SPEECH OF Mr. CLAYTON, OF GEORGIA.—Con- diers, whose modes of thinking and action are all turned fication of the Scripture phrase [touch or stretch forth the] might regulate her concerns in any manner it pleased. sary day of thanksgiving during the reign of our sove- their State Government. Now, let this be granted. But

might have been taken under such a construction. Well, here is the far famed

SECOND SECTION. zens of, or owing allegiance to the United States of America, who shall be found furking as spice, in or about the fortifications or encampments of the armies of the United States, or any of them, shall suffer death according to the law and usage of nations, by sentence of a general court martial."

by the Spanish Minister to our Government; with that I and the meaning of the language in which those power have been used by their depository, about to receive simi-

lar powers, with proper and safe discretion. such as, "By Maj. Gen. Andrew Jackson, Governor of the Provinces of the Floridas, exercising the powers of the Captain General, and of the Intendant of the Island of hanged, I suppose.

Against this proclamation of banishment under a con- House to his reply. Listen—he says: struction of the 7th article of a treaty, which only meant a formal delivery of the forts, and the withdrawal there | other light than as members of a foreign Government, | fast to the doctrine of our own church, which positively [from of the troops, as a body of troops, in six months, or, of that of the State within whose chartered limits asserts, that the sacred bond of subjects, in obedience to leaving every individual, assuch, the privilege or remain | they reside. If in the former, the ordinary legislation of | to their sovereign, is inviolable, and cannot be dissolved, | ing in this free and happy country, the Spanish minister | Congress in relation to them is not warranted by the | either upon the account of supposed crimes, in the per. bitterly complained. With regard to the publication, | Constitution, which was established for the benefit of | son of the prince, or the exercise of tyranny, oppresconsidered so scandalous and indecent, and which fur- our own, not of a foreign people; if in the latter, then, | sion, infidelity, or heresy." nished the pretext for banishing eight individuals from a like other citizens or people resident within the limits of | 1 have now, sir, presented you with a government land of liberty, and where we boast the existence of a the States, they are subject to their jurisdiction and con- founded upon the divine right of Kings. Need I ask free press, the minister makes the most urgent complaint. I trol. To maintain a contrary doctrine, and to require you if such be the character of our Government? After shewing how ungenerous and ill founded was the | the Executive to enforce it by the employment of a mili- | put the sober, serious, and I hope, sensible question to treatment of these men, he adds, "but, in order to make tary force, would be to place in his hands a power to this House, whether ours is a Government containing to the irregularity of General Jackson's proceedings more make war upon the rights of the States and the liberties | the principles with which our old author has so much evident, I will grant, for a moment, that they are certain of the country—a power which should be placed in the amused us? And, if not, in what does certain principles and proved; I will admit that the officers have been de- hands of no individual." serving of the chastisement and dishonor which they have | Can commentary be necessary on language so plain? | the present war bill, differ from them? There is not a | has been the conduct of General Jackson? Without giv. when, too, I consider that all we hold most dear is at were these benighted nations, we are this day acting youths; for relief of aged, im- same rule that he judges in one case, he can in a million, Mr. Speaker, let us ask ourselves seriously if this can be ing them the least intimation, he publishes in a language | stake? foreign to them, a proclamation, expelling them from the province, giving them scarcely time to arrange their alfairs, and authorizing all officers, civil and military, to apprehend them, and bring them before him!!"

Mr. Speaker, what a reproach! And this stands upon the records of your country, giving the perpetual lie to sent, and the crowded auditory that surrounds the Hall. this matter as you will, I affirm, if a sovereign State of hats made of wool. the vaunted assertion of our constitution, that ours is the 1 am about to make an assertion which may perhaps give | this Union has not the right to question the will of this land where the freedom of the press and trial by jury re- offence, and create some strong sensation in this honora- Congress, and is to be put down by the sword for da | married, shall be, after the age of 35 years, capable of done? It will not surely be said that, inasmuch as the ecute its object, and suppose a crisis arrives that makes main inviolate. So much for broad construction, and ble body. I do not mean intentionally to offend any ring to oppose it, all the doctrines I have read you such was the consequence of it, that it wrung from Gen. one. I have more than a usual share of good feeling on from Lord Somers is in full force and virtue in this Jackson himself the declaration of his "hope that no liv. this occasion, and as we are about to part, never, certain. boasted land of liberty; and the first gun that fires in ing man should ever in future be clothed with such ex- ly, for us all to meet again, nothing would give me more | South Carolina to establish the doctrine of the proclatraordinary authority." Let us take him at his word, pain than to let drop any thing which should be carried mation, will bellow the divine right of kings from sea to and remember what we are about to do. It is the same from this seat of our common toils and cares, to the far sea, and from shore to shore. Nay, sir, it will do more, person to whom unlimited power is about once more to distant limits of the land, and there rankle in the bosom it will rend this fair fabric of ours into a thousand fragbe given. General Jackson is but a man, and ours is the of any one friend with whom I have been associated, in ments. The Union is gone at the first flash of a gun government where we trust the lives of the people in the the pleasing and benevolent effort to heal the unhappy that aims the slaughter of a freeman for conscience hands of no man. If the scenes I have just read you, divisions of our common country. I find I have your sake. Revolution has no limits, and, what is worse, has create a sense of mortification, what may not be the ex- profound attention, and will therefore proceed to say, no heart; and, when once commenced, defies all content of that feeling at a future day, growing out of the that this Government is not founded upon the divine trol. Well did Lafayette say, when he saw the Queen present transactions. Fifty years hence, and this mea- right of kings. sure will be viewed with astonishment; indeed, well ourselves, after our bickerings and heart-burnings shall sary for me to contrast a Government founded upon the lution!" Turning from the scene in tears, and retiring

Isacks) that these things I knew of Gen. Jackson before | Lord Somers. Well, what says he? General Jackson within proper bounds, and he can do subjects to oppose their Prince? the American people no possible harm. Ours is a Gohim out for our special amusement, I venture to say some trary notwithstanding. one would kindly thank him, and instantly remind him, "1. To begin with holy scripture. Here the author action—in the Federal, to the articles of agreement.

on war. The case comes within my own knowledge. hand] is of a large extent. The guilt of this horrid crime ! The thing is too unreasonable. In the summer of 1830, some fifteen or twenty of our may be incurred either by lifting up our heels in scorn Mave we not some experience how dangerous it is to | honest and respectable citizens of Georgia were seized against our king; by taking up arms in our own defence. confer unusual power on those whose ardent temperament in their own State, because they happened to be within by not bringing to light such traitorous conspiracies as leads them to a loose construction of it? In ordinary the Cherokee nation, by a Federal military force, and we know to be forming against him, by not endeavoring public opinion will keep him straight; but on great occa- nience for a sudden and laborious march, but tying them usurping upon his, prerogative, or depriving him of his related to the protection of life, liberty, reputation, and and of all his other dominions." sions, and under unusual excitements, no man should be together and pinioning their arms behind them, they revenue, by speaking or even thinking evil of him. (Be) property, was, if any thing, the most descrable. This Here, sir, is one of the most regular built, scraped out, a return to the Cherokee nation, for the purpose of re- | if you fall martyrs you will rise saints. What cannot our | cise of this power than another? Col. Callava. His case is familiar to every one. The sir, comes of using military force, instead of the civil prayer that he may be entreated not to pay this last" the several States, and with the Indian tribes." Every our venerable author. manner of his being seized and imprisoned by Gen. Jack- authority of the country, where the accused can have Now, Mr. Speaker, did you ever see such a striking one knows, that in all our commercial regulations, faith- To return to the formation of the General Government. son because he would not give up certain papers which his friends about him, can have a hearing, can have a hearing he considered private, was made a subject of complaint own witnesses, and confront those of his accusers. | of the spindle? How often have you heard that the tariff | subject, there never has been any complaint. It is only | nature of sovereignty, and where it resides. One thing | rights. Suppose, at the formation of the Federal Ge-

are conferred, or the meaning of instruments to which dier, and whose executioner is the murderous edge of Proclamation now tells us, in a kind, paternal manner, terest of the States, local and partial, that the inequality they possess, for they possess none, from this source; and on the General Government, and keep the other ten to they relate. I hold in my hands another proclamation his sword? Mr. Speaker, let us pause—this is not the to "abstain from fighting" and there is no doubt we commences and the extent of what has themselves, respectively. Now, mark, they were su. from the same author, to which I beg the serious attention genius of our Government. States cannot be forced. shall get the better of our enemies, "and they will have our rule immediately applies—"To establish an uniform been conferred. I lay down this position, that sovereign- preme over all the twenty powers before they granted of the House, if they regard it as a matter of any conse- Lawless individuals may, who act upon their own re- the worst on't." At all events, a little hanging and shoot- rule of naturalization." And again: "To coin money, ty is either alienated or delegated—the first parts with it ten away, consequently they continue supreme over quence to know whether great and extraordinary powers sponsibility. But let us draw the proper distinctions be- ing will be of no disservice to us in gaining God's mer- regulate the value thereof, and fix the standard of weights altogether, the last temporarily, and at the will of the those not granted. Both Governments go into operation tween the actions of a whole people regulating their po- | cies and our enemies' forbearance, and therefore recomlitical rights as a government, and those who oppose au- | mends this gunpowder bill. The proclamation sets out with a long string of titles, thority is selfish and individual purposes. States have | "III. As to sound reason. Such a license to subjects | powers, what do you suppose the General Governrights, the sneers of manufacturers and the doctrines of against their rulers, is destructive of the very nature of than to another. This is equally true as all the other country as alienated sovereignty—it is all delegated. The ment would do? The answer is ready: she would not the proclamation to the contrary notwithstanding. And | Government and of human society; for it dissolves the let not a foolish pride, a vain importance, an inflated very sinews of the State, and splits it into as many tactions careful examination of the fact. It is only when we leave | whatever is parted with, by them, is a concession to the limits; in fine, she would nullify it. Will any one point Cuba, and of the Governors of the said Provinces respectively self-consequence, and a mawkish false dignity, hurry as it has enemies. And is it possible to conceive two tively; whereas, by the seventh article of the treaty con- this Government into a lofty dictatorial conduct towards equal supremacies of power in the same nation, and yet else carefully lodged away among the reserved rights of forcibly wrung from a bad one, as in the case of magna permitted to do the same thing, if Congress passes a law cluded between the United States and Spain, it was sti- sovereign States-which the plain, simple, honest, direct, the kingdom to remain one. It is both reasonable and the bill of rights from the Prince of Orange. violating one of their ten reserved rights? If they are pulated, that the officers and troops of his Catholic Ma- and manly sentiments of democracy will finally frown necessary, that all Governments should have a super-emi- ments, that any possible difficulty can occur. For in- Here the whole sovereignty is with the people, and independent Governments, perfectly supreme over their jesty, in the territories hereby ceded to the United States, down, with shame and confusion. The State and Gene- nent coercive power over particular persons; for other | stance, in order to get this eagerly sought right to protect | whatever concessions are made, are to the Government, respective ten powers, what one can do to protect itself. shall be withdrawn, and possession of the places occupied ral Governments were made by the people, and for their benefit. The revolutionary war the other certainly can. It is a bad rule that don't work by them shall be given within six months after the ratifi- own especial benefit—the first in their social, the other and that which ought to be one entire body, becomes so lence, clause, paragraph, or article of that instrument left thirteen sovereign and independent States, and if both ways. If the Federal Government can defend its cation of the treaty, or sooner, if possible.' And whereas, in their federative character; and one was not designed many independent men. What obedience can consist mentions, in groping for it in the darkest parts that would every thing which has been done since that time, in re- granted powers, surely the States may do the same thing it has this day been made known to me that the following to oppress the other. Can any thing be more ridiculous, with such resistance? Nor will such liberties know where furnish a pretext for the search, its friends have fallen lation to the organization of the Federal Government as to their reserved rights; and whatever plan the one officers of his Catholic Majesty, to wit, (eight in number,) than that the people should institute two governments, to stop, for it is usual for them to fall foul upon all such as upon the provision relating to the "common defence and could be completely obliterated, and the thirteen States may adopt to effect the object, precisely that may be emare, (among many things related under a goodly number | for the mere pleasure of fighting, in the character of have a deeper sense of honesty and allegiance than them- general welfare," as best justifying it. Now, Mr. Speak. | stand precisely as they did then, every one will perceive | ployed by the other. The provision that the "constitu. of whereases) the authors of the following false, scandal- one, against themselves, in the capacity of the other? selves. And what law tof God or man was ever heard er, I do not intend to argue this matter, so often discuss- the truth of the assertion. Now, suffer me to draw upon tion and the laws of the United States, which shall be ous, and indecent publication: [Now listen to this scandal- For shame ! let us fly from such inconsiderate and in- of, that approved of my murdering a loyal man, because ed, and I beg gentlemen not to be alarmed at the men- [your imaginations, for a moment, so as to suppose the made in pursuance thereof, shall be the supreme law of ous and indecent publication, viz. In speaking of Col. consistent folly. It will suit the temper, feelings, and I myself am a rebel? Besides, that this lewd opinion ton of the "general welfare" principle; but they must recognition by Great Britain of independence had been the land," is not stronger or more extensive than the one Callava's appearance before General Jackson, H. B. | condition of the aristocratic governments of Europe, equally wounds the very operators of it; for any body excuse me, if, by way of putting this thing forever at rest, signed yesterday. What then would be the character of which asserts that 'the powers not delegated to the ought to have stated that none of the interrogatories and where every thing is done for the benefit of the few; but may be allowed to do that to them, which they would United States, are reserved to the States respectively, or highly offensive accusations of the General, were faithful- it is utterly repugnant to our institutions, where every to their rightful prince and his lawful subjects." ly interpreted to Col. Callava, any more than the replies man is a monarch, in the sovereign character of that No doubt this is considered very "sound reason" by of the latter to the former. It was, therefore, out of the term. Connected with the facts I have just related, I those faithful subjects who are fattening upon our propower of our Chief, not knowing what was said to him, to must mention, that the officer who commanded the mili- perty, but lest it should fail of producing proper conmake the auditors understand how innocent he was of tary force, was sued by the individuals thus mal-treated, viction upon those who begin to question its great posaid charges with which his unqualified honor was endead and the case came before me. Holding the scales of tency, the bill on your table is about to add another vored to be stained. Such, in sum, are the observations justice as even as it was in my power to do, and always | sound reason, composed of powder and ball, that strikes | we had to make on the statement of H. B., and we hope anxious to support the just authority of the General Go. | with such force as scarcely ever fails to overturn all apthat he and the public will be convinced, that we acted vernment, I said to the complainants, you ought to be posing reasoning. from no principle of pusillanimity; that if, on the one satisfied with your discharge—the fault is not in the offi- "IV. Now, touching the municipal laws of the and. I hand, we shuddered at the violent proceedings exercised | cer, but in the law. He had acted under an authority, If a subject finds himself aggrieved by the King, he is never hand convenient for the peo. fore, to meet by representatives. When they did meet, And can it be possible the States will submit to this? Will against our superior, we knew, also, what was due to a which, whether right or wrong, relieves him from the put to his petition for redress; which, if he will not ple, or of ornament for the Kingdom. Government which is on the most friendly footing with imputation of bad motives or lawless attempts upon your | vouchsafe, it is a sufficient penalty that he is to expect | our own. We are, &c. (After stating how offensive this liberty. Let him go without harm, and tell your representationed, there may be raised a these monarchs had met for the purpose of appointing a cannot protect the sovereigns? If all the People of a publication is, the proclamation concludes.) This is, sentatives never to place the military over the civil au- question what he does, much less to oppose him. To public stock, to be put into the hands of commissioners general agent to perform certain acts, in which the whole State can be hung up, one by one, can be cut off in detherefore, to make known to the said officers to withdraw | thority. And, Mr. Speaker, I am supported in this view | conclude, the famous Bishop Merks is positive that a king | themselves, as they ought heretofore to have done, from by Gen. Jackson himself, notwithstanding he now asks by lineal succession, being lawfully invested, cannot upon the Floridas, agreeably to the said seventh article, on or you for power "to put down a State." Permit me to imputation either of negligence or tyranny, be opposed or before the third day of October next; after which day, it read to you his own answer to the Senate, dated on | deposed by his subjects. The surest way to escape both | they or any of them shall be found within the Floridas, Washington's birth-day in 1831, to a call which they the guilt and punishment of high treason, is to fear God unconnected with the State Government, and control all officers, civil and military, are hereby required to ar- made upon him, " to inform the Senate of the reasons | and honor the king. The counsel given by the wisest rest and secure them, so that they may be brought before | that have induced the Government to decline the cn- of kings is worthy to be adverted to. Think not evil me to be dealt with according to law, for contempt and forcement of the act to regulate trade with the Indian of the king in thy heart, neither atter it with thy lips, disobedience of this, my proclamation." That is, to be tribes, and to preserve peace on the frontiers, passed lest a bird of the air carry the voice, and that which plate, feathers, perukes, fringes, &c.; upon all fine ple, subject to amendment by the consent of three fourths the United States can exercise such a power, then the in 1802." Let me call the earnest attention of the hath wings discover the matter.' Let us detest the prin

"The Indians, thus situated, cannot be regarded in any | tors of royal majesty, the spawn of Loyola, and keep |

suffered; but yet nobody will deny me, that, before it was | And is this House prepared to gratify an individual in the | man in this whole nation who will not laugh at the ab. inflicted upon them, they ought to have been cited be- exercise of that which he himself has denounced, and surdity of the doctrines just read in your hearing, and fore the proper tribunal, have heard the charges, and warns us is too much to be granted to any individual? | pity the ignorance and superstition upon which they have had liberty and time for their defence. These are Who will now blame me for a freedom of debate in re- rest, and which has doubtless carried many a man to fundamental principles of the laws of Spain, and of the lation to the measures of the administration, when its long home for daring to dispute; and yet, Mr. Speaker, United States, and of every civilized country. Yet, what | chief disclaims the principles against which I war, and | shall I be reproached if I say, absurd and ridiculous as \{

> though I omitted to mention it, in the beginning of my in their graves, for now nearly two hundred years \ Are \ temarks. I mean the nature of our Government? Be- not modern politicians contending for non-resistance, fore I proceed, I cast my eye around with a hope to passive obedience, unconditional submission, and absort draw upon me the steadfast looks of every member pre- lute supremacy in the General Government? Disguise I

In order to make good this position, it becomes neces- " Would to God I could now stop the ball of the Revoger of employing military force for civil purposes; tions of our Government are performed, not by a single And, sir, the bloody tyrant of Nantz, the famous Liquinio though I should remark, Gen. Jackson has no concern individual, who, in kingly Governments, has all power, Kerblue, who had murdered his hundreds of men, wowith it. I adduce it to prove the utter impropriety of but by three well defined departments of limited powers. men, and children, in that dreadful conflict, years after all the fat of the land. Keeping this distinction constantly in view, I again invite those agitations were over, in the torture of deep re-

he was re-elected, and yet I was in favor of him. Keep "Quenx XV .- Whether in any case it be lawful for mation of our Government. I lay down this position,"

vernment of laws, and so long as they conform to the that in any case, or upon any pretence whatsoever, it is duals, the last to communities. The State Govern constitution, no public functionary can do us mischief utterly unlawful for subjects, jointly or singly, collect ments are examples of the first, the General Government without doing himself a greater. Because I was for him tively or repreentatively, to make any violent opposition of the last. The first depends upon a well-known moas President, it does not follow that I shall invest him against their sovereign; or to resist him either in an of- ral principle, which we learned at the schools, 'that of

And is this to become the mode of executing the system was for our particular benefit, for what was es | when Congress departed from the true object of this | is admitted, that in this country the sovereignty belongs | vernment, the States, or rather the People of each State. have nothing to do. It is with the construction of powers laws? Are we drifting to the habits of European go- teemed our loss, was such a gain somewhere else, that it clause, to take in something more than its words or spirit to the people; both the General and State Governments had possessed, severally, only twenty powers; they meet vernments, whose arbiter is the muscle of the sullen sol- would come back to us with great increase. And the conveyed—something that belonged to the municipal in- deduce their title to whatever they exercise, not what in convention, as States, and confer ten of these powers

ciples believed and practised by those audacious viola-

lately promulgated, and now about to be carried out by over the same monstrous scenes that disturbed and agi-I come now, Mr. Speaker, to the third thing proposed, tated the bosoms of those who have been slumbering

of France torn from her palace by the rabble of Paris-1 * I was told by a gentleman from Tennessee, (Mr.) your courtesy to the teachings of my venerable old friend | morse, exclaimed-" We were a nation of madmen!" I will now proceed to give you my views of the forthat there is a difference between a social or homogene Solution .- It must be resolved in the negative! And ous and a federal government. The first relates to indivi-

with royalty. A man, within proper restrictions, may fensive or a defensive way. This assertion you will find the greatest good to the greatest number,' and, consemake an excellent President, who, with unlimited pow- to be a truth, that is consonant to holy writ, reverend an quently, must be under the direction of a majority. Not er, would make a desperate tyrant. The lion is a noble tiquity, sound reason, and to the municipal laws of the so of the other, it is founded in compact or agreement; and generous animal, and we are delighted to view him in land; all the sophistries and argumentations that sedi- and, of course, the articles of stipulation stand in the his cage, but if his keeper should politely offer to turn tious and corrupted men are able to produce, to the con- place and sway of the majority. In the social government we appeal to the will of the majority for the rule of ment, if they be found in such places and ways, out of all extrinsic circumstances used for the purpose of exe- of the Government require; but there stands at my back, that he is in the habit of doing mischief when unchained, gives several authorities, which, on this occasion, need this were not so, wherefore the necessity of any distincand yet never thereby think of offering disparagement to the lion of States at all? Why not have abolished them at charge over us to keep us, whilst we are in our ways, but and, in the name of every thing that is just and holy, can him, unless he will contribute, from the sweat of his brown the line of states at all? Why not have abolished them at charge over us to keep us, whilst we are in our ways, but and, in the name of every thing that is just and holy, can him, unless he will contribute, from the sweat of his brown. the lion. Let Congress, who are the keepers of all the of this severity is, to preserve the people from being once, and let the whole mass of the People have constipublic officers, confine them to their proper limits, and poisoned in their allegiance by the malignity of vile ex- tuted one great Government? Why leave to the States treat them as men, and not as gods, and then there is no amples. That all the people, under what nation or quali- any Government at all? This was not the design of the and contrived by designing men, with much partiality,

and measures." Does not every one perceive, that it is grantor. The first can never be resumed—the latter perfectly supreme over their respective ten powers. Suc. not possible for Congress to devise a law on any of these | can, at any and all times. European governments are | pose the States pass a law violating one of the ten grantpowers in the Constitution; and I invite gentlemen to a monarchs of Europe possess the whole sovereignty; and regard it; she would not suffer it to operate within her the letter of the power, and are feeling for something people, either gratuitously made by a good Prince, or out to me any good reason why the States may not be them the history of this same general welfare doctrine be under the articles of confederation. Then these ad- to the People." from our old friend, Lord Somers, to ascertain if it can be | mit their entire sovereignty. I have before stated that describes. He commences:

beneficial to England, humbly offered to the considera- tion should continue under their new relation of inde- ed by that instrument, by its federal friends, and the bill tion of all good patriots in both Houses of Parliament. pendence, or how far a change was rendered expedient on your table, that the States may be sovereign, but their drinkables) hath occasioned the want of many public was principally designed for a state of war, it could not States, as States, but they will hold their citizens answer. works of piety and charity—works necessary for the ge- | possibly answer that of peace,) it became necessary, there- able, individually, for the acts of their Governments.

accountable to the King. had a common interest.

2. For raising such public stock, it is proposed, first, Now, suppose, instead of the seventeen powers con the consequences of this doc rine. If the Federal Courts upon such commodities as occasion either excess or luxu. ferred on the General Government in the Constitution, to can control the State Courts by considering them, and ry, wantonness, idleness, pride, or corruption of man- | be executed by a President, a Judge, and a Member of | their officers, and their posse, as so many individuals, as upon all wines, all strong drinks, tobacco, coffee, cho. ernment, these thirteen monarchs had been given but one them accordingly by the use of dungeons, halters, and colate, sugars, spices, plums, all sorts of sweet meats, or | single power, and that to but one single individual, for | gibbets, they can treat the Legislatures and Governors of anges, &c.; upon all silks, laces, ribbons, jewels, watches, the number of powers or of agents cannot vary the princi. States in the same way. If the Judiciary Department of linens, camblets; upon cards, dice, tables, bowls, &c.; of the contracting parties, and suppose that one power to co-ordinate branches of the same Government can do the upon all coaches, chariots, litters, sedans; upon all pic- | be the regulation of commerce. How much sovereignty | same thing. Congress and the President may act upon tures, perfumery, paints for the face, looking glasses, &c. | would be delegated to this individual? Surely only a se- | all the departments of the State Governments in the Moreover, a third part of all the gettings of comedians, venteenth part of what has been delegated to the Federal same way, not as a Government, but merely as individurope dancers, mountebanks, lotteries, shows, &c. (By | Government, (supposing seventeen to be the number of als, and when Governors are brought to the scaffold, for I the by, a much better list of taxable articles than that fur. powers granted.) Now, does not every one perceive executing the laws of their States, it will be poor conso-

nished by our own tariff' act.) 3. That, according to the practice of the primitive the other sixteen powers not granted? And, if so, are in their private capacities. If the States submit to this Christians, whose devotion was such that they thought no | they not equally so over all those powers which are de- | doctrine, they will richly deserve the fate which the bill testament well made unless some considerable portion | nominated reserved rights? For the sixteen powers now | we are now discussing is preparing for their People. was thereby added to the church, no testament hence- | become reserved rights. They, and the one power just | forth shall be valid unless a twentieth part of the lega- mentioned, originally came from that mass. Each mo | time I have occupied, no longer to abuse a patience which cies were given to the after named objects of general narch has delegated, not alienated, his right to regulate has been unusually indulgent. I must, therefore, though welfure and private uses. That a fortieth part of all commerce to a particular individual. Before they part, I have much more to say, bring my remarks to a close. things recovered by law may be (as once among the Ro- | however, and just as they have delivered over their pow. mans) assigned for public uses. That there be paid out | er of attorney to their agent, nine of the monarchs ask | moments. of all marriage portions six pence in the pound, and some- | the agent if, in the exercise of his one power, he cannot thing proportionably paid at the death and birth of every | so contrive it as to prohibit commerce altogether, for the | rolina has annulled what she deems an unconstitutional person not living on alms. Now the money of this pub- | purpose of protecting their manufactures? He replies, lic stock may be employed in these public uses, following, he can. Now, who is to judge of this? Here is a case | vent its operation within her limits, declaring she means viz: For building work houses in all convenient parts of made at once, and before the parties separate. Four of to use no force, and that if force is used against her, she this kingdom; for making rivers navigable; for building | the monarchs protest against such a power. Will any one | will leave the Union. The President has said she shall do | and repairing bridges, highways, sea banks (breakwaters) say the agent himself ought to do it? Then he inevita- neither, and calls upon Congress to give him the army, havens, moles, land marks, aqueducts; for setting up poor | bly takes all the powers of all the monarchs, for, by the | navy, and militia, to coerce her into obedience. Now, potent, decayed people; for maintenance of sick and as to the extent of his powers. And is it right or just right? Does prudence, generosity, or justice, demand maimed seamen, and pensions for old soldiers.

For the further increase of the price of wool it may be and was chosen, not for his own benefit, but for the be- though she were wrong, if any milder course could be enacted that not only the dead should be clothed in wool, | nefit of each and the whole of the parties, should instant. | devised? Repeal the tariff, which, before Heaven, is a but that all the living, from the first of November to the ly become a conduit to pass the rights of one portion of solemn duty, because an act of justice, and the whole 1st of May, shall be obliged to wear their clothes and the monarchs into the possession of the others, and the difficulty is at an end. But, sir, suppose this bill passed,

any office of profit or honor.

rough hats, of coarse canvass, of point lace, of silks, of compact is founded upon no such principle; indeed, it is present you the picture which is furnished by the matescissors, of needles, to make vinegar, all box combs, gold | declared that any amendment of the instrument must reand silver lace, some sorts of silk, some sort of gold- | ceive the consent of three fourths. Well, then, can any smiths' ware, as spoons, forks, &c. which are made better one be so blind as not to perceive that an honest, faith. the peaceful plains of Carolina: He seizes the first man in France than in England, and for all which vast sums of ful, and fair execution of the compact would result in he meets, and exerting the whole strength of a great Go. money is returned into France.

That, as in the reign of Edward the 2d, the number of Mr. Agent, you have no right to grant what these others of Hercules, chokes him to the earth. In that fall, to attorneys was regulated, and 140,000 declared to be suffi- | have asked you; now, before we separate, we insist that | which overpowered energy must submit, he plants his cient to serve this whole kingdom in that peaceable age; you submit that instrument back to the whole of us, and knee upon the bosom of his struggling victim, and thus so now that the excessive number of lawyers and attor- if three fourths will determine that you have the power, prostrate, he is about to plunge his knife to his heart. neys may be reduced to a competent number for this age, | (for that number can give it to you under our agreement, | But, sir, before the fatal blow is struck, he relaxes his and some things in their pleadings reformed. What a and it can make no possible difference whether it is for- grasp to receive the dying words, not of a convict, shame to our nation is it, that so many evil and rapacious | mally conferred or declared to exist,) we will submit. If | but of a freeborn citizen of a sovereign State. What have ceased, may live to blush at our own temerity.* divine right of kings, with the principles of our constituted to plead in behalf of known you will not, you shall not exercise that power within our does he say? Sir, he asks, why am I thus treated? I assisted to give it lawyers should be permitted to plead in behalf of known and for the said. I have another case, Mr. Speaker, to show the dan- tution, only requesting you to bear in mind that the func- motion; but, to arrest it now, is out of my power." vicious persons, and if these other nine monarchs What have I done? I have obeyed my State, and fornotoriously unjust-should be permitted to make a trade, attempt to aid you in this usurpation, we will now tell feited my life to you. If I had obeyed you, it would have not to minister justice, but to heap uplriches and devour | them we will resume that portion of the trust which we | been forfeited to my State. Is this the boasted land of

by all God's people heretofore, though now in England design to persevere, we will break up at once, and form | done to you? Have I not fought by your side, for my little conscience is made thereof,) of wilfully trying to no connexion. The nine monarchs and this bribed and country, at Mobile and St. Marks, and contributed to rob God or the King, the one in his tithes, and the other corrupt agent declare they will go on. Is there a man your fame? Have I not willingly paid every tribute she in his tributes, customs, or revenues, by constant grum- here, or in any hole or corner of this wide world, who exacted, nay, more than my share, when she asked it for blings and mutinous complaints; it may be made a high will have the hardihood to contend that the four mon- her own purposes? Have you not said there is enough, offence for the future, and very severe punishment in- archs must submit to this fraud, engendered before the more than enough? Have you not said that I am wrongflicted at the discretion of his Majesty. (Quite a squint- ink was yet dry upon the instrument that contained their ed, and ought to he redressed? Why is it, then, you are ing, Mr. Speaker, at the force bill)

wear a robe or vestment, that so they may be every fraud then, will it not be fraud now? Are we to lose their widowed mother? What other reply could be made where discerned, and receive their due respect, and be rights because of the complication of machinery necessa- by this executioner of your law, than that this is wholly

The inequality of taxes upon several counties, hatched | to arrive at a different result? This much I intended to have said, and asked fication soever, may hear and fear, and do no more pre- Constitution. No one believes that to regulate It was said by an able speaker in another part of this iron! Sir, in this critical moment, I leave him, and I to say, in reply to Mr. Isacks, but was denied and pre- sumptuously. For who, says David, can lay his hand upon reign and independent as New York, consented to give the same, would be a work well worthy of a speedy ac- building, that the people can form as many governments leave you and this House to ponder on the scene. (who can touch, who can stretch forth his hand against) up her social Government, and blend herself with the of Parliament. (Mind that, Mr. Speaker.)

placing the execution of the laws in the hands of sol- the Lord's annointed, and be guiltless? Now the signif vast population of that State, who, from thenceforth, And lastly, an act of Parliament for a solemn anniver- States have formed the General Government as well as reign lord the King now reigning, not only for the many The States had two great interests, which I will distin- signal and wonderful preservations of his royal person, guish by the terms municipal and relative. The first | both by sea and land, and of his right and title to this | has reference to their internal concerns, the latter to their | kingdom, maugre the late wicked contrivances, conspirelation with each other as distinct sovereignties, and racies, and associations of all his mortal enemies, but also cases, and under ordinary powers, there is little or no without suffering them to visit their homes, or sup- to defend him when we see him in danger, for qui non with foreign governments. The one interest was as dear for his most peaceable accession to this crown, with the danger from any public functionary; his own interest and plying themselves with a single comfort or convergence of this whole nation and language from any public functionary; his own interest and plying themselves with a single comfort or convergence of this whole nation and rejoicing of this whole nation are not the safety of the safet

made absolute, and, least of all, General Jackson; for we were marched off from their families, destined for Sa- it recollected that the President told a member of this they retained to themselves; the other, the telative in- polished off, and well finished general welfare systems gives it just such meaning as furthers the strong purpose | bravely fought by the side of Gen. Jackson himself, had | Somers answers.) Because, as the tongue can strike right to manage both. Now, tif this distinction can be sir, if a member were to rise in his place, and under that will be recollected that a certain meeting took place at strutting in their front, and the bayonets of a brutal sol- point of non-resistance, discourses to this effect: "I the rights of the other, the invaded government will have duce a bill to adopt my Lord Somers' plan, would it not Georgia should pass a law declaring that Massachusett Hartford, in Connecticut, by some of the first citizens of diery glistening at their backs, like so many votes do you nay, all the States, by way of making the law gener, the right of resist | create a universal smile; and how many votes do you nay, all the States, by way of making the law gener, the right of resist | create a universal smile; and how many votes do you nay, all the States, by way of making the law gener, the right of resist | create a universal smile; and how many votes do you nay, all the States, by way of making the law gener, the right of resist | create a universal smile; and how many votes do you nay, all the States, by way of making the law gener, the right of resist | create a universal smile; and how many votes do you nay, all the States, by way of making the law gener, the right of resist | create a universal smile; and how many votes do you nay, all the states, by way of making the law gener, the right of resist | create a universal smile; and how many votes do you nay, all the states, by way of making the law gener, the right of resist | create a universal smile; and how many votes do you nay, all the states, by way of making the law gener, the right of resist | create a universal smile; and how many votes do you nay, all the states, by way of making the law gener, the right of resist | create a universal smile; and how many votes do you nay, all the states, by way of making the law gener, the right of resist | create a universal smile; and how many votes do you nay, all the states, by way of making the law gener, the right of resist | create a universal smile; and how many votes do you nay, all the states, by way of making the law general smile; and how many votes do you nay, all the states, by way of making the law general smile; and how many votes do you nay, all the states, by way of making the law general smile; and how many votes do you nay, all the states, by way of making the law general smile smile smile; and the law general smile smile smile; and the create a universal smil the Northern States; it was a political meeting, and so far slaves, a gazing stock for men, women, and children, as ty; I can mourn and lament, (yes, Mr. Speaker, when should pay a tax to her upon their exports? Would pay a tax to her upon their exports? Would pay a tax to her upon their exports? habeas corpus; and, sir, believe me when I tell you, your quarrel; and question not but your enemies will 'to be uniform throughout the United States." How the general welfare principle in the Constitution, and would leave the question to the Supreme Court T case of the Spanish Governor of Florida, the celebrated der the orders of the public authorities of Georgia. This, hell for our enemies; but yet we breathe our souls in the General Government! They stand upon the same

> possible our constitution meant what he so profoundly the sovereignty resides in the people of each State; but at, and the proclamation has done more to bring their as all the people of each State could not meet, at a given | rights into contempt, than all the other attacks united "England's Wants; Or, several proposals probably place, to determine whether these articles of confedera | since the triumph of republicanism in '98. It is now urg. The want of public spirits (meaning enterprise, not by a great change of condition, (for as the confederation | People shall be subjects. They will not war against the there were thirteen sovereigns present, as much so as it they stand by and see their citizens massacred for obev-1. To supply this want, that, by such easy ways and the States had been left with monarchs at their head, and ing their own laws? Of what account is sovereignty if it

that the thirteen monarchs would remain sovereign over lation to be told they are not hung in their official, but that he, who but a moment before was a perfect blank. such a harsh proceeding against a sister State, even injured party have no other redress than what depends and General Jackson obtains all he wants—suppose he That none but married men, or who have once been | upon his self serving judgment. What then is to be | could, with his own arm, unaided by any other force, exother nine monarchs constitute a majority, that, there- it necessary for him to proceed to South Carolina! Go An act to encourage the making all sorts of paper, of fore, they have a right to determine the matter? The with me, Mr. Speaker, to the scene of action, and let me this arrangement, viz: The four monarchs would say, | vernment, he throttles him, and, with the strangling grip have just delegated, and dissolve the agreement. So let | American liberty' Better, by far, I had lived in Poland,

signatures? And if they ought not then, how is the about to make a desolation of my home, and fill its mur-That members of Parliament should be compelled to thing varied by the intervention of time? If it would be dered peace with the tears of orphans, and the cries of out of our ways, no protection of angels to be expected." any man so torture and pervert the meaning of things as

as they please, and that the people of the whole United

independent, as Governments, of each other, as if they were foreign to each other? Is not the State Govern. ment of Massachusetts independent of the State Government of Georgia, and are they not both independent of the General Government so far as respects their reserved rights? Can Georgia legislate upon any of Massachuseus? reserved rights? I shall be answered, No, at once. Well if she cannot, will it be pretended that Congress can? I such pose not; but then again the question recurs, who is it do know that, on several occasions, he has known no law vanual, a distance of nearly three hundred miles. These House, that for South Carolina to act upon her doctrines terests, they conferred upon the General Government terests, they conferred upon her doctrines terests. but his own will, and that if a law stands in his path, he men, though honest, were poor, and many of them had was treason, io think of it was rebellious, and that if a law stands in his path, he men, though honest, were poor, and many of them had was treason, io think of it was rebellious, and that if a law stands in his path, he men, though honest, were poor, and many of them had was treason, io think of it was rebellious, and that if a law stands in his path, he men, though honest, were poor, and many of them had was treason, io think of it was rebellious, and that if a law stands in his path, he men, though honest, were poor, and many of them had was treason, io think of it was rebellious, and that if a law stands in his path, he men, though honest, were poor, and many of them had was treason, io think of it was rebellious, and that if a law stands in his path, he men, though honest, were poor, and many of them had was treason, io think of it was rebellious, and that if a law stands in his path, he men, though honest, were poor, and many of them had was treason, io think of it was rebellious, and that if a law stands in his path, he men, though honest, were poor, and many of them had was treason, io think of it was rebellious, and that if a law stands in his path, he men, though honest, were poor, and many of them had was treason, io think of it was rebellious, and the many of them had was treason, io think of it was rebellious, and the many of them had was treason, io think of it was rebellious, and the many of them had was treason, io think of it was rebellious, and the many of the many of them had was treason, io think of it was rebellious, and the many of the many of them had was treason, io think of it was rebellious, and the many of the many Recollect that we have just determined that neither of his mind. As I feel no inclination to make an assertion | committed no crime, but were torn from their friends, without a hand, so the heart can curse without a hand, so t without the proof, I beg leave to submit a case or two. It and paraded through the country with a little lieutenant | "11. As to reverend antiquity. St. Ambrose, upon the admitted that when either of these governments invades | system is said to be founded, were to ask leave to intro- the reserved rights of Massachusetts. Now, Supply and Proof. I beg leave to submit a case or two, It and paraded through the country with a little lieutenant | "11. As to reverend antiquity. St. Ambrose, upon the admitted that when either of these governments invades | system is said to be founded, were to ask leave to intro- the reserved rights of Massachusetts. Now, Supply and Sup as I know, peaceable. I do not mention it to reproach they passed the farms and villages of the country. And, has been all that was left to us of the South for the last after. Now, sir, permit me to show how clearly these well examined, absurd as is his very system, it is not Massachusetts leave the decision of the right to impact any one, for, on the present occasion, I do not intend to Mr. Speaker, but for my interference, and worse than that contended for to justify the vast expendition the municipal powers, and now our adversaries 'mourn and lament' relative can be separated from the municipal powers, and now our adversaries 'mourn and lament' relative can be separated from the municipal powers, and now our adversaries 'mourn and lament' relative can be separated from the municipal powers, and now our adversaries 'mourn and lament' relative can be separated from the municipal powers, and now our adversaries 'mourn and lament' relative can be separated from the municipal powers, and now our adversaries 'mourn and lament' relative can be separated from the municipal powers, and now our adversaries 'mourn and lament' relative can be separated from the municipal powers, and now our adversaries 'mourn and lament' relative can be separated from the municipal powers, and now our adversaries 'mourn and lament' relative can be separated from the municipal powers, and now our adversaries 'mourn and lament' relative can be separated from the municipal powers, and now our adversaries 'mourn and lament' relative can be separated from the municipal powers, and now our adversaries 'mourn and lament' relative can be separated from the municipal powers, and now our adversaries 'mourn and lament' relative can be separated from the municipal powers, and now our adversaries 'mourn and lament' relative can be separated from the municipal powers, and now our adversaries 'mourn and lament' relative can be separated from the content of the conte hurt the feelings of any; my purpose lies in another way. speak it, these brave and respectable citizens would that we do not confine ourselves to such a good, quiet, that nothing is so entirely perfect, which belongs to his Government. When once you assume Would she leave it to the Federal Court? Certainly not In speaking of this meeting many years afterwards, Gen. have been marched off to Savannah—and there, in a leasy remedy.) But for other resistance, (says our au- man wisdom, as the discrimination made by the framers the right to make appropriations for any one object of Then to whom would she leave it? Why, to no earthic Jackson said in a letter, and of course, under due delibe- land of strangers, far from home, without money and thor,) I neither will or ought to make any." St. Cyprian of the Constitution. These relative powers are contain. general welfare, not specially provided for in the Con- power but herself. She would declare the law suffice. ration, that he would hang them under the second sec- without friends, there was a thousand chances to one, speaks to the same purpose. "It is out of a principle ed in about seventeen specific grants, and which, if faith- stitution, you are at sea without rudder or compass, and void, as in the case of the boundary of Maine, and the case of the boundary of the boundar tion of the rules and articles of war, if he had been in their their fate would have proved an eternal separation from of conscience," says he, "that none of us make any op- fally executed, cannot possibly benefit one State more the million of objects which the discretion of Congress "obligatory upon her people." She would "interpose the million of objects which the discretion of Congress of war, if he had been in their their fate would been in their their fate would be interposed as a conscience, and the conscience of the million of objects which the discretion of Congress of war, if he had been in their their fate would be interposed as a conscience of the million of objects which the discretion of Congress of war, if he had been in their their fate would be interposed as a conscience of the million of objects which the discretion of Congress of war, if he had been in their their fate would be interposed as a conscience of the million of objects which the discretion of Congress of war, if he had been in their their fate would be interposed as a conscience of the million of objects which the discretion of congress of war, if he had been in their their fate would be interposed as a conscience of the million of objects which the discretion of congress of the million of objects which the discretion of congress of the million of objects which the discretion of congress of the million of objects which the discretion of congress of the million of objects which the discretion of congress of the million of objects which the discretion of congress of the million of objects which the discretion of congress of the million of objects which the discretion of congress of the million of objects which the discretion of congress of the million of objects which the discretion of congress of the million of objects which the discretion of congress of the million of objects which the discretion of congress of the million of objects which the discretion of congress of the million of objects which the discretion of congress of the m neighborhood, as commanding general. Now what is this their wives and children. As it was, they were driven position, when we are unjustly seized upon, or study a than another. This is the true test of the intention of might imagine conducive to the general welfare, are as her authority to prevent its operation within her limits in second section? It will create amazement when it comes fifty miles from home, by forced marches. Sir, it was revenge upon our tormentors; for no none can believe that it much within its jurisdiction as any one single object. If she has the right to interpose, she has the choice of to be seen, to think that the lives of so many individuals fortunate for them the military force, ay, sir, the military force, ay, s force, such as your bill contemplates, chose to exhibit design." And so does Tertullian. "We are not" says to receive more advantages than others. For such an paintings, drawings, statues, busts, books for yourselves, this interposition, it is for herself, and no one else, we have a such as your bill contemplates, chose to exhibit design." And so does Tertullian. a military flourish through the populous village in which he, "despoiled of our goods, they are only sequestered instance of stupidity there could be no possible motive, for making fine gardens, aqueducts, water-fountains, judge and determine. To this reasoning there can be no I reside, and to avail themselves of a triumphal entry in- for our benefit, and cutrusted in safe hands; God keeps and nothing contained in the history of the times warrants | bridges, and canals for the District of Columbia, McAda- objection. Now, suppose that Congress passes precious "Be it further enacted, That in time of war, all persons, not citi- to that notable town. Being clothed with a little brief them for our use, and will return them with ample in- such a law as that of Georgia's, imposing the same tax; authority, I dared to issue that writ of writs, called the crease. If you abstain from fighting, he will espouse power is to "lay taxes" in various ways, but they were things not now necessary to be mentioned? It is from In what will the cases differ? Think you Massachusetts upon an investigation of their case, their only crime was have the worst on't, for your wounds will save you, and can any one State be more benefitted by an honest exer- called by the name of " public spirit," by my Lord So- what other conclusion could she come but the one in the mers. These works of " piety and charity," of which Georgia case, if she is independent of both Governments I pass over the scenes at New Orleans, and St. Marks, claiming a few working tools which they had left at the sufferings bring about? They make even God himself Take the next, and apply the text, "To borrow mo- he speaks, wants nothing here but a "force bill," in reference to her reserved rights? If she would mility

will he contend that these Governments are not as wholly

But there is another view that I think still more con-

I know the sovereignty of the States are now laughed ! ail, God help the sovereignty of such a State! Mark

Mr. Speaker, I am admonished by the great length of J ask now the attention of the House but for a very few

Acting upon the doctrines I have advanced, South Calaw of this Government, and has prepared herself to prerials of this astonishing case. General Jackson girds on his dagger, and with cool and deliberate step marches to That for redressing those high crimes, (so accounted us understand each other before we part, because, if you or been a serf in Russia. But what, I repeat, have I

ashamed to be seen frequently in playhouses, dice-houses, ry to protect them? Are we to submit to wrongs be- true? True, that the Government wants not your mocockpits, taverns, houses of worse repute; or to be night- cause of the doubts which the operation of compound ney; true, that I have said that your burdens ought to be walkers, &c. And during their attendance on Parlia- agencies sometimes create? Strip this whole matter of lightened; true, I have said there is more than the wants their robe or vestment, then to lose their wonted privi- cuting the powers of government, analyze it till it is unconnected with the Government, a confederacy of inlege, according to that saying, "God giveth his angels brought down to the simple elements I have presented, dividuals, one of whom cries out to me, kill him, kill something to my woollens! Kill him, kill him, says andther, unless he gives something to my cottons! Kill him, To vary the illustration, let me present another view. kill him, says a third, unless he yields a tribute to my