

the consistency or inconsistency of himself, or any other individual, particularly in connexion with an event so long since passed. But for this hasty pledge, he would have remained silent as to his own course, on this occasion; and would have borne, with patience and calmness, this, with the many other misrepresentations with which he had been so incessantly assailed for many years.

The charge that he was the author of the protective system had no other foundation but that he, in common with the almost entire South, gave his support to the tariff of 1816. It is true that he advocated that measure, for which he might rest his defence, without taking any other, on the ground that it was a tariff for revenue, and not for protection; which he had established beyond the power of controversy. But his speech on the occasion had been brought in judgment against him by the Senator from Pennsylvania. He had since cast his eyes over the speech; and he would surprise him that, with the exception of some hasty and unguarded expressions, that he traced nothing he had uttered on that occasion. He only asked that he might be judged in reference to it, in that spirit of fairness and justice which was due to the occasion, taking into consideration the circumstances under which it was delivered, and bearing in mind that the subject was a tariff for revenue, and not for protection; for reducing and not raising the revenue. But, before he explained the then condition of the country, from which his main arguments in favor of the measure were drawn, it was nothing but an act of justice to himself, that he should state a fact in connexion with his speech, that was necessary to explain what he had called hasty and unguarded expressions.

His speech was an impromptu; and, as such, he apologized to the House, as appearing from the speech as pinned, for offering his sentiments on the question without having fully reflected on the subject. It was delivered at the request of a friend, when he had not previously the least intention of addressing the House; and he was proud to say, a personal and political friend—a man of talents and integrity—with a clear head and firm patriotic heart; then among the leading members of the House in the painful state of his political glory, though now far a moment depressed—depressed, did he say?—not it was his state which was depressed. Penn., and not S. D. Ingham! Pennsylvania, which had deserted him under circumstances which, instead of depressing, ought to have elevated him in her estimation. He came to me said Mr. C. with a sinking at my desk writing, and said that the House was falling in to some confusion, accompanying it with a remark, that I knew how difficult it was to rally so large a body when once broken on a tax bill, as had been experienced during the late war. Having a higher opinion of my influence than I deserved, he requested me to say some thing to prevent the confusion. I replied, said Mr. C. that I was at a loss what to say; that I had been busily engaged on the currency, which was then in great confusion, and which, as I had stated, had been placed particularly under my charge, as the chairman of the committee on that subject. He repeated his request; and the speech which the Senator from Pennsylvania has complimented so highly, was the result.

He [Mr. C.] would ask, whether the fact stated ought not, in justice, to be borne in mind by those who would hold him accountable, not only for the general scope of the speech, but for every word and sentence which it contained. But said Mr. C. in asking this question, it was not his intention to repudiate the speech. All he asked was, that he might be judged by the rules which in justice belong to the case. Let it be recollected that the bill was a revenue bill, and of course, that it was constitutional. He need not remind the Senate, when the measure is constitutional, that all arguments calculated to show its beneficial operation may be legitimately pressed into service, without taking into consideration whether he subject to which the arguments refer be within the sphere of the constitution or not. If, for instance, a question were before the body to lay a duty on silks, and a motion be made to reduce the duty, or admit duties duty free, who could doubt that the argument in favor of the motion that the increased circulation of the bibles would be in favor of the morality and religion of the country, would be strictly proper? Or, who would suppose that he who had advocated it had committed himself, on the constitutionality of taking the religion or morals of the country under the charge of the Federal Government?

Again: Suppose the question to be to raise the duty on silk, or any other article of luxury, and that it should be supported on the ground that it was an article mainly consumed by the rich and extravagant, could it be fairly inferred that, in the opinion of the speaker, Congress had a right to pass summary laws? He only asked that these plain rules be applied to his argument on the tariff of 1816. They turned almost entirely on the benefits which manufactures conferred on the country in time of war; and which no one could doubt. The country had recently passed through such a state.

The world was, at that time, deeply agitated by the effects of the great conflict, which had so long raged in Europe, and which no one could tell how soon again might return. Bonaparte had recently been overthrown; the whole southern part of this continent was in a state of revolution, and was threatened with the interference of the Holy Alliance, which had occurred, most almost necessarily,

have involved this country in a most dangerous conflict. It was under these circumstances that he had delivered the speech, in which he urged the House, that, in the adjustment of the tariff reference ought to be had to a state of war, as well as peace; and that its provisions ought to be fixed on the compound views of the two periods—making some sacrifice in peace in order that the less might be made in war. Was this principle false? and, in urging it, did he commit himself to that system of oppression since grown up, and which has for its object the enriching of one portion of the country at the expense of the other?

Mr. C. said, the plain rule in all such cases was, that when a measure was proposed, the first thing is to ascertain its constitutionality; and, that being ascertained, the next was its expediency, which last opened the whole field of argument for and against. Every topic may be urged calculated to prove it wise or unwise—so in a bill to raise imposts. It must first be ascertained that the bill is based on the principles of revenue, and that the money raised is necessary for the wants of the country. These being ascertained, every argument, direct and indirect, may be fairly offered, which may go to show that, under all the circumstances, the provisions of the bill are proper or improper. Had this plain and simple rule been adhered to, we should never have heard of the complaints of Carolina. Her objections not against the improper modification of a bill acknowledged to be for revenue; but that, under the name of imposts, a power, essentially different from the taxing power, is exercised—paraking much more of the character of a penalty than a tax. No thing is more common than that things closely resembling in appearance should widely and essentially differ in their character. A senic, for instance, resembles flour, yet one is deadly poison, and the other that which constitutes the staff of life. So, duties imposed, whether for revenue or protection, may be called imposts, though nominally and apparently the same, yet differing essentially in their real character.

Mr. C. said he should now return to his speech on the Tariff of 1816. To determine what his opinion really were on the subject of protection at that time, it would be proper to advert to his sentiments before and after that period. His sentiments preceding 1816, on this subject, are a matter of record. He came in Congress in 1812, a devoted friend and supporter of the non-administration; yet one of his first efforts was to brave the administration, by opposing its favorite measure, the restrictive system—embargo, non-intercourse and all—and thus to uphold the principle of free trade. The system remained in fashion for a time; but after the overthrow of Bonaparte, he [Mr. C.] had reported a bill from the Committee on Foreign Relations, to repeal the whole system of restrictive measures. While the bill was under consideration, a worthy man, then a member of the House, (Mr. M. K. M. of Baltimore,) moved to except the non-importation act, which he supported on the ground of encouragement to manufactures. He [Mr. C.] resisted the motion on the very grounds on which Mr. McKim supported it. He maintained that the manufacturers were then receiving too much protection, and warned his friends that the withdrawal of the protection which the war and the high duties then afforded, would cause much embarrassment; and that the true policy in the mean time was to admit foreign goods as freely as possible, in order to diminish the anticipated embarrassment on the return of peace; intimating at the same time his desire to see the Tariff revised, with a view of affording a moderate and permanent protection.

Such was his conduct before 1816—shortly after that period, he left Congress, and had no opportunity of making known his sentiments in reference to the protective system, which shortly afterwards he agitated. But he had the most conclusive evidence that he considered the arrangement of the revenue in 1816 as growing out of the necessity of the case, and due to the consideration of justice, but that, even at that early period, he was not without his fears, that even the arrangements would lead to abuse and future difficulties. He regretted that he had been compelled to dwell so long on himself; but he said that whatever censure might be incurred would not be directed against him, but against those who had drawn his conduct into the controversy; and who might hope, by assailing his motives, to wound the cause in which he was proud to be identified. He might add, that all the Southern States voted with South Carolina in support of the bill; not that they had any interest in manufactures, but on the ground that they had supported the war, and of course felt a corresponding obligation to sustain those establishments which had grown up under the encouragement it had accidentally afforded; whilst most of the New England members were opposed to the measure, principally, he believed, on opposite principles.

He had now, he trusted, satisfactorily replied the charge against the State and himself personally, in reference to the Tariff of 1816. Whatever support the State had given the bill had originated in the most disinterested motives.

There was not within the limits of the State, so far as his memory served him, a single cotton or woolen establishment. Her whole dependence was on agriculture, and the cultivation of two great staples, rice and cotton. Her obvious policy was to keep open the market of the world unchecked and unrestricted, to buy cheap, and to sell high; but, from a feeling of kindness, combined with a sense of justice, she added her support to the bill. We had been told by the agents of the manufacturers, that the protection which the measure afforded would be sufficient; to which we more

\*See Mr. C's. speech in the National Intelligencer, April, 1814.

readily conceded, as it was considered a final adjustment of the question.

Let us now, said Mr. C. turn our eyes for ward, and see what has been the conduct of the parties to this arrangement. Have Carolina and the South disturbed this adjustment? No, they never raised their voice in a single instance against it; even though this measure, moderate comparatively as it is, was felt with no inconsiderable pressure on their interests. Was this example imitated on the opposite side? Far otherwise. Scarcely had the President signed his name, before applications were made for an increase of duties, which was repeated with demands continually growing till the passage of the act of 1828. What course now, he would ask, did it become Carolina to pursue in reference to these demands? Instead of acquiescing in them, because she had acted generally in adjusting the Tariff of 1816, she saw in her generosity on that occasion, additional motives for that firm and decided resistance which she has since made against the system of protection. She accordingly commenced a systematic opposition to all further encroachments, which continued from 1818 to 1828, by discussions and resolutions, by remonstrances and protests, through her Legislature. These all proved insufficient to stem the current of encroachment; but notwithstanding the heavy pressure on her industry, she never despaired of relief, till the passage of the act of 1828—that bill of abominations—engendered by avarice and political intrigue. Its adoption opened the eyes of the State, and gave a new character to the controversy. Till then the question had been whether the protective system was constitutional and expedient, but after that she no longer considered the question whether the right of regulating the industry of the States was a reserved or delegated power, but what right a State possesses to defend her reserved powers against the encroachments of the Federal Government—a question on the decision of which the value of all the reserved powers depends. The passage of the act of 1828, with all its objectionable features, and under the odious circumstances under which it was adopted, had almost, if not entirely closed the door of hope through the General Government. It afforded conclusive evidence that no reasonable prospect of relief from Congress could be entertained; yet the near approach of the period of the payment of the public debt, and the election of Gen. Jackson, to the Presidency, afforded a ray of hope—not so strong, however, as to prevent the State from turning her eyes for a final relief, to her reserved powers.

Under these circumstances commenced that inquiry into the nature and extent of the reserved powers, of a State, and the means which they afforded of resistance against the encroachments of the General Government, which has been pursued with so much zeal and energy, and he might add intelligence. Never was there a political discussion carried on with greater avidity; and which appealed more directly to the intelligence of a community. Throughout the whole, no address was made to the low and vulgar passions. But on the contrary, the discussions turned upon the higher principles of political economy, connected with the operations of the Tariff system, which are calculated to show its real bearing on the interests of the State, and on the structure of our political system; going to show the true character of the relations between the State and General Government; and the means which the States possess of defending their powers which were reserved in favor of the Federal Government.

In this great canvass, men of the most commanding talents and acquirements engaged with the greatest ardor; and the people were addressed through every channel; by essays in the public press, and by speeches in the public assemblies, until they had become thoroughly instructed on the nature of the oppression, and on the rights which they possess, under the Constitution, to throw them off.

Gentlemen suppose that the stand taken by the People of Carolina rests on passion and delusion, they are wrong. The case was factitious. No community, from the legislator to the ploughman, were ever so instructed in their rights, and the resistance, on which the State had resolved, was the result of mature reflection, accompanied with a deep conviction that their rights had been violated, and the means of redress which they had adopted, are consistent with the principles of the Constitution.

But while this active canvass was carried on, which looked to the reserved powers, as their final redress, if all others failed, the State at the same time cherished a hope, as I have already stated, that the election of General Jackson to the Presidency, would prevent the necessity of a resort to extremes. He was identified with the interests of the staple States; not having the same interest; it was believed that his great popularity—a popularity of the strongest character, as it rested on military service, would enable him, as they hoped, gradually to bring down the system of protection, without shock or injury, to any interest. Under these views, the canvass in favor of General Jackson's election to the Presidency was carried on with great zeal in conjunction with that active inquiry into the reserved powers of the States, on which final reliance was placed. But little did the people of Carolina dream, that the man whom they were thus striving to elevate to the highest seat of power, would prove utterly false to all their hopes. Man is, indeed, ignorant of the future; nor was there ever a stronger illustration of the observation than is afforded by the result of that election! The very event on which they had built their hopes, has been turned against them, and the very individual to whom they looked as a deliverer, and whom, under that impression, they strove, for so many years, to elevate to power, is now the most powerful instrument in the hands of his and their bitterest opponents to put down them and their cause!

Scarcely had he been elected, when it became apparent, from the organization of his Cabinet, and other indications, that all their hopes of relief through him were blasted. The admission of a single individual into the Cabinet, under the circumstances which accompanied that admission, threw all into confusion.

The mischievous influence over the President, through which this individual was admitted into the Cabinet soon became apparent. Instead of turning his eyes forward to the period of the payment of the public debt which was placed, but little did the man whom they were thus striving to elevate to the highest seat of power, would prove utterly false to all their hopes. Man is, indeed, ignorant of the future; nor was there ever a stronger illustration of the observation than is afforded by the result of that election! The very event on which they had built their hopes, has been turned against them, and the very individual to whom they looked as a deliverer, and whom, under that impression, they strove, for so many years, to elevate to power, is now the most powerful instrument in the hands of his and their bitterest opponents to put down them and their cause!

Here, Mr. C. said, he must pause for a moment, to reply a charge which has been so often made, and which even the President had recited in his proclamation. The charge that he had taken, by feelings, of disappointed ambition. Mr. C. again repeated, that he deeply regretted the necessity of noticing himself

in so important a discussion, and that nothing could induce him to advert to his own course but the conviction that it was due to the cause, at which a blow was aimed through him. It was only in this view that he noticed it.

Mr. C. said, it only became the Chief Magistrate to make this charge. The course which the State had taken, and which had led to the present controversy between her and the General Government, was taken as far back as 1828; in the very midst of that severe canvass which placed him in power, and in the very canvass Carolina had openly avowed and zealously maintained these very principles which he now officially pronounces to be treason and rebellion. That was the period at which he ought to have spoken. Having remained silent then, and having, under his approval, implied by that silence, received the support and the vote of the State, he (Mr. C.) if a sense of decorum did not prevent, might recriminate, with the double charge of deception and ingratitude. His object, however, was not to assail the President, but to defend himself against a most unfounded charge. The time alone, at which the course upon which that charge is founded, is founded, will, of itself, afford in the eye of every unprejudiced and honest man. The doctrine which he now sustains under the present difficulties, he openly avowed and maintained immediately after the act of 1828, that "bill of abominations" as it has been so often and properly termed. Was he at that period disappointed in any views of ambition which he might be supposed to entertain? He was Vice President of the U. S. elected by an overwhelming majority. He was a candidate for reelection on the ticket with Gen. Jackson himself, with a certain prospect of a triumphant success of that ticket, and with a fair prospect of the highest office in any American citizen could aspire to. What was his course under these prospects? Did he look to his own advancement, or to an act not so faithful discharge of his duty? Let facts speak for themselves. When the bill to which he had referred came from the other House to the Senate, the almost universal impression was, that its fate would depend upon his casting vote. It was known that, as the bill then stood, the Senate was nearly equally divided, and as it was a combined measure, originating with the politicians and manufacturers, and intended as much to bear upon the Presidential election as to protect manufactures, it was believed that a stroke of politics, if he were to be in favor of the bill, would be made to depend on his vote, in order to defeat Gen. Jackson's election, as well as his own. The friends of Gen. Jackson were alarmed, and he (Mr. C.) was earnestly entreated to leave the chair, in order to avoid the responsibility, under the plausible argument that if the Senate should be equally divided, the bill would be lost with out the aid of his casting vote. The reply to this entreaty was, that no consideration, personal to himself, could induce him to take such a course. That he considered the measure as producing the most beneficial result, that the payment of the public debt was just at hand, and that the great increase of revenue which it would pour into the Treasury would accelerate the approach of that period; and that the country would be placed in the most trying of all situations; with an immense revenue, without the means of absorption, upon any legitimate or constitutional object of appropriation, and would be compelled to submit to all the corrupting consequences of a large surplus, or to make a sudden reduction of the rates of interest, which would prove ruinous to the very life of the State. Under these views, he determined to remain in the chair, and if the bill came to him to give his casting vote against it, and in doing so, to give his reasons at large; but at the same time, he informed his friends that he would retire from the ticket, so that the election of Gen. Jackson might not be embarrassed by an act of his. Sir, (said Mr. C.) I was amazed at the folly and infatuation of that period. So completely absorbed was Congress in the game of ambition and avarice; from the double influence of the manufacturers and politicians, that none but a few appeared to anticipate the crisis, and to calculate the consequences of the measure, which would be the result of what was then done. As to himself, he clearly foresaw what has since followed. The road of ambition lay open before him; he had but to follow the corrupt tendency of the times—but he chose to tread the rugged path of duty.

It was thus that the reasonable hope of relief, through the election of Gen. Jackson, was blasted; but still one other hope remained; that the final discharge of the public debt, an event near at hand, would remove our country from the power of the tariff, and thereby a large surplus, a surplus that could not be expended under the most extravagant schemes of appropriation, having the least color of decency or constitutionality. That event at last arrived. At the last session of Congress, it was avowed on all sides, that the public debt, for all practical purposes, was in fact paid; the small surplus remaining nearly covered by the money in the treasury and the bonds for duties which had already accrued; but with the arrival of this event, our last hopes were doomed to be disappointed. After a long session of many months, and the most earnest effort on the part of South Carolina, and the other southern States, to obtain relief, all that could be effected was a small reduction in the amount of the duties; but a reduction of such a character, that while it diminished the amount of burden, it distributed that burden more unequally than even the obnoxious act of 1828; reversing the principle adopted by the bill of 1816, of laying higher duties on the unprotected than the protected articles, by repealing almost entirely the duties laid upon the former, and imposing the burden almost entirely on the latter. It was thus, that instead of relief—instead of an equal distribution of the burdens and benefits of the government, on the payment of the debt, as had been fondly anticipated, the duties were so arranged, to be in fact, bounties on one side, and taxation on the other, and thus placing the two great sections of the country in direct conflict in reference to its fiscal action, and thereby letting in that flood of political corruption which threatens to sweep away our Constitution and our liberty.

This unequal and unjust arrangement was pronounced, both by the administration, through its proper organ, the Secretary of the Treasury, and by the opposition, to be a permanent adjustment; and that it was thus that all hope of relief, through the action of the General Government terminated, and the crisis so long apprehended has at length arrived, at which the State was compelled to choose between absolute acquiescence in a ruinous system of oppression, or a resort to her reserved powers—powers of which she alone was the rightful judge, and which only in this momentous juncture, could save her. She determined on the latter.

The consent of two thirds of her legislature was necessary for the call of a Convention, which was considered the only legitimate or constitutional way through which the sovereignty could speak. After an arduous strug-

gle, the State rights party succeeded; more than two thirds of both branches of the legislature favorable to a Convention were elected; a Convention was called; the Ordinance adopted. The Convention was succeeded by a meeting of the Legislature, when the laws to carry the Ordinance into execution, were enacted; all of which had been communicated by the President, and been referred to the Committee on the Judiciary, and this bill is the result of their labors.

Having now, said Mr. C. corrected some of the prominent misrepresentations, as to the nature of this controversy, and given a rapid sketch of the movement of the State in reference to it, he would next proceed to notice some objections connected with the Ordinance and the proceedings under it.

The first and most prominent of these is directed against what is called the test oath—which an effort has been made to render odious. So far from deserving the denunciation which had been levelled against it, he viewed the provision of the Ordinance as but the natural result of the doctrines entertained by the State, and the position which she occupies. The people of that State believe that the Union is a union of States, and not of individuals; that it was formed by the States, and that the citizens of the several States, were bound to it through the acts of their several States; and that each State ratified the Constitution for itself, and that it was only by such ratification of a State that any obligation was imposed upon the citizens,—thus believing, it was the opinion of the people of Carolina, that it belonged to the State which had imposed the obligation, to declare, in the last resort, the extent of that obligation, as far as her citizens were concerned, and this, upon the plain principles which exist in all analogous cases of compact, between sovereign or political bodies. On this principle, the people of the State, acting in their sovereign capacity, in Convention, precisely as they had adopted their own and the Federal Constitutions, had declared by the Ordinance, that the acts of Congress which had imposed duties under the authority to lay imposts, were acts, not for revenue, as intended by the Constitution, but for protection, and therefore null and void. The Ordinance thus enacted by the people of the State themselves, acting as a sovereign community, was, to all intents and purposes, a part of the Constitution of the State; and though of a peculiar character, was as obligatory on the citizens of that State, as any portion of the Constitution. In prescribing, then, the oath to obey the Ordinance, no more was done than to prescribe an oath to obey the Constitution. It was, in fact, but a particular oath of allegiance, and in every respect similar to that which is prescribed under the Constitution of the United States, to be administered to all officers of the State and Federal Governments; and was no more deserving the harsh and bitter epithets which had been heaped upon it, than that of any similar oath.

It ought to be borne in mind, that, according to the opinion which prevailed in Carolina, the right of resistance to the unconstitutional laws of Congress belongs to the State, and not to her individual citizens, and that, though the latter may, in a more question of *meum* and *illum*, resist, through the courts, an unconstitutional encroachment upon their rights, yet the final stand against usurpation rests not with them, but with the State of which they are members; and that such act of resistance by a State, binds the conscience and allegiance of the citizen. But there appeared to be a general misapprehension as to the extent to which the State had acted under the provisions of the Ordinance. Instead of sweeping every officer, by a general proscription of the minority, as has been represented in debates far as the knowledge of Mr. C. extends, not a single individual had been removed. The State had, in fact, acted with the greatest tenderness, all circumstances considered, towards citizens who differed from the majority; and, in that spirit, had directed the oath to be administered only in cases of some official act directed to be performed, in which obedience to the Ordinance was involved.

It had been further objected that the State had acted precipitately. What precipitately? after making a strenuous resistance for twelve years—by discussion here and in the other House of Congress—by essays in all forms—by resolutions, remonstrances, and protests on the part of her Legislature, and finally by attempting an appeal to the judgment of the United States? He said attempting, for they had been prevented from bringing the question fairly before the court, and that by an act of that very majority in Congress which now upbraided them for not making that appeal; that majority, who, on a motion of one of the members in the other House from S. Carolina, refused to give to the act of 1828 its true title; that it was *protective*, and not a *revenue* act. The State has never, it is true, relied upon that tribunal, the Supreme Court, to vindicate its reserved rights; yet they have always considered it as an auxiliary means of defence, of which they would gladly avail themselves to test the constitutionality of protection, had they not been deprived of the means of doing so by the act of the majority. Notwithstanding this long delay, of more than ten years, under this continued encroachment of the Government, we now hear it on all sides, by friends and foes, gravely pronounced that the State has acted precipitately, that her conduct has been rash! That such should be the language of an interested majority, who, by means of this unconstitutional and oppressive system are annually extorting millions from the South, to be bestowed upon other sections was not at all surprising. Whatever impedes the course of avarice and ambition will ever be denounced as rash and precipitate; and had South Carolina delayed her resistance fifty instead of twelve years, she would have heard from the same quarter the same language; but it was really surprising that those who are suffering in common with herself, and who have complained equally loud of their grievances, who had pronounced the very acts which she had asserted within her limits to be oppressive, unconstitutional, and ruinous, after so long a struggle—a struggle longer than that from her mother country—longer than the period of the Trojan war—should now complain of precipitancy!

No, it is not Carolina which has acted precipitately, but her sister States, who have suffered in common with her, that have acted tardily. Had they acted as she has done—had they performed their duty with equal energy and promptness, our situation this day would be very different from what we now find it. Delays are said to be dangerous; and never was the maxim more true than in the present case—a case of monopoly. If it were of the nature of monopoly to grow, it would take from one side, a large proportion of the proceeds of its labour and give it to the other, the side from which we take must constantly decay, and that to which we give must prosper and increase.—Such is the action of the protective system. It exacts from the South a large portion of the proceeds of its industry, which it bestows, upon the other sections in the shape of bounties to man-

ufactures, and appropriations in a thousand forms—pensions, improvement of rivers and harbors, roads and canals, and in every shape that wit or ingenuity can devise. Can we then be surprised that the principle of monopoly grows when it is so amply remunerated at the expense of those who support it? And this is the real reason of the fact which we witness, that all acts for protection pass with small minorities, but so soon come to be sustained by great and overwhelming majorities.—Those who seek the monopoly, endeavor to obtain it in the most exclusive shape; and they take care, accordingly, to associate only a sufficient number of interests barely to pass it through the two Houses of Congress—on the plain principle that the greater the number from whom the monopoly takes and the fewer on which it bestows, the greater is the advantage to the monopolists. Acting in this spirit, we have often seen with what exact precision they count, adding wool to woollens, association lead and iron, feeling their way, until a bare majority is obtained, when the bill passes, concerning just as many interests as is sufficient to insure its success, and no more. In a short time, however, we have invariably found that this *lean*, becomes a decided majority, under the certain operation which compels individuals to desert the pursuits which the monopoly have rendered unprofitable, that they may participate in those pursuits which it had rendered profitable. It is against this dangerous and growing disease which South Carolina has acted—a disease whose cancerous action would soon spread to every part of the system, had it not been speedily arrested.

There was another powerful reason why the action of the State could not be safely delayed. The public debt, as he had already stated, for all practical purposes, had already been paid; and, under the existing duties, a large annual surplus, of many millions, must come into the Treasury. It was impossible to look at this state of things—without seeing the most mischievous consequences; and, among others, if not speedily corrected it would interpose powerful and almost insuperable obstacles to throwing off the burden under which the south had been so long laboring. The disposition of the surplus would become a subject of violent and corrupt struggle, and could not fail to rear up new and powerful interests in support of the existing system, not only in these sections, which have heretofore benefited by it, but even in the south itself. It could not but trace to the anticipation of this state of the Treasury, the sudden and extraordinary movements which had taken place, at the last session in the Virginia Legislature, in which the whole south was vitally interested. It was impossible for any rational man to believe that that State could seriously have contemplated the scheme to which he alluded by her own resources, without powerful aid from the General Government.

It was next objected, that the enforcing acts have legislated the United States out of South Carolina. He had already replied to this objection on another occasion, and would now repeat what he had then said.—That the enforcing act had not been passed by the legislature, but that they had no right to enter. The constitution had admitted the jurisdiction of the United States within the limits of the several States, only so far as the delegated powers authorized; beyond that they were intruders and might rightfully be expelled; and that they had been efficiently expelled by the legislation of the State through her civil process, as has been acknowledged on all sides in the debate, in only a confirmation of the truth of the doctrine for which the majority in Carolina had contended.

The very point at issue between the two parties there, was, whether nullification was a peaceable and efficient remedy against an unconstitutional act of the general government, and which might be asserted as such through the State tribunals. Both parties agree, that the acts against which it was directed are unconstitutional and oppressive. The controversy was only as to the means by which our citizens might be protected against the acknowledged encroachments on their rights. This being a point at issue between the parties, and the voice of the majority, being an efficient protection of the rights through the State tribunals; the measure adopted to enforce the ordinance, of course, received the most decisive character. We were not children, to act by halves. Yet, for acting thus efficiently, the State is denounced, and this bill, reported to over rule, by military force, the civil tribunals and civil process of the State! Sir, said Mr. Calhoun, I consider this bill, and the arguments which have been urged on this floor in its support, as the most triumphant acknowledgment that nullification is peaceful and efficient; and so deeply entrenched in the principles of our system, that it cannot be assailed but by perverting the Constitution, and substituting the supremacy of military force in lieu of the supremacy of the laws. In fact, the advocates of this bill relate their own argument. They tell us that the ordinance is unconstitutional, that they infract the constitution of South Carolina, although, to him, the objection appears absurd, as it was adopted by the very authority which adopted the Constitution itself. They also tell us that the Supreme Court is the appointed arbiter of all controversies between a State and the General Government. Why, then, do they not leave this controversy to that tribunal? Why do they not confide in the abrogation of the ordinance, and the laws made in pursuance of it, and the assertion of that supremacy which they claim for the laws of Congress? The State stands pledged to resist no process of the court. Why, then, coner on the President the extensive and unlimited powers provided in this bill? Why authorize him to use military force to arrest the civil process of the State? But on answer can be given.

That in a contest between the State and the general government, if the resistance be limited on both sides to the civil process, the State, by its inherent superiority, as a sovereign, in its reserved powers, will prove too powerful in such a controversy; and must triumph over the Federal Government, sustained by its delegated and limited authority; and in this answer, we have an acknowledgment of the truth of those great principles for which the States so firmly and so nobly contend.

Having made these remarks, the great question is now presented: has Congress proceeded to pass this bill? Which he would next question in consideration. The decision of this question involves the inquiry into the provisions of the bill. What are they? It puts at the disposal of the President, an army and navy, and the entire militia of the country. It enables him, at his pleasure, to subject every man in the United States, not exempt from militia duty, to martial law—to call him from his ordinary occupation to the field, and under the penalty of fine and imprisonment inflicted by a court martial, to incur his hand in his other's blood.

There is no limitation on the power of the sword, and in the purse is equally without restraint; for among the extraordinary features of the bill, it contains no appropriation, which, under existing circumstances, is tantamount to an unlimited appropriation.—The