ATHENS, June 25, 1833.

Messrs. A. B. Dale, Thos. M. Darnell, P. H. Echols. E. Y. Hill, W Shaw and J. Spearman.

GENTLEMEN.—I regret that it is not in my power to dine with a portion of the citizens of your county, at Shady Dale, on the 4th of July next, in accordance with their kind wishes, expressed in the invitation of which you are the organ.

Though I am compelled to deny myself this pleasure, yet I hope I shall be excused, if I avail myself of this occasion, somewhat sanctioned by custom, to speak of the political events, not unfitly associated with the cause of your assemblage, & which have pervaded with the deepest interest our common country.

I may be the more readily indulged in this liberty, as I occupy a public trust, to which you have not only a right to look for information, but from which is justly expected that strict accountability due to its faithful execution. I shall soon decline its further responsibility, and I mention the fact, that you may understand that the desire to retain it, enters into no part of the motive of this communication. If ever the liberties of this country are destroyed, it will be occasioned by an unprincipled desire of office combined with the prostituted servility of a hireling Press. If they are long to be preserved, it must be by the virtue and disinterestedness of the private station.

We have had many, but particularly one striking proof, that there is no where to be found, a government so wanting in principle and consistency, as that of the American Republic; and I do believe, for its age, it is as corrupt as any that ever did exist. I speak a plain, but I trust an honest language; at all events, as long as the freedom of speech remains in this country, I mean to exercise it. The American government holds out a greater variety of interests to a greater diversity of character than any other in the known world. And shall I in this enlightened age, institute an enquiry into the nature and effect of that powerful agent, *interest*, upon the motives of human action? Shall I attempt to run a parallel, in the face of so much experience, between Patriotism and Patronage, in their influence over the affairs of this great government? It would be worse than useless. I will, however, call your attention to the history of the case referred to by me, as illustrative of the strong position so unhesitatingly advanced.

In the formation of the Federal Government, it is unnecessary to disguse the fact, that there was a large party for organizing if not a monarchy, at least such an institution as would, by its force & strength overawe and control, as it was said the ignorance, the passions and the prejudices of the people.*— These were what they pretended to dread, and maintained that republicanism would soon degenerate into jacobinism. Of this party was Mr. Madison as the journal of the Convention will abundantly testify. They failed in their scheme of having the

government based upon such principles explicitly avowed in the Constitution, but from that day down, they determined to obtain, by artful construction, what was denied to an open expression. And hence arose immediately, the two great parties called Federalists and Republicans, the former contending for a strong and expensive government, to secure the privileges of the *governors*, under the pretence of their arduous labors—and the latter, for a plain and economical one, to protect the rights of the *governed*. The first believed they could so elevate and remove the Federal Government from the immediate inspection of the people, as that by reason of its splendour and greatness, rulers and placemen could never be distusbed in their power and influence; and hence the States, as States, were to be excluded from all controlling agency in its affairs. The latter believed, that the only method of keeping the Federal Government within its proper sphere, and making it a blessing instead of a curse was to have it know its origin and feel its dependence, to understand its authority, and respect the source from which it flowed. The struggles of these parties between the years '88 and '98 were fierce, eager and violent, till in the latter year, a case was made and put before the people for their verdict. The Federalists passed two well known acts, called the Alien and Sedition laws, glaringly violative of certain express provisions of the Constitution; and this was done, as *then* and *since* alleged, under similar infractions, by virtue of the power to pass, as Congress in its discretion may think expedient, "all laws necessary and proper for carrying into execution the other powers of the Constitution." The issue was fairly made up between the contending parties upon the powers of the Federal Government, as claimed by the principles of these two laws. Mr. Madison, from the unbounded influence which Mr. Jefferson was known to exert over him, and perhaps from another cause which need not now be mentioned, had eschewed his old federal principles and taken a high station in the republican party, and whether from a good or a bad motive, now altogether immaterial certainly placed himself in the front ranks of that ardent contest for liberty. Being the leader of the Virginia Legislature, he avowed and maintained, in the very teeth of these obnoxious laws, the following position, expressed as strong as the powers of language can make it, and which that Legislature unequivocally adopted, viz: "*That it views the powers of the Federal Government, as resulting from the compact, to which the States are parties as limited by the plain sense and intention of the instrument constituting that compact, as no farther valid than they are authorized by the grants enumerated in that compact, and that in case of a DELIBERATE, PALPABLE and DANGEROUS exercise of other powers not granted by the said compact, the STATES, who are parties thereto, have the right and are in duty bound, to INTERPOSE for ARRESTING the progress of the evil and for MAINTAINING WITHIN their respective LIMITS, the authorities, rights and liberties appertaining to them.*" Need I ask you to mark well this language? Can any thing be more full, explicit, and so wholly free from a double meaning; and yet shall I tell you that its own author, since the death of his Mentor, relapsing into his old affections, has returned to his first love, & divorced himself from this fairer object of regard? He has attempted to explain away its obvious meaning, but thanks to the energy of reason, and the holiness of truth, it is out of the reach of a satisfied ambition, or the still ruder assaults of a reckless inconsistency. This is not all which the Virginia Legislature declared through the mouth of Mr. Madison, anxious as that State is at this day, to have it all go for nothing. It expressed itself with "deep regret that a spirit has in sundry instances been manifested by the Federal Government, to enlarge its powers, by forced constructions of the constitutional charter which defines them; and that indications have appeared, of a design to expound certain general phrases, so as to destroy the meaning and effect of the particular enumeration which necessarily explains and limits the general phrases, so as to *consolidate the States by degrees, into one sovereignty, the obvious tendency and inevitable result of which would be, to transform the present republican system of the United States, into an absolute, or at best, a mixed monarchy.*" This resolution, besides the main object for which it is quoted proves conclusively the historical fact I have already asserted, in reference to the designs of the Federal party, to change the character of the government, by the force and effect of mere implication, and which is charged to modern State-rights men as altogether a chimera of their own brain.—Portunately for them Mr. Madson has not applied his *presto* wand to this precious truth. The Le-

*Governeur Morris, a leading Federalist, said "Say the people from the gallows."

gislature then formally protested against the Alien and Sedition laws, and in conclusion, "solemnly appealed to the other States, in confidence that they will concur, with Virginia, in declaring, as it does hereby declare, that the acts aforesaid are UNCONSTITUTIONAL, and that the *necessary and proper measures*, will be taken BY EACH for co-operating with (Virginia) in maintaining unimpaired, the authorities, rights and liberties RESERVED to the States respectively, or to the people."—These resolutions were sent to the other States for concurrence. Now observe what they roundly affirm: That the Federal Constitution is a *compact*" —the "*States are parties*"—its *powers no further valid than they are authorized by the grants contained in the compact*"—And that "in case of a *deliberate, palpable* and *dangerous* exercise of powers not granted," the "*States* (not the people of the whole U. States) have the right (to do what?) to INTERPOSE, (how?) for *arresting* the *progress* of the evil, (is that all?) and for maintaining (where?) *within* their *respective limits*, the authorities rights, and liberties *reserved* respectively to them." All this Mr. Madison, Mr. Ritchie and Mr. any body else, who has an office to gain or a rival to destroy, now maintain means nothing more than the right to resolve, to petition, to expostulate, and finally to remonstrate, or in any otherwise obtain redress, provided it was at the mere mercy of the offending party. It is not *actually*, as they contend to "*interpose*" for "*arresting*" an "unconstitutional" law, and prevent its operation "within the limits" of a "State," but merely to effect, by its moral influence" a "change of public opinion," so as to bring about a repeal of the unconstitutional and oppressive law. Wonderful! If the law is a "deliberate" violation of the Constitution, the people may "petition"—if it is deliberate and palpable" they may "resolve and expostulate"—if it is "deliberate, palpable and dangerous" they may "remonstrate"—and if public opinion should choose to continue obstinate, and not happen to change for the purposes of relief, by virtue of all these kneebending "moral influences," why, forsooth, we must fold our arms, hang our heads, hug our chains, and measure and manifest our loyalty by the profoundness of our most lowly submission! Think you, this was all the Virginia resolutions meant?—If it was, their authors deserve the contempt of every honest man, and the hearty detestation of an intelligent posterity. To make such a vaunting parade about a right that belongs to every slave, much less a freeman, to make such a wordy display about a matter that no one would deny, to contend that the right to petition and remonstrate could not be exercised but in a case of a "deliberate, palpable and dangerous" violation of the Constitution, argues such a monstrous destitution of common sense and intellectual forecast, as well as so degrading a perversion of political liberty, as must forever subject them to the unmitigated scorn of all future time. But let us examine into the manner these resolutions were received by the other States, let us see the sense in which they were taken by the very persons to whom they were addressed. Cotemporaneous interpretations is of the highest authority. What said the State of Delaware, then and now under the dominion of Feder

nlism? "That they considered the resolutions from the State of Virginia as a very unjustifiable interference with the General Government, and of dangerous tendency, and therefore not a fit subject for the further consideration of this General Assembly." What! The right to petition, to remonstrate, for the purpose of effecting, by its moral influence, a change of public opinion, an "unjustifiable interference, with the general government"! Of dangerous tendency!! Who so abuses that enlightened, though little State of Delaware, as to believe that this was her meaning.

Next in order is the State of Rhode Island, another Federal State. How did she understand the Virginia resolutions? That in the opinion of her Legislature, the second section of the third article of the Constitution of the United States, in these words, to wit: "*the judicial power shall extend to all cases arising under the laws of the U. States,*" vests in the Federal Court *exclusively*, and in the Supreme Court *ultimately* the authority of deciding on the constitutionality of any act or law of the Congress of the U. States. That for any State Legislature to assume that authority would be, first, blending together legislative and judicial powers, and 2nd—hazarding an interruption of the peace of the States by civil discord, in case of a diversity of opinions among the State Legislatures; each State having, in that case, no resort for vindicating its own opinions, but to the strength of its own arm."

These are the doctrines of Mr. Webster, and the reasonings of the PROCLAMATION—did Virginia then acknowledge their force? If she meant nothing more than the right to petition, how shamelessly insincere did she act towards Rhode Island? Why did she not undeceive her, and tell her that nothing was farther from her intention, than that of "*deciding* on the constitutionality of any act or law of Congress?" Did she do this? We will see hereafter. Now for the State of Massachusetts, the very hot-bed of federalism—the State that refused to fight, during the last war, out of her own limits, that is, off her own dung hill, and yet maintains that other States have no right to declare a federal law unconstitutional—A State that has declared a Treaty unconstitutional, and will not be bound by its obligations, and yet denies the right of any other State to nullify—a State that declared, beforehand, she would not respect a law of Congress, if it repealed the Tariff; let us see what such a State said to the Virginia resolutions. She declared "that the decision of *all* cases in law and equity, arising under the Constitution of the United States and the construction of all laws made in pursuance thereof, are exclusively vested by the people in the judicial courts of the United States. That the people in that solemn compact, which is declared to be the supreme law of the land, have not constituted the State Legislatures the judges of the acts or measures of the Federal government. But should the State of Virginia *persist* in the *assumption* of the right to declare the *acts* of the national government *unconstitutional*, and should she *oppose* successfully her *force* and *will* to those of the Nation, the Constitution would be reduced to a mere cypher, to the form and pageantry of authority, without the energy of power. Every act of the Federal Government which thwarted the views or checked the ambitious projects of a particular State (precisely the argument of the present day against nullification) or of its leading and influential members, (this, like the modern attacks upon Mr. Calhoun, was intended for Mr. Jefferson, who was then opposing John Adams, the favorite son of Massachusetts) would be the object of opposition and of remonstrance; while the people, convulsed and confused by the conflict between two hostile jurisdictions, enjoying the protection of neither, would be wearied into submission to some bold leader, who would establish himself on the ruins of both."—Were ever arguments so faithfully copied as these, by the adversaries of State interposition? Are not these croaking forebodings in the mouth of every hare-hearted and white-livered submissionist, who, under the canting and hypocritical whine of "*Union*" disgorges his spleen and venom upon the advocates of State rights? And are not these same arguments bandied about, and used by the time-serving presses, in that identical State, against whose own resolutions they were most unsuccessfully employed thirty-four years ago? Why did Virginia wait till this period to undeceive Massachusetts, if she meant nothing more than the right to sue by supplication, for the reparation due to a violated Constitution? Why did she not then tell that State, that she did not intend to back her "*assumption*" by "*force*," neither did she intend to "*persist*" in making the "national government" submit to her "*will*?"—The thing is incredible. But we will see presently, that instead of Virginia's insisting upon being mis-

conceived by her sister States, she reiterated her doctrines, and expressed an increased determination to support them at every hazard. She erected an armory and passed laws to organize and arm her militia, for the avowed purpose of meeting the crisis. She also passed an act to protect the members of her Legislature from prosecution under the Sedition Law. The State of New York received the Virginia doctrines under like impressions, and was absolutely insulting to that State, for having advanced them. She affirmed that "the judicial power extends expressly to all cases of law and equity, arising under the Constitution and laws of the United States, whereby the interference of the particular States in the said cases, is manifestly excluded," and concluded by saying "the sentiments and doctrines contained in the resolutions were inflammatory and pernicious, no less repugnant to the Constitution of the United States, and the principles of their Union, than destructive to the Federal Government." Can any man believe that such strong language would be used against such a State as Virginia, if she meant nothing more than what her Senator, Mr. Rives, asserted on the floor of Congress? And if that was her meaning, is it possible to conceive a motive for resting quiet under such a bitter aspersion, without affording to New York the opportunity of retracting it, as doubtless she would, under the plea of misconception? No one believes.

Connecticut explicitly disavowed the principles contained in the resolutions, and decidedly refused to concur with the Legislature of Virginia.

New Hampshire felt so indignant at the resolutions, that, like some of the valorous States who were lately for whipping South Carolina into submission, she was full of fight against Virginia. She declared it to be her "firm resolution, to maintain and defend the Constitution of the United States against every aggression, *foreign* or *domestic*—that the State Legislatures are not the proper tribunals to *determine* the constitutionality of the laws of the General Government—that the duty of such decision is properly and exclusively confided to the judicial department." And Vermont adopted a similar resolution.

Now, here are the answers of seven States, predicated upon the belief, that the resolutions assumed the right to declare a law of Congress unconstitutional, and being unconstitutional, "*each*" State could "take measures" to "interpose" for "arresting the progress of the law within their respective limits." What is the conduct of Virginia upon the receipt of these answers? Does she say to these States, you have entirely mistaken me; I meant nothing more, than that I had the right to petition, beg, entreat, expostulate, and if this would not do, I could anter into bullying resolutions, full of threat and pretended fight, designed to frighten the General Government into measures, and this failing, perhaps the united force of all these "moral agencies" would bring about a change of public opinion, and thereby effect a repeal to the obnoxious laws. Merciful Heaven! how contemptible—and how ought Virginia to blush to have such a construction placed upon so grave a proceeding, as her far famed resolutions! But this is not the legitimate character of those resolutions. Mr. Madison, by one of the ablest productions ever penned in America, vindicated them upon the issue formed by the answers of the opposing States, and in contradiction to their principles. I regret I cannot place the whole of it before you; it is so complete a justification of the doctrine of nullification. A few extracts must be submitted. In answer to the assertion that Congress and the Federal Court have the right exclusively to decide upon the constitutionality of laws, Mr. Madison affirms, that "it appears to be a plain principle, founded in common sense, illustrated by common practice, and essential to the nature of compacts, that, where resort can be had to *no tribunal superior to the authority of the parties, the parties themselves must be the rightful judges, in the last resort, whether the bargain made has been pursued or violated. The Constitution was formed by the sanction of the States, given* BY EACH, *in its sovereign capacity. The States, then, being the parties to the constitutional compact, and in their sovereign capacity, it follows of necessity, that there can be no tribunal above their authority to decide in the last resort, whether the compact made by them be violated, and consequently, that as the parties to it, they must themselves decide in the last resort, such questions as may be of sufficient magnitude to require their* INTERPOSITION." Can language be plainer in favor of State *interposition*? And if States may interpose, how may they do it? Are they restricted in the means of interposition? Are they precluded from a choice of means in the exercise of the right? May they not, as in the use of means to execute any other acknowledged power, select such as they, in their best judgment may deem competent, to produce an effectual interposition? Surely, no one can deny this, especially the advocates of constitutional supremacy; for precisely this right they claim for themselves in the interpretation of that instrument. The right to judge and decide, say they, implies the right to enforce and to execute, and this draws after it *all* the means necessary to effect the object. But to place this matter beyond all doubt, listen again to Mr. Madison. "If (says he) the deliberate exercise of dangerous powers, palpably withheld by the Constitution, could not justify the parties to it, in INTERPOSING even so far as to *arrest* the *progress* of the *evil*, and thereby TO PRESERVE THE CONSTITUTION ITSELF, as well as to provide *for the safety of the parties* to it, there would be an end to all relief from usurped power, and a direct subversion of the rights specified or recognized under all the *State Constitutions*, as well as a plain denial of the *fundamental* principle on which our independence itself was declared." Will it be said after this, that it is unconstitutional to attempt to "*preserve the Constitution*" by preventing the operation of a law that confessedly violates it? Can nothing but revolution rid a community of an unconstitutional act? Can nothing but an act of war relieve a people from what is acknowledged to be NO LAW? To withhold this power from the States, Mr. Madison declares, would "put an end to all relief from usurped power," would be "a direct subversion of the rights specified or recognized under all the State Constitutions," and amount to a plain denial of the *fundamental* principle on which our independence itself was declared." Can it be possible, I repeat, that a *remedy* calculated to "preserve the Constitution itself"—one "recognized under all the State Constitutions," which if refused, would be "a denial of a fundamental principle," and which, at best, can be no other than the exercise of a reserved right, since the right of self-preservation belongs as well to governments as individuals, and cannot possibly have been granted away, is unauthorized by the Constitution, and becomes an act of war, which, if unsuccessful, subjects all concerned to the pains and penalties of treason, notwithstanding it is a governmental act of a sovereign State? The States, though sovereign, by this doctrine, would be in a worse condition than foreign nations. These latter, in the event of war, would have their prisoners protected by the rights of war, whereas the citizens of the States would be hung as traitors for obeying a solemn act of their primary government, to which they owe their first allegiance. So did not Mr. Madison believe, in the lifetime of Mr. Jefferson, when his eye was steadily directed to the highest distinctions of his country, which could only be reached by the support of the people's cause, the cause of liberty.

We have now seen Mr. Madison's opinions, and however they may be questioned from their versatile character, yet they come recommended by such a depth of political science, such a reach of thought such clearness of truth, and such a force of reasoning that they are entitled to great weight, particularly when it is recollected they went forth under the sanction of the *then* great State of Virginia.—But powerful as is the argument, founded upon the foregoing impregnable battery, it is not our strongest We have the authority of a much higher name, one against which no change of opinion or charge of tergiversation can come. It is no other than the name of Mr. Jefferson himself who has been truly called the great Apostle of Liberty. The State of Kentucky passed similar resolutions to those of Virginia, and at the same time. These were drawn by Mr. Jefferson. If any thing, they were stronger and more explicit; such, for instance as this declaration, "that the several States composing the United States, are not united on the principle of unlimited submission to their general government; but that by compact under the style & title of a Constitution for the United States, and of amendments thereto, they constituted a general government for *special purposes*, delegated to that government certain defi-

nite powers, reserving each State to itself, the *residuary mass* of right to their own self government; and, that whensoever the general government assumes *undelegated powers*, its *acts* are *unauthoritative*, VOID and of NO FORCE—that to this compact, *each State* acceded *as a State*, and is an *integral* party—that this government created by this compact was not made the *exclusive* or *final judge* of the extent of the powers delegated to itself—since that would have made its *discretion*, and not the *Constitution*, the *measure* of its powers—but, that as in all other cases of compact, among parties having no common judge, EACH PARTY HAS AN EQUAL RIGHT TO JUDGE FOR ITSELF, AS WELL OF INFRACTIONS, AS OF THE MODE AND MEASURE OF REDRESS." Mr. Jefferson's resolutions affirmed in three distinct places, that the Alien and Sedition Laws were "NOT LAW, but altogether void and of NO FORCE," and concluded by declaring that the "*co-states recuring to their natural rights in cases not made federal, will concur in declaring them VOID and of NO FORCE.*" What is this but Nullification? Does any one believe that Kentucky intended to suffer an act which it pronounced as NOT LAW, and altogether VOID and of NO FORCE, to operate upon her people?—Who thinks so meanly of that firm and decided State? Did she mean nothing but an idle parade, or to play off the ridiculous braggart? It cannot be believed. She also sent her resolutions to the other States, and they shared a common fate with those from Virginia. When they returned Mr. Jefferson had prepared an able answer for the Kentucky Legislature which that body *unanimously* adopted, and in which, among other strong and decided resolves, they advanced the following opinion: "*That the principles and construction contended for by sundry of the State Legislatures, that the General Government is the exclusive judge of the extent of the powers delegated to it, stop nothing short of DESPOTISM—since the discretion of those who administer the government, and not the CONSTITUTION, would be the measure of their powers*—that the several States who formed that instrument being sovereign and independent, have the *unquestionable right* to judge of the infraction—and that a NULLIFICATION* *by those sovereignties of all* unauthorized acts done under color of that instrument, is the RIGHTFUL REMEDY." Here then we arrive at the very odious word itself, the one that has produced so many pale faced politicians—that has created such unnecessary dread. We find it under the seal, signature and sanction of Thomas Jefferson, the great leader of democracy, the founder of republicanism, and the father of the faith. He laid down his doctrines, and this is the name, the very name he gave to them, and when in power, had these doctrines hailed with acclamation from the centre to the circumference of the Union by those very men who are now ashamed to raise their head or lift their voice in their support. These were the sentiments that brought Mr. Jefferson into power, that triumphantly overthrew the federalists, and gave a signal victory to the republicans.

As I stated before, the case was made up upon the principles of the Virginia and Kentucky resolutions, and the answers of the seven States, as already mentioned. The verdict of the people was, "we find in favor of the former, and we further find that Thomas Jefferson shall rule over us, and after him James Madison, the authors and finishers of the faith of STATE RIGHTS, as contained in their respective resolutions." Hers was a triumph well worthy of the battle; it prostrated the Federalists and all their golden dreams of monarchy in disguise. Democracy, pure and undefiled democracy, was completely in the ascendant, down to the fatal *Proclamation* of Andrew Jackson. Now Federalism rears its head, and the war is all to be fought over again. Why is this? It comes of the corrupt desire of office, and the still more obsequious surveillance of the press. And when the leaders of a people will set up one set of principles to-day, which they will put down to-morrow, for the accomplishment of a selfish purpose—when men in power will level, at a single blow, the long settled doctrines of a political party, reared with so much toil, anxiety and difficulty, by the purest patriots of the world, designed to protect and secure the best interests of the people and the last hopes of liberty, merely to retain office for themselves, procure it for their *friends*, or to destroy the political prospects of an *enemy*, it is not too much to say, we live in the most corrupt government of the age. It was upon the moral justness, the stern virtue, & solid truth of these principles, that the Troup party came into power in this State. It shines upon every page of Troup's writings, and I affirm that his letters and messages are pregnant with them. My own writings, that labored to support him, and which I flatter myself, were at that time well received, breathe no other doctrine. And now, what is the condition of the Troup party? From the mere *dread* of a *word*, in some, and the jealousy of others, it is distracted and divided, and in a very short time, unless there is a return to the republican doctrines of '98, will be bound hand and foot, and delivered over to the tender mercies of the federalists. And I invoke the republicans of all parties, and there are many in that which has been opposed to the Troup party, to no longer attach themselves to men merely to minister to their lust of office, but rally around the doctrines of Mr. Jefferson, and preserve the rights of the South from impending dangers and prospective invasions.

I have but a few reflections more to add. You perceive what were the doctrines of those that answered the Virginia resolutions. Mark well the principles which they assert, viz. that Congress and the Federal Court were the sole judges of the extent of the powers of the General Government. Now compare this with the doctrine of Mr. Webster, often repeated, but urged at the last session of Congress with peculiar force, & under circumstances of extraordinary animation, because of the co-operation of the Proclamation and the strong current heretofore opposed to him, which it diverted in his favor. He boldly maintained, "that in all questions relative to the powers of the General Government, the Federal Court was the proper and only tribunal for the decision of the same, if the could be drawn within that department; but if it could not, then Congress was the exclusive judge. Is not this the Federal doctrine contained in the resolutions of the seven States before referred to, and put down by the success of Mr. Jefferson? Are we to understand that those who oppose the doctrine of nullification espouse the principles of Mr. Webster? If so, let them come out, be manly, open and decided. Do not let them, under the slang and deceitful cant of unionists, intended to play upon the passions and feelings of the ignorant, keep their doctrines to themselves and live by reviling *others*, because they think their tenets are united with an unpopular name. If they are for Webster and the doctrines of his State, let them say so. If they are not, let us know their principles.—How do they propose to get rid of an unconstitutional law, an act of usurpation on the part of the General Government? If they admit the right of State "*interposition*," let us know how a State is to interpose. It is a limited method, point it out.—If there is but one way, if a State has choice of means, let us know what that way is. Whatever it is, I pronounce even that way an act of nullification. As to myself, I take this occasion to own that I embrace the doctrine of the Virgina and Kentucky resolutions, *name* and all, and I speak advisedly when I say upon the truth of which you may rest fully assured that the leading federalists of the North, and all the politicians of that order now in Congress, consider Mr. Jefferson as the father of Nullification, and openly acknowledge that the resolutions of '98 clearly go to avow, and maintain that doctrine, while we of the South are trying to show that they mean no such thing—by which there necessarily results an implied admission, that their success was wholly undeserved; that they put down very unjustifiably the answers of the Eastern States, and with them the Alien and Sedition laws. I not only go for these principles, but I prefer the name they bear, because it is the christening of Mr. Jefferson; and under that title he achieved for the Republicans his great victory over the Federalists. Because it is the name, under which our much abused sister State, South Carolina, brought the General Government to a sense of justice, while fighting the battles of the whole South, and while the States around her, who were equally oppressed, had complained as much and threatened more, stood trembling at her noble daring. Because under that name the Tariff question has been settled, and its proud advocates have been forced to yield acknowledged compliance with its demands. Because under this name, and these principles, Georgia obtained her lands in '25 as well as in '33. Because under these she enforced obedience to her laws, from a set of fanatics backed by a powerful combination of religious & political intermeddlers. Because under these she maintained her criminal jurisdiction over the Indian tribes within her limits, against the authority of the Federal Court. And because it is these principles and this

* In Mr. Jefferson's original draft, he expressed himself in these stronger words, but the Kentucky Legislature altered them to the above, he said, "But where powers are assumed which have not been delegated, a nullification of the act is the rightful remedy; that every State has a natural right, in cases not within the compact, [casus non foederis,] to nullify of their own authority, all assumptions of power by others within their limits—that without this right, they would be under the dominion, absolute and unlimited, of whomsoever might exercise this right of judgment for them."

name that will protect us from the gathering and coming storm designed to overwhelm our slave property, and to wrest from our citizens the landed estate with which they have recently been invested by the Legislature of Georgia. The question has been made up a second time between the republicans and the federalists upon this name, & therefore upon this name I am willing to risk every thing I have, at present, or in prospect, now or hearafter, to day or forever.

Names are nothing—principle is every thing; and the man that trembles at a name will be treacherous to principle. Nullification cannot be worse than treason; and even under that name would I embrace the doctrines of '98 and glory in whatever consequence it might involve. Sidney died for liberty under the title of a traitor. Despots may give what character they please to human action, and inflict upon its authors the worst of human suffering; but the final award of faithful history will rescue their reputation from its unmerited obloquy, and damn to the most enduring infamy, their brutal tyrants. Let these principles be once abandoned by the South, and from thenceforth they are slaves, and what is worse, they will deserve their fate.

A. S. CLAYTON.