than the preceding ones. It would imbue the officers and marshals of the U.S. with the spirit of prophecy. Heretofore, it was thought to be the highest attribute of a divine inspiration given to a prophet to foretel coming events. But now it is to be acquired under the present act. For, in the language of this section, "whenever the President shall be officially informed by the authorities of any State, or by the Circuit or District Judges of the U. S., that within the limits of such State, any law or laws, or the execution thereof, &c., will in any event be obstructed," &c., then when he is so informed of what is yet to come, those projects are to be devised, the consequences and results of which it was not for him to say. But how is this information to be acquired? It may be, that some Judge or other officers picks up an anonymous paper, such, said Mr. T., as was exhibited here some days ago, portending such a case: he sends it to the president—dovetails something to it, of his own fears that the revenue laws are about to be obstructed—and then is the President, on such information, to issue his Proclamation, to call out the military force as directed. Say that after all this has been enacted, the whole turns out to be groundless, to be a mere shadow. But true it is, said Mr T., that shadows now appear to "strike more terror," than ought

"The substance of ten thousand soldiers,
Armed in proof, and led by (any) shallow
Richmond."

If this had been done, the disturbances in the country would have been settled. It is a bad way of conciliating them, to proclaim them rebels—to beset them with soldiers and make preparations to hang them as traitors.

Mr. President, disguise it as you may, I consider the bill as a declaration of war upon South Carolina. You would not trust the power of declaring war to the President—you would not suffer a war, proclaimed and waged at the pleasure of the Executive. An Executive war, and no other, is the object of the bill. Sir, I will have no lot or part in this matter. Pass the bill if you think best—carry a hostile force against your fellow citizens—thrust the bayonet into the breasts of the people. I will have no part in this act of blood. The Union is to be sustained and protected by force. Is that the way? It is a poor way—the last of all to which I would think of resorting. Array your force if you think proper—subdue the State—suppress her authorities—seize the Governor as a traitor—arrest the Legislature as lawless banditti—drive the citizens from their homes into the swamps and forests—desolate and destroy the country—and have you saved the Union? Is the union of twenty four States to be saved by the ruin of one?—by the ruin, too, of the old Thirteen? Now, Sir, the original flag of the Union, with its thirteen stars, and a corresponding number of stripes, is it not the flag under which our fathers have fought? Reduce the number to twelve, and thus go on with this ruinous reduction—let the stars and stripes be obliterated, and what will you have left but this central sun, consuming every thing within the reach of its power? I wish, Sir, the old flag of our fathers of the Revolution—the flag, with its thirteen stars—may retain its integrity forever. South Carolina is one of them. I hope and trust that she will obey the wishes of her friends, and abide by the returning sense of a great part of the American people; and that we shall not urge her by force from her place in the Union.—My mode of reconciling and retaining her, is different from this. There is an excess of six millions of revenue beyond the wants of the government. Let this tax be abolished, and let the revenue be restored to the standard of the wants of the government. I do not wish to lay unhallowed hands upon the tariff, if I had the power to abolish it, while attempting to save the Union. There is no necessity for doing it in a hurry. Two principles have been advanced relative to the tariff; one of which is, that it ought to be reduced in such a manner as to give time to the manufacturers to avoid the ruinous effects of a sudden reduction. Sir, I would give them time to guard against the approach of ruin, in the reduction of the duty to its proper standard. Let them take time, and what more do they want? I am in favor of a compromise; but I desire that the country may be safe from internal brils and civil contention.

Mr. President, bear in mind that there is a difference between preserving the government and the Union. You may destroy the Union, and at the same time preserve the government; but it is far better to restore the peace which had fled from the country. But it is said, it will not do to yield to the terms of S. Carolina while she is in her present condition. Sir, this doctrine is, altogether unsound.—There are other Southern States that partake in the burdens and discontents of South Carolina, and shall justice be refused to them, because she assumes the tone of resistanse? The principle is most destructive in counsel and consequences. Against this inflexible principle in government, Lord Chatham and others raised their voice in the British Parliament, when it did not suit Great Britain to make terms with refractory colonies. Sir, you are strong and South Carolina is weak. Strong men are overbearing toward the weak, and so it is with government. The principle of pride has been more productive of discontent, and tended more to the disruption of empire, than any other. Let us adopt the suggestions of prudence and justice. Tenderness and forbearance would have united forever Poland to Russia, Ireland to England and South Carolina to the U. States. But, sir, if you bear her down to the dust, and proceed to lay desolate an independent State, and when conquered, what will she do? You may drive her citizens to swamps and morasses, level her towns and cities with the dust, cause her fair fields to be washed in blood and desolated, make her daughters miserable and disconsolate widows, and helpless orphans of her rising sons; you may execute your martial law, in protection of the Constitution and laws of the government; you may set up a military dicta in South Carolina, and where then is your glory? Why this thirst for blood? Where, in the name of Heaven, has the spirit of America fled? Why does such dismal darkness brood around us; and what is the cause of such difficulties in maintaining and administering our government? I appeal to the spirit of America, which advocated and achieved the Constitution and the revolutionary war, which erected our beautiful political fabric, and gave strength and harmony to all its departments. Why this madness for governing by force?—Let us put away force, and settle by kindness and conciliation, the collisions and excitements of the country. Tell me, sir, can you satisfy discontents by force, or cement the Union by blood? No, Sir, it cannot be done; it is an idle tale. You can make slaves by force; you may make yourselves the masters of subdued and humiliated slaves; but after they are slaves, they will no longer possess the spirit of citizens. When South Carolina is subdued, and reduced to the state of a conquered province, humbled in spirit and crushed in the dust, will she love the power that has been the instrument of her degredation? No, Sir, she will hate and detest it. You may send her leaders to Kamschatka; you may strip her of every thing dear and valuable; you may send into exile her favorite sons, and she will only detest you the worse for it all. Poland hates Russia still; and so it would be with S. Carolina. Sir, on this subject I have no language for my thoughts. To save my country from the danger of so dreadful a result, I would peril every thing dear; my property, my earthly character, my quiet, my life. But I am manacled. I stand in a small and unavailable minority. You of the majority have the destinies of the country in your hands. If war, disunion, and ruin follow this attempt of the government to execute the laws, I must submit. But I will not despair. There are men, and those within my view, who can give tranquility to the country. The American Senate can produce men, who will rank, in all respects, with any others, not only of by gone times, but of the present. Whosoever among them may be the instrument of restoring peace and tranquility to our distracted country, I do not say that he will receive an earthly crown, but he will deck his brows with a wreath of laurels unfading and eternal.

ROBBERY.—A letter from Utica, dated 13th inst. says, "There is trouble in our Post office this morning. Money has been taken from letters and purloined, to the amount of some hundred dollars. An individual has been examined, and is bound over to appear at the next Court, for trial."

SYNOPSIS OF MR. BENTON'S OBJECTIONS.

Mr. Clay's new tariff bill being on Wednesday called up, and read a second time for reference to a committee, Mr. Benton availed himself of the occasion to state the heads of his objections to the principles of the bill of which we present a brief synopsis.

1. He objects to the bill because it involved the whole question of the disposition of the public lands. It was framed upon the basis that the procees of the sales of the lands were to be distributed among the states, according to the tenor of the distribution bill, which had passed the Senate, but had not yet passed the other House. True, it did not name that bill, but it was based upon it, assumed it, and carried it along as completely as Jonas was carried in the belly of the whale. All the injuries to the new States—all the violations of the Constitution—which the distribution bill inflicted, were to be inflicted by this new tariff bill; because it assumed the other, and was framed and predicated upon the assumption that the distribution bill was to become a law, and remain as a *permanent* part of this new tariff bill.

2. He objected to it because it abolished discriminating duties for protection, and pledged the federal legislature to bring down all duties, *in ten years*, to 20 per centum on the value. This would be fatal to the lead mining business in Missouri, Illinois and the Upper Mississippi, which was nearly the whole direct interest which his constituents and neighbors had in the tariff. It would be nearly equivalent to permitting lead, and its immense manufactures of shot, sheet lead, white and red lead, from foreign countries, to come in free of duty, to the overthrow of the whole mining interest in Missouri, Illinois and the Upper Mississippi. It would be giving up the protection of an article, necessary in time of war; necessary so the whole Union; and which every principle of the protective policy should embrace and preserve. He was for discrimination, and always had been, and always should be. He would discriminate in favor of lead, and also in favor of other articles, according to the necessity of their use, and the capacity of the country to produce them. He had spoken in favor of discrimination just as many times as he had spoken upon the tariff laws, and would not give up discrimination now.

3. He objected to the bill because there was not time to ascertain its practical operation, and to find out whether it was to produce a surplus of annual millions, or to leave annual *deficits*. The practice of Congress was fixed; never to pass a tariff law in the dark; never to do their work by guess; but always to send the bill to the secretary of the treasury for his calculations and estimates, and comparison of the amounts to be produced, and the amounts needed. In the present case three different estimates would be needed from the secretary, *first*, to ascertain the probable annual amount of revenue which would under this bill for ten years; *secondly*, the probable annual amount of revenue derivable from all other sources, so as to shew the whole annual revenue of the Government; *thirdly*, the probable annual necessary amount of the expenditures of the government for the same time. These three estimates would have to be made *before* the bill could be considered, and then to be made over again in part, as often as the bill was altered in either House. It was certain the secretary could not make these estimates with justice to himself or the country, in the few days that remained of the session; it was certain congress could not act without them; without acting blindly, and ignorantly, and without knowing whether they were gorging the treasury with annual [illegible] it with annual *deficits*.

4. He objected to the ten years *progressive* operation of the bill, and the implied pledge not to touch it in the mean time, as a violation of the spirit and genius of our constitution, and of the principles of the Representative government. The constitution commanded an enumeration of the people once in every ten years, and a new apportionment of their representation in congress according to the increase of their number. Why? Certainly to give this increased population the control and management of its own affairs; and to prevent small numbers from ruling great numbers. This was the theory of the constitution; what was the fact? The fact was that an enumeration had just been made; three millions of additional people were found, a new apportionment of Representatives had been made; above thirty additional members were added to the House of Representatives; mostly from the new States of the the west, now so thinly represented; many of the members of the new apportionment were already elected; and after the 3d of March—in eighteen brief days from this moment—the constitutional right of the new apportionment to legislate for the country, would accrue! and the constitutional of the present congress to legislate further, would cease! These were the facts; and in this reality of a change of power—in this actual shifting of the scene—in the moment of the *exits*, and the *entrances* of the acting bodies—the expiring minority of Congress, proposes to snatch the greatest subject of legislation out of the hands of the new majority of Congress, and to tie it up, not for a year, but ten years! The whole period of the existence of the new apportionment! never to touch this great subject the whole time! Such an attempt had only to be stated to be appreciated. It was only to be known, to be reprobated as a flagrant attack upon the genius of the constitution the rights of the majority and upon the principles of representative government.

Mr. B. objected to this attempt to bind the new representation, because it was futile in practice, nugatory in law, binding nobody in fact, and a mere stumbling block to the simple. It would be broke by either party that had the interest and the power to do it. It had been tried four times, in sixteen years, on this very subject, and broken every time. A law was made in 1818, and sanctioned by all possible protestations and pledges, to bring down the duties on woollens and cottons from 25 per cent. to 20, in three years from that date. Before the three years were out, the time was extended to ten; before the ten was out, the time was made perpetual! and the duty was carried from 25 to near 40! and in four years more they were put to an average of 60 or 70! Such was the fruit of an attempt in 1816 to bring down duties to 20 per cent. by a *progressive* law. Will this bill do better?—Never! The duties will never come down under it! Two presidential elections have to be fought for before the ten years are out; and each will be preceded, as the last four elections have been, by tariff conventions and agitations; and by the introduction, and triumphant progress of new tariff laws in Congress. This would be the course of things. Why fall into it? How can southern gentlemen, with a recollection of the past, and a knowledge of what must be the future, walk into a train of measures which must end in deception and disappointment. He meant self deception! For it could not be said now as in 1816—'18—'24—'28, that the tariff party were the deceivers. That party stands aloof from this proposed compact. Several condemn it openly.—The

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