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LETTERS

ON THE

QUESTIONS

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OF THE

JUSTICE AND EXPEDIENCY

OF GOING INTO

ALTERATIONS

OF THE

REPRESENTATION

IN THE

LEGISLATURE OF SOUTH-CAROLINA,

AS FIXED BY THE CONSTITUTION.

PUBLISHED, ORIGINALLY, IN NUMBERS, IN THE
CITY GAZETTE.

By P H O C I O N.

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To Major-General CHARLES COTESWORTH PINCKNEY
and Major EDWARD RUTLEDGE.

UNITED, as you have long been, by the purest and strictest friendship, permit me to usher into the world, under the protection of your joint names, a production, which would never have seen the light, if either of you had found leisure from your multiplied avocations, to have taken up the subject. To you these letters are inscribed with peculiar propriety.

The perfect esteem and respect which the author feels for men so distinguished for the unceasing exercise of the mild virtues which adorn private and domestic life, and of the manly virtues which dignify public life, makes him anxious for your approbation of the sentiments and principles contained in this work. Your profound knowledge of the constitution, laws, and true interests of your country, with your disinterested attachment to those interests, retiring from all lucrative employments, marked you out as the proper judges and protectors of a production which had, for its object, the support of the constitution and the laws, and to advocate the true and permanent interests of the community.

The author trusts that it is written with proper firmness on the one hand, and with proper moderation on the other. For, whilst he felt that his temper would not have exposed him to the censure of that law of the Athenians, which subjected those citizens to punishment who assumed a cold neutrality in the disputes of party, he could never persuade himself that it was the duty of a good citizen to press for victory with the fury of a bigot, bent on destroying rather than on convincing his opponents. He is persuaded that, in this conduct, he will possess your fullest approbation.

That you may long continue to serve your country with success proportioned to your zeal and judgment, in the prosecution of her best interests; and that you may long enjoy the happiness which springs from the consciousness of lives well spent, is, gentlemen, the sincere and ardent prayer of your friend and obedient servant,

THE AUTHOR.

P H O C I O N,

No. I.

TH E exertion of talent to rouse our fellow citizens into activity and vigor, in opposition to foreign oppression, is a task as satisfactory as it is honorable: but to a mind warmed with a love of country, strongly attached to order and good government, well instructed in the happy results of union and social order, and as well apprised of the infinite evils of civil dissensions, it becomes a duty as distressing as it is incumbent, to enter into the field of controversy, with any portion of the citizens who are unfurling the standard of internal discord; and the distress is equal, whether these citizens are led to such a desperate attempt by their imaginary apprehensions of expected, yet unexperienced evil; or misled by the passions of envy and ambition, which too often assume the garb of patriotism. Yet, this duty becomes sacred, when attempts are made to rouse a people from the tranquil enjoyment of a happiness, civil and political, unparalleled in the annals of history, to gloomy apprehensions, to jealous distrusts, and to civil discords.

Under these impressions, the writer of the following sheets feels himself impelled to submit a few observations to his fellow citizens, on a subject which has been called into discussion by several gentlemen, whose warmth may give a consequence to their complaints, to which they may not be intrinsically entitled: he means the representation in the state legislature, and the propriety of going into an alteration of it at this time.

The questions made by the publications signed Appius, are, whether the representation of this state is not unequal and unjust, and therefore destructive of all freedom? And, whether this is not the proper time to correct this inequality? According to the principles laid down by this writer, and adopted by the gentlemen, who, under the denomination of the general committee, have sanctioned his publication. In the examination of these questions, it is not intended to give a laboured and detailed answer to all the arguments which have been used by Appius and his supporters, in the order in which they have been brought into view, but to lay down such principles, and to urge such reasonings as may occur to the writer, with occasional remarks on the principal topics of Appius.

In the performance of this duty, it will be shewn, that the abandonment of experience and example, and the unqualified adoption and application of abstract principles or axioms, as Appius has done, is exceedingly unwise, and has been productive of great mischief to society.

It will then be proved, that the inequality complained of in the representation of South-Carolina is warranted by the practice of many states, whose inhabitants are as free and as happy as those of the states who have grounded their representation on ideas of a more perfect theory.

It will next be shewn, that the inequality is not only not so unjust as has been contended, but that there is a peculiar propriety in the state of South-Carolina adhering to the principle of representation founded on combinations of population and property; which propriety results from a consideration of her situation AS a member of the union, with the terms of that union; AS a state divided into two great and distinct countries remarkably distinguished, the one for its possession of great wealth, or the means of public contribution; the other for its superior population; And from a consideration of the policy and equity of the rule that representation and taxation should go together and mutually depend on each other.

It will then be shewn, that on the principle of representation being made to depend on a combination of population and wealth, or the means of public contribution, the actual representation of South Carolina is not so unequal as it has been stated by Appius.

It will then be enquired, and the enquiry will shew that no evils have resulted from the actual state of the representation; but, on the contrary, that the laws have been just and impartial, and the government faithfully administered for the good of the whole; and that the interests and wishes of the upper country have been consulted in all material points.

And it will be lastly proved, that in the critical situation of America, at home and abroad, this is not a proper time to agitate so important a question.

It will strike the most careless observer, that the experience of former times, and of other countries, is entirely abandoned by Appius, and that all his conclusions are drawn from certain general theorems or axioms, the truth of which is taken for granted, and their universal applicability not admitted to be questionable.

Perhaps no greater misfortunes have befallen the human race, than those which have resulted from this disposition to carry principles into extremes, and to mistake or abuse their application.

From this fruitful source has sprung many of the calamities which have desolated the world, and sheathed the sword in the bowels of brothers. When the purity of the Christian system was felt and acknowledged by the world, it was conceived that the union of a system so happily calculated to make men better members of society, with the civil government, would produce the happiest and most beneficial effects. It was worked up into a maxim which affirmed that the happiness of mankind required the union of church and state. The experiment was made; church and state were united, and the result was, that the most severe civil tyranny was established and rivetted on mankind by the aid of that religion, corrupted by this union into blind superstition. This error still exists with its consequences, over the greatest part of Europe. In the same manner it was supposed that uniformity in public worship was a desirable thing, and would tend to preserve among men, harmony in this life, and happiness in the life to come. This doctrine was worked up into an axiom, uniformity was resolved on, intollerance was established, and the consequence has been, that rivers of blood have been shed, without success, to preserve this uniformity, and the most dreadful passions have been let loose to the destruction of mankind in this world, under the pretence of securing their immortal happiness in the next. After centuries of evil inflicted and endured, mankind became enlightened by their sufferings, and have just learnt that this union of church and state, and this uniformity in public worship, however plausible and desirable in theory, were utterly destructive of civil and religious liberty, when carried into practice; and that society exists more harmoniously, happily, and even honestly, when religion is left to operate on men by herself, undefiled and uncorrupted by an impure union with politics, and when individuals are allowed to worship God after their own heart.* A few nations have made these discoveries

* Even so great a reasoner as lord Bacon thought that uniformity in religion was absolutely necessary to the support of government, and that no toleration could with safety be given to sectaries.

De Unitate Ecclesie.

In all former ages not wholly excepting those of Greece and Rome, religious sects and heresies and schisms had been esteemed dangerous, if not pernicious to civil government, and were regarded as the source of faction and private combination, and opposition to the laws. The magistrate therefore applied himself directly to the cure of this evil as of every other, and very naturally attempted by penal statutes to suppress those separate communities, and punish the obstinate innovators. But it was found by fatal experience, and after spilling an ocean of blood in those

coveries, and are correcting their mistakes. After a long sleep of civil and religious liberty, the progress of knowledge and science, together with their sufferings, awakened men to a sense of their almost forgotten rights. To know them was inducement enough to love and to assert them successfully. Such nations as recovered their rights and liberties, became highly jealous in the enjoyment of them, and conceived, from the long oblivion in which they had lain, that it was important to secure the future knowledge of them to posterity, by reducing the principles of liberty to a plain system, comprised in a few fundamental axioms, intelligible to all. Many apostles of liberty have arisen, who have acquired a great name by their labors in this good cause; as usual in such cases, they have differed among themselves; and whilst some of them have formed reasonable and practical axioms, others have laid down principles in such extremes, as are utterly inapplicable to the actual state of society, and subversive of the most established order of things.

Among other theorists, Appius has arisen, who has laid it down, that equality is the natural condition of man; that equality of rights is the only firm and lasting foundation of good government; that property ought not to be represented, as it would destroy equality, and as it was sufficiently protected by the influence it bestows; and that inequality in representation is destructive of liberty; consequently, that no people could be said to be free who built their government on any other foundation than that of representation founded on population alone. Without controverting the truth of these axioms elaborately, especially as some of them are really true in the abstract, it will be sufficient to say, that the actual state of society must forever prevent their application in the extent laid down. For example, it is said, "that equality is the natural condition of man;" yet such is the state of society in South-Carolina, that if this principle, which is the foundation of all the others, was adopted and reduced to practice, it would instantly free the unfortunate slaves, who form two fifths of the whole people, and are the only cultivators of the soil in the low country. These very theorists would deprecate the application of their principle to this case, as inevitable ruin would follow both to the whites and to the blacks, and this fine country would be deluged with blood, and desolated by fire and sword. Nor would the ruin be confined to the low country.

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those theological quarrels, that the evil was of a peculiar nature, and was both enflamed by violent remedies, and diffused itself more rapidly throughout the whole society. Hence, tho' late, arose the paradoxical principle and salutary practice of toleration. 6 vol. Humes's history, England p. 164. 5.

This principle in its application would be nearly as destructive to the upper country, since, independently of the loss of its market, its title to its own slaves would be destroyed. An inspection of the census will shew the extent of this evil to them; it will appear that they possess about one-sixth part of the slaves within the state. The sudden emancipation of these, on Appius's principle, would ruin the upper country. The awful catastrophe of the French West-India Islands, now desolated by fire and sword, and moist with the blood of its inhabitants, should caution Carolina against the too ready adoption of the general principles or axioms of these theorists, without carefully ascertaining their applicability to the state of society. In truth, so little do these general axioms apply to the actual situation and wants of society, that it may be asserted with safety that there never was a government erected solely on these foundations, and that many have been reared happily and usefully, without paying the least attention to them; and it may be particularly insisted as applicable to this subject, That the inequality complained of in the representation of South-Carolina is warranted by the practice of many free governments, in some of which the inequality has arisen from an attention to wealth as well as population, and in others from a persuasion, justified by experience, that a close attention to either was unnecessary to the secure enjoyment of freedom: and it is easy to prove, that the inhabitants of these states have been and now are as free and as happy as those which have built their systems of government on ideas of a more perfect theory.

It is not necessary, tho' it would be practicable, to resort to ancient times for examples of attention paid to wealth, in the arrangement of some of the free governments of Greece, as well as that of Rome. The principle of a representative democracy being little understood by the ancients, modern examples will give most satisfaction on this point. In France the constituent assembly, which certainly abounded with the greatest, best and wisest men of the nation, grounded their plan of representation on a compound ratio of population, wealth and extent of territory. This example is drawn with more force from that country, as the very legislators who thus acted in contempt of the pretended axiom, that representation ought to depend solely on population, were most explicit in the declaration of the rights of man and of the great principles of liberty, and went great lengths in the application of them to their state of society. But lest it should be said that this example is not applicable to America, let us examine the situation of several of the United States. North-Carolina and Virginia, particularly the latter, have been celebrated as states extremely attached to liberty, and,

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if you believe their insidious panegyrists, have scarcely borne the yoke of a mild and excellent general government, which was essential to our existence as a nation. It would be reasonable to suppose, that the authority of states so jealous of their liberties should have some weight on the business of representation. Let us see then what is the fact in these states. In both of them, each county, however small or thinly settled, is entitled to an equal number of representatives with the most populous or extended county. The first and second sections of the constitution of North-Carolina will shew this to be the rule of representation both for the senate and house of representatives. In consequence of this rule, Brunswick county, containing only 1557 white inhabitants, sends as many members to the legislature as Rowan county, which contains 13,089 white inhabitants; and nearly an equal disproportion exists between many other counties. The constitution of Virginia will shew that each county sends two members to the house of delegates. In few of the states are the counties so unequally peopled as in Virginia. It is remarkable that this rule exists in North-Carolina in favor of the thinly settled, barren, sickly, sea coast counties, and against the healthy, populous highland counties, without any pretensions to superior wealth or ability to contribute to the public burthens which forms the claim of the low country of South-Carolina; whilst in Virginia the same right exists for the benefit of the thinly settled counties of the lower country, which are generally rich and contribute largely to the revenues, though not in the enormous proportion of seven-ninths, as in South-Carolina.

Appius is aware of the force of this example, and endeavours to obviate it by saying, that in Virginia large and small counties are equally distributed through every part of the state. This was hazarding a bold assertion, as the means of detection were in the hands of every body. Mr. Jefferson, in his notes on Virginia, speaking on this subject, says, that among those who share the representation in Virginia, the shares are very unequal; that the county of Warwick (which is seated in the low country) having only one hundred fighting men, has an equal representation with the county of Loudon, which (situated in the upper country) has seventeen hundred and forty six fighting men; and he adds, that lest it should be thought (as Appius asserts) that an equal interspersion of small among large counties through the whole state, might prevent any danger of injury to the particular parts of it, he will demonstrate that such equal interspersion or distribution does not exist. He accordingly demonstrates, by a table founded on accurate returns, that nineteen thousand fighting men, inhabiting the tract of country between the sea-coast

coast and the falls of the rivers, containing 11,205 square miles, send 12 senators and 71 delegates to the legislature; whilst above 30,000 fighting men, inhabiting all the rest of the state from the falls of the rivers upwards, containing above 110,000 square miles, send but 12 senators, and 78 delegates to the legislature.* Here we see that 19,000 men send as many senators, and within 7 members of the number sent by 30,000 men, who inhabit a country almost as distinctly marked and separated by circumstances as the upper and lower countries of South-Carolina. Mr. Jefferson adds, that the vicinity of the lower members to the seat of government always secures them a majority.

Thus it is found, that Appius, in order to account for the equality of representation allowed to every county in Virginia, however unequal in population, and to give the impression that no evils can result from it there, asserts that the large and small counties are equally distributed through that state. Mr. Jefferson demonstrates that no such equal distribution or interspersion exists. It is believed that more reliance will be placed by the public on the demonstration of Mr. Jefferson, than on the assertion of Appius. Comments shall be spared; but it is worthy of remark here, that though this enlightened statesman resided in the upper country, and lamented this inequality in the representation of his country, he has estimated so highly the actual prosperity of the state under such circumstances, that he has never exerted his great talents to obtain a change of the representation at the hazard of the tranquility and happiness of his country.

There are yet other examples, if more are necessary. Maryland may be added to the list. New-Jersey too, one of the most republican states in the union, furnishes an example equally in point. Without regard either to wealth or population, she allows herself to be represented by 3 members for each county, tho' some of her counties pay nearly 9 times as much tax, and are said to be nine times as populous as others. Cape May county pays 209l. as its proportion of a tax of 15,000l. when Hunterdon pays 1998l. and Hunterdon, it is said, is proportionably more populous. Almost all her sea coast counties are thinly settled and clustered together, and may be contrasted to her upper and most populous counties yet enjoying equal representation. Notwithstanding these inequalities, it would be no difficult task to prove, that these states are as free and as well governed as any

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* It might be added here, from other authorities, that above one third of the white population of Virginia is to be found westward of the Blue Ridge, and their numbers are increasing far beyond those of the low country; yet these people are allowed only three senators.

in the union. Virginia is remarkable for her able men, warmly attached to pure republicanism. Jersey and Maryland are distinguished for their uniform, firm, upright conduct, both in war and in peace. In all, the government is conducted in peace and good order; justice is ably and impartially administered; life, liberty and property are as amply secured, and as securely enjoyed by the citizens of these states, as by those of any other in the United States. All this mass of freedom and happiness is enjoyed in a country thus unequally represented, in violation of the maxim of the theorists, and in contradiction to the unqualified assertions of Appian; and we hear of no efforts making in those states to disturb the public peace and happiness, for the sake of an assumed and newly broached axiom, the discussion of which they well know would produce discord and civil convulsions. The citizens feel that they are free and happy, and that the government secures them these blessings; and they wisely avoid stirring questions which may put to hazard these enjoyments, so ardently desired by all nations, and so seldom enjoyed by any. Let us close the observations on this head, by remarking emphatically, that not one of the southern states has adopted the principle of forming their representation on the basis of population alone. A due sense of the peculiar circumstances of their country, prevents their resorting to this rule; and they all give an equal representation to all their counties, however unequally peopled. Heretofore, too, this has been the policy of South-Carolina, by the operation of which she secured her independence, and enjoyed many years of happiness. In the formation of her first constitution during the war, she adhered to this system, when perhaps it might have been expected that she would have sacrificed her representation at the shrine of abstract principles, in the first ardors of her newly acquired freedom. When at a subsequent period (so lately as 1790) she went into an amelioration of her constitution, she still firmly adhered to the proportions of her old representation, after serious discussions, in which almost all her old and tried servants, from every quarter of the country, assisted; and the constitution was ratified with the general approbation of the community. Since the ratification of this constitution, no pretence of actual injustice, oppression or partiality, has been set up, as flowing from the state of the representation.

No. II.

IT will now be insisted, that the inequality in the representation of South-Carolina is not only not so unjust as it has been asserted to be, but that there is a peculiar propriety in that state's adhering to the principle of representation founded on combinations of population and property : this propriety results from a consideration of her situation as a member of the union ; AS a state divided into two great and distinct countries, remarkable for the inequality of wealth and population ; AS a state where the policy and equity of the rule, that representation and taxation should mutually depend on each other, would apply with great force. When we view Carolina, we see her not merely an independent state, regulating all her concerns by her own will and pleasure ; but we see her connected with other free states, who have united themselves together under a general government, for all the great purposes of peace, war and commerce, and the security of their internal tranquility. The objects embraced by this union were so important, and the power and consequence of each state depended so much on its voice in the public councils, that the representation to be allowed each member of the union became a very interesting point in the formation of the frame of government. It was clearly seen, that if population alone was allowed to be the basis of the representation, the southern states, and particularly South-Carolina, would be completely overpowered by the superior numbers of the people in the eastern and middle states, and their weight in the public councils would be but little proportioned to their share of the public contributions. The southern states, sensible of this fact, and of the importance of it to their commerce and agriculture, insisted, as they would contribute largely to the public support by means of their wealth, and as it would be dangerous that their great interests should be at the mercy of their neighbors, whose habits were different, and whose interests would sometimes clash with their's, that they should be allowed a representation for their slaves, the most valuable part of their property. This, after deliberation, was conceded by the moderation and good sense of the eastern and middle, to the southern states, who thereby enjoy a representation of about 12 members more than they would have been entitled to from their white population alone. It may be objected, that this was a mere compact of sovereign and independent states, and does not apply to the case of a single state, forming her own internal regulations. This objection will vanish, when it is recollected that tho' true to a certain extent, it is not wholly true ; the general government is indeed a federal union of sovereign states in some
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of its great outlines, but in some others it is a consolidation of the several states ; and in the particular case before us of the organization of the representation, the election of the members of the house of representatives in congress by the people in their individual, and not in their national capacity, shews plainly a consolidation. To this purpose then the example is apposite, and in our circumstances it ought to be conclusive. Now let it be asked, with what propriety shall South-Carolina (in concert with the other southern states) have claimed and obtained a rule of representation in the general government, by which she actually enjoys a representation one third greater than she otherwise would have been entitled to, and yet refuse to admit the same rule in her own internal arrangements ? Her population of less than 150,000 white inhabitants, gave her only 4 members to congress. Her population of above 100,000 negroes, gave her two additional members ; and it should always be remembered, that of these negroes five-sixths belong to the low country. Yet it is attempted to make Carolina so inconsistent as to refuse to the low country the advantage of a rule in her state representation which she asserts to be just between herself and the other states, and which she claims and obtains in a high tone from them. It is to be hoped the good sense of South-Carolina will prevent her from exposing herself to this imputation, and from putting to hazard an advantage she now enjoys in her most important representation, by bringing into question, herself, the propriety of the rule.

The important considerations that arise from the remarkable inequality of population and property, which exists in the great divisions of upper and lower Carolina, renders the claim of representation on the basis of population alone inadmissible, and justifies the claim of representation on the combined principles. If the population of the several counties and parishes was nearly equal, and the property liable to bear the public burthens was pretty equally distributed throughout the counties and the parishes, however unequally held by individuals, then the claim to a representation on the principle of population alone would be in some measure reasonable, because there would be no danger of oppression over any part of the state. But this is far from the truth : South-Carolina is a country divided by nature, and by circumstances likely to remain permanent in their operation, into a low, flat country, unfavorable for white population, cultivated by slaves, wealthy, able and willing to sustain the largest portion of the public burthens ; and into a high country, favorable to white population, poor, and incapable of bearing any considerable share of the general burthens. This distinction is widened

widened by the dissimilarity of habits, modes of living, diversity of interests, property, objects of cultivation and of taxation which Appius has so warmly depicted. And the actual state of the difference is, that the country delineated by Appius as the low country, with a white population of 28,694 (or about two ninths of the whole population) pays 28,081l. (or about seven ninths) of one year's contribution to the public exigencies; whilst the country marked as the upper country by Appius, with a white population of 110,902 (or about seven ninths) pays only 8,390l. (or about two ninths) of the same year's contribution. Now, whatever propriety there may be in the abstract reasoning of Appius on this subject, and however finely he may have built a beautiful theory of representation which may suit an Utopia, where the legislator~~s~~ can, at a word, so arrange his imaginary country, that each portion of it may be equally salubrious, equally populous, and equally wealthy; yet, when men are legislating for actual life, for countries circumstanced as the upper and lower divisions of South-Carolina, they must abandon these theories, and adopt principles which will come home to men's feelings and interests, and will secure the enjoyment of property, even from legislative oppression, as well as of life and liberty. In forming her social and political connexions, no country situated as the lower division of South-Carolina, will consent to unite herself to another on the conditions required of her by the proposed arrangement. She may perhaps (if not protected by the strong and paternal arm of the general government, in the enjoyment of the long established constitutional and existing state of things, founded on compact) be compelled to the unequal union; but it could not be lasting. It would be founded in hatred and jealousy, and could not endure. Eternal discords and civil dissensions would be the consequences, and both parties would have finally, but unavailingly, to lament that they had been misled to abandon the enjoyments of tranquility, union and actual happiness, in search of an imaginary perfection, unattainable in society, on principles not deemed essential to the enjoyment of freedom, by any one of the states similarly circumstanced.

Men are drawn into society by their wants and their weaknesses. Countries become united by their reciprocal utility to each other. The bond of union between the upper and lower parts of South-Carolina, so separated by great and important circumstances, is mutual utility. The upper country wants a market for its produce, and the means of supporting the expences of its internal government and external protection on the frontiers. The lower country furnishes this market, and
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the means of supporting the government so essential to the peace and happiness of both ; and it willingly furnishes these means, in return for the strength of the upper country to protect its weakness in times of danger. Remove or weaken these bonds of union, or render them odious, and so diverse are the circumstances of the two countries, that it is probable an immediate separation would follow, to the great and permanent injury of both countries. Mutual then in their wants and in their utility, the claim of a representation founded on principles which would lay the whole wealth and all the rights of the lower, at the mercy of the upper country, by giving the latter more than four times as many members in the legislature, is unreasonable, and no country would willingly submit to it. Indeed, it is seriously apprehended that a consequence will follow, which this writer would on no consideration have been the first to suggest or promulgate ; but it has been too familiarly and openly spoken of, even by considerate men, to be concealed. It is apprehended that the lower country would feel itself so much aggrieved and disgusted with so violent a change, made without pretence of injury sustained, and without precedent from any of the states in the same circumstances, that she would seek a separation : and it would soon be found essential to the peace and happiness of both, since they could not agree, to be divided into different states ; the consequence of which would be, that each would be loaded with the entire burthen of a distinct government, and would become jealous neighbours instead of cordial friends.

This question has here been considered, as it really is, a question of the proper terms of union between two different portions of country very differently circumstanced, with interests and habits greatly dissimilar : but this is a light in which Appius never condescended to view the subject. Hence arises the utter inapplicability of the maxims laid down by this theorist to the actual situation of South-Carolina. He and his supporters, in opposition to the reasonable claim of a representation on the combined principle of population and wealth, have objected that such a representation would be dangerous, as it would create an aristocracy of wealthy individuals ; and that it would be unnecessary, as wealth can protect itself ; and in support of these objections they have insisted, “ that to suffer property to
 “ be directly represented, would destroy the equality of rights
 “ among the citizens, by giving rich men different and more nu-
 “ merous political rights than their neighbours, whose masters
 “ they would thus become : that in the origin of society, when
 “ that mutual contract on which all lawful government rests,
 “ was formed, all the contracting parties, that is, all the
 “ people

“ people were equal, and stipulated to continue so : each indi-
 “ vidual having, in order to obtain the protection of the rest,
 “ agreed to subject himself, not to any other individual or set of
 “ individuals, but to the whole community : that all superiority
 “ of rights, which some individuals in society have since obtained
 “ over others, are therefore to be considered as unjust usurpations,
 “ subversive of liberty, and fit to be abolished. And finally,
 “ that wealth need not be represented for its own protection,
 “ since it will always have power enough, by the influence
 “ which it bestows, to protect itself; and since the representa-
 “ tives, however chosen, will always be possessed of more or
 “ less property, and therefore sufficiently attentive to its pre-
 “ servation.” These maxims may be very true, and would
 furnish a decisive answer, if applied to wealthy individuals, who
 should start up in a society composed of mingled classes of rich
 and poor, and should venture to make claims of representation
 for themselves, or attempt to obtain any different or more
 numerous political rights than their fellow citizens, on account
 of their riches, or proportioned to them ; and such claims, by
 any wealthy individuals, would be repelled in Carolina with an
 indignation as universal as it would be well founded. But
 surely these maxims are inapplicable to the case under discussion,
 where, by an uncommon concurrence of circumstances, seven-
 ninths of the wealth and of the objects of taxation, are placed
 in one great division of a country, unequally distributed among
 two ninths of the population of the state : whilst two ninths
 only of wealth, and about seven ninths of population are placed
 in another ; and these two countries are drawn into an union by
 other circumstances which render such an union useful to both.
 The claims of the lower country are not made by a few wealthy
 individuals, for their own aggrandizement as individuals ; they
 are the claims of a country inhabited as the upper, by some
 wealthy, some in middle, and many in poor circumstances, for
 the protection of their division of country, which happens to
 contain the great mass of the objects of taxation, and the means
 of supply to the government. The wealthiest man has no more
 votes than the poorest, however great the representation allowed
 the lower country. In the assemblies of the people the poorest
 citizen (qualified to vote) or, in the language of Appius, “ the
 lowest mechanic,” has a vote : the riches, virtues and talents of
 the wealthiest, best and ablest men, entitle them to no more. The
 country has the advantage of the great representation, and not
 the individual, rich or powerful men. It is a fact well known
 to all who make the least examination, that in every society
 (however organized, or however wealthy) only a few are rich ;
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the great majority are in middling circumstances, whose interests and feelings are ever adverse to aristocracy, and the undue ascendancy of wealth over talents and virtue. This is particularly true of the lower division of South Carolina : a great majority of the inhabitants are in moderate circumstances, strongly attached to, and deeply interested in, the rights of persons ; jealous of their liberties ; opposed to the haughty claims of wealth ; enjoying and exercising substantially all the rights of suffrage, and thereby imposing on their representatives the duty of enacting just and impartial laws, and of laying taxes on the luxuries rather than on the necessities of life. This view furnishes a complete answer to all the reasoning, and all the declamation too, about the danger of aristocracy, and destruction of the public liberty, by the admission of the claims of representation set up by the lower country. In support of these remarks, let it be remembered, to the honor of the inhabitants, that in the election of their members, many of the wealthiest men have never been honored with their confidence, because they did not deserve it ; whilst others in moderate circumstances, who united virtues and talents, have been raised to the first posts in the gift of the people : and these men have distinguished themselves by a sacred regard to the rights of the people, and the exertion of their talents for the general weal of the country. There is therefore really no danger from the sources apprehended by Appius, of the growth and final establishment of an aristocracy in the lower country. Perhaps it would not be too much to add, that if the principles of republicanism exist at all among the inhabitants of a country where inequality of property prevails, the citizens are more jealous and watchful of their liberties from that very circumstance. In relation to the government of the United States, this remark is certainly true ; for the southern states, where such an inequality exists, are the most jealous : and there is abundant reason to think it is true, as it applies to the sub-divisions of South-Carolina. It has been remarked of the ancient free states of Greece, that their knowledge of the horrors of domestic slavery, which prevailed among them, rendered them more fiercely jealous of their liberties than any other people in the world.

Among these maxims we find one, that wealth has no need of representation, as it can protect itself by the influence it bestows. It is absurd to say, that the wealth of the lower country of South-Carolina could protect itself from the oppressive acts of a legislature representing the population alone of a country so peculiarly situated. What influence would the wealth of the low country have in the elections of members in the upper country ?

country ? Or, what influence would it have on the votes of the members when elected ? Surely none. It would, in its unrepresented and unprotected state, perhaps offer strong temptations to power to abuse it, and load it disproportionately. The reasoning which would lead to this abuse, might appear, to the persons in power, very summary and conclusive. Our country is poor and strong ; the low country is rich, and weak : our strength protects their riches and weakness, and therefore they should bear the whole burthens of the state. Upon this short deduction, the system might be built up, the tax on lands might be entirely taken off, and laid wholly on negroes, or it might be new modified to answer this purpose ; devices could be easily invented to accomplish this object. It might be so arranged, without appearing to aim at the low country, that no estate below a certain value should pay any tax at all, whilst the tax on estates above that value should be raised so as to equal the wants of the government. The standard might be so fixed as to exempt the generality of estates from taxation in the upper, and include the generality of estates in the lower country. Precedents might be found to excuse this, and the example is seducing. On the principles of Appius, wealth could never protect itself in the government, against such an attack, though it might give some influence to the possessor in private life, in his neighborhood, or in his own county election.*

One would be tempted to suppose, from the principles laid down by Appius, that the rights of persons were alone to be regarded in the arrangements of society, and that men were utterly indifferent to the rights of property. This is the theory, or such a bold attempt to induce the lower country to submit to the claims set up against her would never have been attempted. Is this theory true ? History and experience will tell us that it is not. Many nations have endured every oppression which bloody tyrants could inflict on their persons ; they have submitted to imprisonment, tortures and death, with a stupid resignation to their fate ; but as soon as any attempt has been made on their property, as soon as any new tax has been devised, they have risen up in rebellion and exterminated their oppressors. France herself is an example of this : she submitted many years to the vilest abuses of the letters de cachet, by which the personal liberty of every subject was exposed to the caprice of the monarch, his ministers, his mistresses and their subordinate dependants : and, enlightened as she was, she never

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* This is well illustrated in the pamphlet signed Americanus, (page 37.) who has also given one of the ablest dissertations on equality that has yet appeared.

rose up against the devouring despotism, until the extravagancies and consequent necessities of the court had compelled it to make new attacks on the property of the people, by new taxes not sanctioned by their representatives, the states general. The parliaments themselves submitted frequently to exile, and the people witnessed patiently this tyranny over their defenders, who dared to provoke their monarch by disobedience to register his decrees: but universal indignation and revolt followed the attempt to collect taxes not sanctioned by the willing registry of the parliament.

We come now to the next point: It has been asserted by some of the advocates of the rights of man, that representation and taxation should always go together, and mutually depend on each other. America revolted from Britain on account of the violation of this principle; and America, in the application of the principle to real use, has exemplified what she conceived to be its proper boundaries. In the formation of the constitution of the United States, it became necessary to lay down some rule for direct taxation; and, after much reasoning and discussion in the convention, it was agreed, that in a country so diversified as the United States, with such unequal masses of population and wealth in different divisions of the continent, with such differences in the interest, habits, and opinions of the people, that no rule could be devised so likely to promote the general interest, and secure every part of the continent from being loaded with an undue proportion of the public burthens, as the following:—“That direct taxation should depend on representation;” or, in other words, that any sum of money to be raised by direct taxes, should be assessed on the several states exactly in proportion to their actual representation. It will not be denied that there really exists as great a difference in the circumstances of upper and lower Carolina, as between the southern and middle states. If so, the reason of the rule will apply; and it is asked, whether the advocates for representation on the basis of population alone are aware of the weight of this principle thus sanctioned? Are they prepared to adopt this combination, that if representation is made to depend on population, that taxation shall be proportioned to representation.

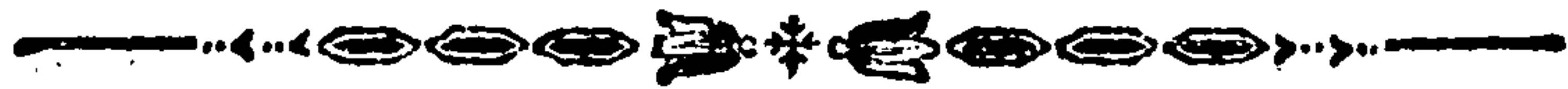
If they are not prepared to do this justice, and to give this security for the safety of every part of the state from pecuniary oppression, they abandon a principle laid down by theorists as strongly as any of their axioms, and adopted by all the states in relation to the general government. If they are prepared to do this justice, and to be consistent in their adherence to principles, it is to be feared that the laborious farmers of the upper country

country would not thank them for procuring a new rule of representation, which would bring, as its companion, another rule, by the operation of which the annual taxes of that country would be increased from 8000l. to 28,000l.

It may not be improper to add, that another consequence ought and probably would follow, by an adherence to strict principles. It may be insisted, that if representation is to depend on population alone, and that taxation should depend on representation, that the expence of the pay of the members of the legislature should be borne by the several counties and parishes which send them. This seems to follow as a consequence from, or rather to form part of the doctrine, that taxation should depend on and be proportioned to representation. The money for the payment of the members is a tax

Besides, it appears to be connected with other republican principles, which seem to require a close connection and immediate dependence of the representative on the constituent. The people would watch more closely the conduct of the constituent, and the constituent would respect the public opinion more in his conduct when a direct specific tax, explicitly for the pay of the member, was laid on the people. Examples, too, sanction this idea. The state of Massachusetts, which is certainly one of the wisest and best regulated states in the union, and which has best known how to temper the fullest enjoyment of freedom with good government, has adopted this practice.

The result of all this would be, that an upper county, entitled now to send 3 members, whose compensation for 40 days, amounting to 220 dollars, is paid by a tax on the whole state (of which its proportion is not above 24 dollars) would, with its representation encreased to 12 members, be burthened with a county tax of 720 dollars, to be borne by the county alone.



No. III.

IN the discussion of the proper rule of representation for South-Carolina, it is proper to shew, that on the admission of the propriety of representation being made to depend on a combination of wealth and population, the actual representation of that state is not so unequal as it has been stated by Appius. That writer has boldly asserted, that there exists an enormous inequality, and has gone into considerable calculations to demonstrate this inequality. If there was any reasonable ground to induce a belief

belief that the parties engaged in urging these discussions, really meant to make a serious enquiry into this question, and to take the temperate and fair ground of a combination of wealth and numbers, as the basis of any alteration in the representation, and if there could exist any well founded hope that they would be satisfied with the fair result of the investigation, and would then suffer the State to remain in quiet, it would be well worth going, for peace sake, with Appius into the examination and settlement of the principles and calculations from which a clear and conclusive deduction could be made. It might also perhaps be added, without much rashness, that the low country would cheerfully abide by the result of the enquiry, and agree to an alteration of the representation according to her rights founded on the combined principle, even if it did in some measure diminish the numbers she actually possesses in the legislature. In such an investigation it would be easy to shew that the statements of Appius are not perfectly correct, and that the representation of the lower country is not so unequal and disproportionate as he has stated. It would be easy, for instance, to shew that Appius is mistaken, when (in page 23) he states that the lower country pays only three times as much tax as the upper country, whilst the latter exceeds the former in population in the ratio of five to one; from which he concluded, that the representation of the upper, ought to exceed that of the lower country in the proportion of five to three. His own figures would suffice to detect him. According to them, when the upper country pays 8,390l. tax, the lower pays 28,081l. An acquaintance with arithmetic shews that this payment is in the proportion of seven ninths to two-ninths, or of three and one half to one. But Appius took round numbers, and rejected the 4000l. which the low country pays over and above the three to one which he concedes. The rejection however of the 4000l. excess was not very modest, as it in fact exceeds the whole tax paid by Ninety-six, Washington and Pinckney districts, the most populous of the upper country, which amounts only to 3,688l. So too in the population, Appius states that the upper country contains 120,902 white inhabitants, and the lower only 28,694; and he boldly pronounces the proportion to be five to one, although the slightest examination will shew, that it is but little more than four to one. Besides, Appius was mistaken in assuming the number of the upper country to be 120,902. If he will revise his arithmetic in his own tables, he will find the total to be 110,900. By this mistake he gained above 10,000 white inhabitants in his calculations. The subtraction of these 10,000, from the numbers on his side, will make a serious difference in the proportions.

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These mistakes alone, rectified, would nearly bring the two countries to a par in representation on the compound principle. More might be added on this subject, and new principles of importance could be brought into view; but of what consequence is it to pursue these detections, or what does it signify to multiply calculations on this point, to shew the precise right of the parties on the combined principle, when it is evident that it is not intended to be resorted to by these theorists? They indeed, when they went into the consideration of the principle of the combination of wealth and population, admitted for a moment that it ought to have an influence on representation; but they insisted it should be only for a moment. They are determined it should never be seriously and effectually carried into practice. They contemplate infinitely more than the attainment of this temperate object, which might reconcile all interests and all parties. The principles they have laid down as axioms never to be abandoned, claim so peremptorily a representation founded on numbers alone, and breathe so strongly the spirit of monastic intolerance, as to all other principles and modifications, that they exclude the hope of negotiation and of amicable arrangement. That their deeds should be consistent with their words, they must adhere to their axioms, to the exclusion of all moderate or middle grounds. Nothing will satisfy them but absolute success, pushed to extremes. To secure this, the convention they intimate to be contemplated, must be formed on the principles of numbers alone. If they would speak out, they would not desire a convention, unless it could be so formed. This point once conceded, the rest follow of course, and the lower country may be glad to obtain as a boon, even the fifth of the representation.

If a shew of moderation should be put on in the legislature, and a demand of a small increase in the representation of the upper country should be made, with assurances of no farther encroachments or innovations, what security could the low country have for the performance of these engagements? Admit that the members who make the assurances, kept good faith and would not attempt to press their advantages farther, they are continually changed at the elections, and in a few years new men, brought in after these engagements, and not bound by them, would probably recommence the attack, reinforced by the numbers and strength unwarily added to them.

We come now to enquire whether any evils have resulted from the actual state of the representation, which have led to this attempt to procure a change in the representation at this time, and incidentally enquire who are the authors of this attempt?

A sensible stranger would be led to conclude, from the ardor of the pursuit, and the pains taken to rouse the people from their peaceful and contented situation, and to organize an opposition to the existing order of things, that the representation, as it now stands, had been the source of manifold calamities to the state ; or, at least, that a very oppressive use had been made of the power held by the lower country. He would also imagine that the trusty and venerable representatives of the country, who have deep interests at stake in it, and who have been tried and found worthy of confidence by the people during the storms of war and in the calm of peace, in public and in private, had at last become sensible of the increasing enormities of these mischiefs and abuses, and had now stepped forward, resolved to procure redress, even at the hazard of the peace of their country. How great would be his astonishment when he should be told, that there was not one word of truth or reality in these his conjectures ; that, on the contrary, the country was happy and prosperous under this government ; that justice was fairly and impartially administered by men who had the confidence of the whole country, and who had been chiefly of the nomination and choice of the upper country ; and that to enjoy the confidence and affection of that division of the country, was to be secure of any office to which the candidate's talents and virtues entitled him ! This intelligent and enquiring stranger would be still more surprised at these complaints, should he find on further investigation, that so far from any ill use being made by the low country of the superiority of its representation, that in every instance where there existed any temptation to abuse, the temptation had been resisted, and the amplest justice done to the interests of the whole country, and to the satisfaction of all ; that in the arrangement of the revenue, a poll tax had been entirely done away ; that the inhabitants of the lower country had consented to an assessment of their lands, by which those of the first quality paid very considerably higher than the lands of the first quality in the upper country (with the same rule for inferior qualities) upon the supposed advantages derived from their vicinity to the markets ; that the lower country has uniformly consented, that the bulk of the money to be raised for public uses, should be raised by a tax on the owners of slaves, in proportion to the numbers they hold, although the numbers held in the low country amount to 88,938, whilst the numbers held in the upper country amount only to 18,966, or something more than one-sixth of the whole number of slaves ; that all the other taxes too are laid on articles of pleasure and luxury, such as carriages (which are chiefly used on the sea coast) and not

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one on the articles of prime necessity, such as wheat, rice, tobacco and cattle; and that all these concessions, wise and just in themselves, were become settled as principles in the administration of the government, and are now never brought into question. In the settlement too of the seat of government, the same indulgence, or the same justice has been done to the wishes and feelings of the upper country. It has been changed by the aid of some of the lower members, who conceived the change just (though inconvenient to them) from the old spot, where it had remained a century, and which was dear to the whole lower country, to the very place designated by the leaders of the opposite party. This change was made entirely against the interests, and chiefly at the expence of the sea coast.

Thus this enquirer would find, that all the points in which their could be any clashing of interests, have been decided by the majority so much complained of, according to the interests and wishes of the upper country, and that their rights and even desires were as completely attended to and gratified, as if the whole representation had been in their own hands. And he would now be led to ask, who are the persons who are avowedly and publicly striving to induce the people, who were in the tranquil enjoyment of these advantages and blessings, to seek a change in the fields of controversy and civil dissensions? To this enquiry he would be answered, that they generally were not the old and tried servants of the people, who had gone through the ordeal of the war, and had rendered great and important services in peace: that such men, rejoicing in the prosperity of their country, were quiet, and could not be prevailed on to take the lead in disturbing the peace of the state. That the avowed leaders in this enterprize, who had given their names to the world, were chiefly young men, whose youth had heretofore prevented their distinguishing themselves by any important services; a majority of whom were single men, and had no families to bind them to the community, and to feel the severe consequences of their hasty counsels; a majority of whom had so recently taken up their abode in the state, that they could not yet be supposed to know its real interests and feelings, with the necessary accommodation of abstract principles to circumstances: that though several of them had high pretensions to talents, and others to the milder virtues of social and domestic life, yet that most of them were distinguished for warmth of temper in their politics; and that (with a single exception) none of them had yet attained such solid experience and maturity of judgment as would qualify them to be the proper and safe guides for a temperate and happy people, in the formation of new plans
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of policy which might eventually endanger their quiet and peace.*

These views would lead this sensible stranger into profound reflections, and if he chose to communicate the result of them to the inhabitants of this peaceful and happy state, he would probably address them to the following effect : The great object of man, in the institution of civil society, is by an union of the strength of all, to secure to each individual the quiet and undisturbed enjoyment of the rights of person and property. If these are attained at a moderate expence, borne by all in proportion to their interests at stake and to their ability, then the purposes of the institution are answered, and men are as happy as their nature will admit. Few nations have ever attained this happy state. The tyranny of the few, in the shape of despotism or aristocracy; or the tyranny of the many in the form of anarchy, has blotted the page of history with innumerable crimes and oppressions. The life, liberty and property of the citizens have been rarely secured by the efforts of all under the guidance of the wise, at the proportional expence of all, in any age or nation.

* Exception has been taken at this passage, and illiberality has been attributed by a writer in the newspaper to the author, as if he were averse to the admission of young men and adopted citizens into the public councils : and it was asked if grey hairs gave wisdom, and if youth must necessarily be attended with folly ?

The author answereth, that he agrees with the wisest of men, who says, " That honorable age is not that which standeth in length of time, or is measured by length of years : but wisdom is the grey hair to men, and an unspotted life is old age." There are therefore no objections to the admission of young into the councils of the people. They often bring disinterestedness and infuse vigor into the public measures ; which makes them highly useful in mixed assemblies. Nor is he unfriendly to the reception of adopted citizens, into the number of our legislators ; they frequently bring a wholesome accession of new and useful principles, for the amelioration of the systems of policy : frequently too men of generous minds, charmed with a liberal reception in a foreign land ; from gratitude become the most useful citizens of their adopted country. Still, however, the author remains satisfied, without meaning to be illiberal, that the people would be unwise to adopt against the judgment of their old servants and citizens, great and fundamental alterations of their old systems (under which they have enjoyed liberty, security and peace) at the instigation of a number of gentlemen, all of whom are young men, precipitate and fond of novelty ; a *majority of whom* are citizens recently adopted, and not yet sufficiently informed of the various and clashing interests, nice dependencies and peculiar circumstances which have dictated to the different parts of the country into which they have been received and adopted, great mutual concessions, together with modifications of the government, differing from those from whence they came.

nation. A thousand experiments have been made to attain these happy objects without success. From the examination of the situation of South-Carolina, it appears, that her citizens are happily in the perfect enjoyment of all these blessings; and her prosperity, in common with her sister states, is unparalleled in the annals of history. Equally removed from the death-like stillness of palling despotism, as from the anarchy of licentiousness, the laws being master, and not men, she possesses an enviable situation, which has been desired by the best patriots in all ages, for their country. In no presumable case then can she be bettered by a change, for no change could give her citizens a more perfect enjoyment of these fundamental rights and privileges, and in any changes may strip her of all these possessions. Beware then of lightly seeking a change. Remember that though it may be easy to commence, it may be difficult to terminate internal dissensions; that faction has been in all ages the bane of free governments, and has always landed them in dreadful despotism, or more frightful ~~dreadful~~ anarchy. He would caution them, by informing them that the tendency of republican governments is to anarchy, and that a wise people will always watch over themselves, and guard against the beginnings of faction and discord, as leading to anarchy and ending in tyranny. He would warn them, above all, when there is not a shadow of complaint against the government or its administration, but all are happy under its protecting wings, not to put all to hazard in pursuit of changes, which by mere possibility may lead to an imaginary perfection, but which more probably would lead to discord and civil convulsions. He would remind them, that if the French, who in their noble, but dreadful struggles for liberty, have paid a price in blood and in treasure, beyond all calculation, should miscarry in their efforts, and have made their sacrifices in vain, it will have arisen from their too boldly launching into the sea of experiment, disregarding the experience of former times, and too eagerly seeking an imaginary perfection, founded on principles too abstract and theoretical for application to the complex situation, passions and wants of man. He would caution them against casting away the substance in pursuit of the shadow; and he would add, that it would be time enough to seek for a change, when actual oppression shall make one necessary; and would example America, who, though well informed of the claims of Britain to tax her in all cases whatsoever, unrepresented as she was, as asserted in her statute book, never risked the peace and happiness she enjoyed, nor plunged into the horrors of civil war (tho' Appius has ventured to assert the contrary) until an actual attempt was made to enforce the claims by the actual collection of a tax.

No. IV.

THE force of these salutary warnings would be increased by a recollection of the critical situation in which South-Carolina, in common with her sister states, is placed at this time, and the impropriety of the agitation of this question at present. The injustice of Britain to this country, in the detention of the western posts, in the illegal capture of our trading vessels, under pretences as unfounded as they are haughty, has brought America to the necessity of demanding reparation from that power. A negociation is at this moment pending, the success of which may depend as well upon the appearance of unanimity and harmony at home, as upon the issue of military events abroad. Unfortunately an opposition to the laws has been, at this critical moment, already carried into open hostility, by a deluded people, who have dared to intimate an inclination to call in the protection of that very power whose inclinations and interests seem most adverse to the prosperity of this country. And notwithstanding the vigor and wisdom of the measures taken by the President, seconded by the patriotism of the people, give a well grounded hope that this insurrection will be suppressed, happily, without blood; yet the very appearance of such a temper in America will have an unfavorable operation on the pending negociation, as it will enfeeble the voice of the American ambassador, whilst it will encourage the adversary to resist our claims. It will be presumed, that a cool and a wise nation, like the American, will not rashly engage in foreign hostility, with a probability of being engaged in domestic broils, and that it would submit to the oppressions and injustice of which it complains, rather than run this hazard. Such is the direct tendency of the insurrection in Pennsylvania: and this tendency would be considerably increased, if any symptoms of discord and civil dissensions, such as would arise from the untimely agitation of representation in South-Carolina, were to be manifested in the other states. But even if no particular causes of complaint and quarrel existed, between America and any of the belligerent powers, it is the duty of a wise nation, enjoying prosperity in peace, when the world is up in arms, and great nations are becoming daily more warlike by the practice of hostility, to endeavour to secure itself from attacks by presenting a firm front, evidencing a desire for peace, but a vigorous preparation for war, seconded by harmony and unanimity at home.

Unfortunately it may be added, that the western frontiers are threatened by a combination of the savage nations, as unexpected from their state of society as it is unjust in its object; and that this combination, without threatening any serious loss

to America, calls for pecuniary supplies, the application of which to that object diminishes the means of exertion against other and more powerful foes.

This view of the situation of America is seriously submitted to the consideration of the gentlemen who are actively engaged in promoting the agitation of the question of representation. It is seriously submitted to them to reflect whether this is the proper time for the discussion of a point which they well know will produce great heats and dissensions, the result of which is not within the ken of human foresight. Whether the issues will be in blood, or only in violent discords and a separation of the state, cannot be foreseen. But as they are men of sense, it must strike them, that whatever may be the issue, the dissensions which will flow from the discussion of this question will tend to diminish the chances of a favorable termination of our disputes abroad, and will diminish the unanimity and energy of our preparations at home. And it is requested of them to decide, whether they are prepared to take upon themselves the consequences of such effects, flowing from their exertions in a cause where it is confessed no real oppression or injury has been sustained, but that the government, in its present form, is mild and the people happy. When they have seriously considered these things, it is expected, from their patriotism, an acknowledgement that this is not the proper time for the agitation of the public mind on the subject in question; and it is expected that the same ingenious industry which has been exercised in rousing the public mind, will now be exerted to allay the ferment, and to postpone the discussion to a more convenient season.* If this should be done, it will be evident to all, even those who differ from them on the subject of representation, that however mistaken they may be, they are actuated by principles of patriotism, and not by motives of personal aggrandizement.

From the enquiries which have been made, it appears then, that the indiscriminate application of the axioms of theorists, has been productive of great mischiefs to society; that Appius has erected the whole structure of his argument on some of these axioms, one of which is, that "equality is the natural condition of man," the application of which to the state of South-Carolina would ruin the country, by giving liberty to the slaves, and desolating the land with fire and sword in the struggles between the master and

* It is at all events expected, that this question will not be continually renewed, and the discords created by it eternally kept alive, by repeated efforts which can only serve to produce heats and animosities, destructive to the peace and happiness of the people, degrading to the state, and injurious to the cause of republicanism.

and slave: a fate which has attended the French West India islands from the too hasty adoption of these axioms in all their extent. From further enquiry, it has appeared, that many free states have existed in the enjoyment of happiness and liberty, without adopting the doctrine of Appius, that representation should depend on population alone; among which are to be found many of the republican American states, and particularly all in the southern division of the continent. That from Maryland southwardly, not a state has regulated its practice by this maxim; yet all are free and happy, though the inequality is so great in one of the states, that 19 000 men in one division of the state, send as many members to one branch of the legislature, and nearly as many to the other branch, as are sent by 30,000 men residing in another division of the country. That the freedom and happiness enjoyed in the states so unequally represented, is so highly estimated by the good and the able men who have influence in them, that no attempts have been made to procure a change, lest civil dissensions should follow.

Further investigation made it evident that there was no injustice, but rather a peculiar propriety in the southern states, and particularly in South-Carolina's paying great attention in arranging the representation, to the disproportionate wealth and power of contribution of the different portions of country, as they had (and South-Carolina, particularly) demanded of the eastern and middle states a considerable degree of attention to this point, in the formation of the general government, and had obtained a considerable addition to the representation of the southern states, by bringing into view a valuable property which they held. That great part of this species of property, (5-6ths in South Carolina) the consideration of which had obtained so decided a benefit to the southern states, was held in the lower country; and that it would be unreasonable and inconsistent to refuse to the lower country the advantage of a rule which had been demanded by the southern states as a proper rule in relation to the general government.

It has also been made evident, that the reasoning of Appius, to shew the impropriety and injustice of founding representation on a combination of wealth and population, do not apply to the case before us, which is that of a great division of country, inhabited equally by the rich and the poor, claiming some attention to its wealth, in arranging the representation of a state so particularly situated, that one division of it containing less than two-ninths of the population possesses seven-ninths of the objects of taxation. That the arguments of Appius, to shew the danger of creating an aristocracy, by giving greater privileges to wealthy men, do

not apply to the low country at all, however great its representation, as the wealthiest and greatest citizen of the low country has but a single vote like his poorest neighbor ; and that the mixture of the rich and poor in the low country, with the equal right of suffrage of the poorest with the richest, is a perfect security against aristocracy growing up out of the great representation allowed the low country. It appears too, that the wealth of the low country could never protect itself, if the representation was modelled on the ground of population alone ; and that the principle " that wealth can protect itself," is perversely applied to the situation of upper and lower Carolina, when it is only applicable to wealthy individuals, in a mingled community ; nor is it less evident that men are as jealous of the rights of property as of those of persons, and will more readily revolt at attacks on the former than on the latter, and are therefore as anxious for their legal protection from oppression of every kind.

The next enquiry was pointed to the propriety of the rule that representation and taxation should go together, and that the quantum of the latter should depend on the former, as the surest mode of securing one division of country from oppression from another. In support of this idea, it was shewn that this rule had been adopted in the constitution of the United States, after serious deliberation, as the best which could be devised for direct taxation on the states. And it was demanded, whether the advocates for representation founded on population alone were prepared to agree, that taxation should be proportioned to representation, which would increase the burthens of the upper country from 8000l. annually to 28,000l. and load each county with the burthen of paying the expences of its own members of the legislature.

It was then shewed, that on Appius's concession of the propriety of allowing a representation on the combined principle, the lower country would stand on much better ground than appears by his calculations, where, by the assumption of round numbers, he has done great injustice to her claims. Further enquiry evidenced that no evils had flowed from the present state of the representation, as the upper Carolina had obtained every thing she wished, in the assessment of taxes, the seat of government, and the administration of justice, and that no pretence of hardship or abuse was even set up : from whence it was inferred, that the government was mild and good, and the people happy ; advantages which a wise nation would not lightly hazard by embarking in civil convulsions. And finally, it was demonstrated, that the peculiar situation of America, made this an improper time for such dangerous discussions.

SCHEMULE

SCHEDULE of numbers, representation, and taxes, in the different districts, counties, and parishes of the state; agreeable to the constitution, the census taken by order of congress, and to the tax returns for the years 1789, 1790, and 1791, as deposited in the treasury.

CHARLESTON DISTRICT.

Parishes.	White Inhabitants.	Representatives.	Senators.	Taxes.		
St. Philip and St. Michael	8089	15	2	10,671	13	4
St. Bartholomew's	2138	3	1	1566	10	4
St. John's, Berkley	692	3	1	1115	11	6
St. George's, Dorchester	1252	3	1	504	13	4
St. Stephen's	226	3	1	958	6	9
St. James's, Santee	437	3	1	846	3	11
St. Thomas's	397	3	1	895	19	5
Christ Church	566	3	1	631	16	8
St. James's, Goose-creek	439	3	1	295	8	10
St. John's, Colleton	585	3	1	732	8	6
St. Andrew's	370	3	1	1020	0	6
St. Paul's	276	3	1	2220	2	3

Total
BEAUFORT DISTRICT.

St. Helena's		3	1	1144	13	2
St. Luke's		3	1	767	2	4
Prince Williams's	4346	3	1	468	7	5
St. Peter's		3	1	642	0	0

Total,
GEORGETOWN DISTRICT.

All Saints	429	1	1	525	9	9
Prince George	5031	5	1	1765	13	4
Prince Frederick	3418	4	1	1294	9	5

Total,
LOWER COUNTRY.

Charleston	15,452	48	13	21,473	14	6
Beaufort	4364	12	4	3022	2	11
Georgetown	8878	10	3	3585	12	6

Total,
NINETY-SIX DISTRICT.

Edgefield County	9785	3	1	655	8	11
Abbeville do.	7493	3	1	438	1	9
Laurens do.	8210	3	1	343	8	2
Newberry do.	8186	3	1	461	1	9

Total,
33,674 12 4 1897 5 11

WASHINGTON DISTRICT.

Counties.	White Inhabitants.	Representatives.	Senators.	Taxes.
Pendleton	8731	3	1	235 19 0
Greenville	5888	2	1	192 6 8
Total, PINCKNEY DISTRICT.	14,619	5	2	428 5 8
Union	6430	2	1	409 7 0
Spartan	7907	2	1	343 12 10
York	5652	3	1	290 11 11
Chester	5881	2	0	316 1 4
Total, CAMDEN DISTRICT.	25,870	9	3	1360 3 1
Fairfield	5138	2	1	345 0 2
Richland	2479	2	1	556 19 6
Clarendon	1790	2	1	528 5 7
Claremont	2438	2	1	435 8 0
Kershaw		2		
Lancaster	4864	2	1	213 16 7
Total, ORANGEBURGH DISTRICT.	16,709	12	3	2079 5 10
Total, CHERAW DISTRICT.	12,412	10	3	1677 0 1
Total, UPPER COUNTRY.	7,618	6	2	966 18 1
Ninety-Six	33,674	12	4	1897 17 6
Washington	14,619	5	2	428 5 8
Pinckney	25,870	8	3	1360 3 1
Camden	16,709	12	3	2079 3 10
Orangeburgh	12,412	10	3	1677 0 1
Cheraws	7616	6	2	966 12 1
Truth, Mistake.	110,900			
Total, WHOLE STATE.	120,902	54	17	8390 2 3
Upper Country	120,902	54	17	8390 2 3
Lower Country	28,694	70	20	28,081 5 10
Total,	149,596	124	37	36,451 8 1

Upper Country - 110900. £8390. or 1/6 per A
 Lower - 28694. £28081. or 19/6