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SPEECH

Robert B. Houghton,

R. J. TURNBULL, ESQ.

AT THE CELEBRATION OF THE

STATE RIGHTS AND FREE TRADE PARTY

OF

CHARLESTON,

ON THE

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COLUMBIA S. C.

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SPEECH.

The following Toast was offered by the Committee of Arrangements.

Robert J. Turnbull:—The *ancient* BRUTUS struck with a dagger for the liberties of his country; *our* BRUTUS, in a far more benignant and peaceful spirit, uplifts the *invincible* arm of reason and of truth.

Amidst the continued cheers and applause, which followed this Toast, Mr. Turnbull rose, and said,

I have not, my fellow-citizens, language adequate to express to you the gratitude which I feel, for the flattering manner in which you have been pleased to receive this sentiment. This distinguished token of your approbation is the more gratifying to me, because it assures me of your high veneration for the public principles which it has been my pride to advocate. It is because, fellow-citizens, you honor the conservative principles of Thomas Jefferson, that you are thus kindly disposed to magnify my humble labours into the exalted honor of "uplifting an invincible arm" in defence of the liberties of my country. Would to God that I could strike deeper, and yet deeper still, in defence of those great principles of constitutional freedom, in which are involved in a peculiar manner the prosperity and safety of the south.

It is time indeed, fellow-citizens, for every man who can raise the arm of "reason and truth," to strike for the south—for humiliating as is the reflection, yet in no country, where the love of freedom is the profession of the people, have such daring inroads upon constitutional liberty been made with impunity, as in our own. And it is to this conviction that you are always ready to award with your smiles and your approbation, even the least of such of your fellow-citizens, as are faithful enough to cry out from the watch-towers of freedom, that, all's not well—all, indeed, is not well, fellow-citizens. All, indeed, *cannot* be well, when gentlemen, who hitherto have had the general confidence of the people, instead of nerving the public arm for a defence of principles, so dear to the south, would paralyze its best energies, by prostrating in this the hour of our suffering and our need, all hopes of unanimity. All, indeed, cannot be well, when gentlemen, who hitherto have worshipped at the shrine of American freedom, are now repudiating its most sacred precepts, by an undisguised avowal of the withering and the consuming doctrines of submission to our wrongs. Where will these gentlemen find authority for their opinions. Not certainly in

the history of the revolution, whose anniversary they are now assembled to commemorate. These were not the precepts taught by our ancestors. They embarked in the glorious cause of freedom and of man, with far different feelings and sentiments. Their's was the spirit and the feelings of the celebrated John Selden. When this great English common lawyer was one day asked, in what book, in what state, or amongst what archives, a law was written for resisting tyranny and oppression: "I do not know," replied he, "whether it is *worth while* to look *deeply* into the books upon this matter; but it is most certain, that it has always been the *custom* of England, and the custom of England is the law of the land." Were John Selden now alive, and he were to be asked, whether the right of a state in this Union to annul an unconstitutional law of Congress, is derived *from* or *under* the constitution, or from some source paramount to all constitutions, I verily believe that his answer would be this: "I do not know, as regards this matter, whether it is *worth while* to look *deeply* into the different compacts which from time immemorial have been entered into by sovereign princes or states, to see whether in any of them there be a provision, that in case of an infraction of the league by one of the high contracting parties, the other would have a right to resist it. But of this I am certain, that it hath always been a *goodly custom* amongst all sovereign states, to *protect their subjects* and this *custom* of sovereign states is the *law* of sovereign states." John Selden would have been right. It is the common law of sovereign states. It is a fundamental principle of the "law of *nature* as applied to the conduct and affairs of nations and sovereigns." It is what we call the law of nations.

In the spirit and feelings of John Selden, consecrated with the best blood of patriots and of martyrs, were the glories of our revolution achieved. In the spirit and feelings of John Selden, were the Virginia and Kentucky resolutions conceived; and it is in this same spirit of John Selden, every where to be honored, as the only conservative principle of freedom, that we in South Carolina, are bound to maintain and to enforce the principles of these resolutions. In an especial manner has this duty devolved upon us; and it is well worth the consideration of gentlemen on the other side, whether it is consistent with the canons of their patriotism, or the high allegiance which they profess to owe to the state, to hold out so strenuously, against opinions, which have become the irrevocably settled doctrines of South Carolina. These gentlemen surely cannot be ignorant, that in all these shapes in which the question of nullification was submitted to the legislature at its last session, it was uniformly carried. As expressed in Mr. Glover's amendment it was adopted by a small majority, but when put forth in the language of its immortal author Thomas Jefferson, it was triumphantly carried by a majority of nearly three to one. It is then no longer left, as I humbly conceive, to the discretion of any citizen, whether he will or will not support these principles, solemnly adjudged by the collected wisdom of the state, after a close and grave debate, to be the only principles in which the safety of the republic is to be found. The legislature having erected its right of nullification upon the two solid foundations; 1st, of the declaration of independence in 1776; and 2d, on the Virginia and Kentucky resolutions already referred to, and which we have regarded as the second declaration of independence, there is but one course for our citizens to pursue, and that course is, a deference to the sovereign will.

To us fellow-citizens, who have so steadily sustained the cause of the sovereignty of the states, as involved in these principles, it must be a source of great pride and never-failing satisfaction, that notwithstanding the obloquy and bitter revilings of our opponents, our cause progresses, exactly as all truths have always progressed, slowly but *surely*—If our flag of state rights is not seen waving in every portion of this Union, be it yet our consolation, that where it has been once erected, it has never been struck, and that as we move onwards, the enobling purity of our principles, and the dignity of our cause is becoming apparent where we had not the least prospect of support. He must be blind indeed, who does not perceive that the eyes of the intelligent portion of the American public are gradually opening upon the cardinal doctrines of Thomas Jefferson, and if there be one impression clearer than another, which our exertions have made upon the minds of the thinking portion of the people of this Union, it is, that whether in their opinions we be right or we be wrong, they are free to confess, that the intentions of our public men soar to the height of that most exalted patriotism, which has always distinguished the sons of the south. Who can look into the conduct of our public servants, and of the people of the south in general, without being struck at the disinterestedness with which they sustain their principles. When the City of Washington was literally *crammed* with all those swarms of applicants, who hang their hopes of office upon a new administration, how many think ye were from the PLANTATION STATES? How many think ye were from South Carolina? Let Gen. Jackson give the answer. Let Gen. Jackson be called upon to say, whether he knows the South Carolinian, who fills any thing like a space in the eyes of his countrymen, and who professes and acts upon the principles of the state rights party, who would become a cabinet counsellor of his, or of any other administration, with a pending or unsettled affair of honor and of safety between South Carolina and the general government. You have heard what his excellency the Governor has said in relation to this; and I repeat it with a feeling of exultation that I have scarcely words to express. There are NONE, NO, NOT ONE.

Whilst we are thus honestly contending for the principles, not of one, but of two revolutions, the revolution of 1776 and that of 1800, achieved by the spirit of the Virginia and Kentucky resolutions, there has not been wanting a party, so lost to every sense of propriety as to institute, that we are not worthy to participate in the festivities, and proud recollections of this anniversary. Let this party be told, that is neither for them nor for us, but for those who are to come after us, and who are to reap the fruits of our labors, finally to decide whether this is not emphatically OUR DAY and *not theirs*. But we are willing that an appeal be at once instituted from the new to the old whigs of the revolution, and in what material particular is it, that the analogy is not strikingly perfect, between the state rights and free trade party, and the patriot band from whom we derive the rich inheritance of liberty. In our colonial dependance—in our love of union—in our patience under wrongs—in our remonstrances—in our determination sooner or later to resist tyranny at any and every hazard, the whigs of the present day are the whigs of the times that tried men's souls. The old whigs of the revolution, asked to be secured in their rights as *British* subjects under the *British* constitution. The new whigs demand the security of their rights as *American* citizens, under the *Ameri-*

our constitution. The old whigs ardently desired *Union* with the mother country upon the *terms* and in the spirit of *Magna Charta*. The new whigs as ardently call for Union, on the terms, and in the spirit of 1787. The old whigs preferred "liberty without Union," to Union without liberty. The very motto of the new whigs, is in the order in which you see it written on your banner, "liberty, the constitution, union." The old whigs were perpetually embarrassed in their efforts for independence, by the frightful cry of civil war, disloyalty, treason and rebellion. The new whigs have had their ears stunned with the more incessant, and shriller war-whoop of disunion, civil war, blood and revolution. But the point of resemblance most perfect between the new and the old whigs, is, they both have "counted the cost, and found nothing so deplorable as voluntary servitude;" whilst some of their opponents admit an oppression, infinitely beyond what we endured as British colonists, and instead of prescribing a remedy, gravely read to us their homilies on the horrors of a civil war, and the *safety* of submission.

Onward then, ye friends of freedom. Listen not, I entreat you, to suggestions such as these. Be ye assured, that in the great struggle, which must soon be decided, between the friends and the enemies of constitutional liberty, immortal glory awaits that sovereign state, which shall make the first breach in the entrenchments of usurpation; and still greater glory is reserved for those citizens, who in that hour, shall not shrink from, but solicit the post of responsibility and danger. South Carolina must be that state, and, as on the night, which preceded that memorable day, which consummated the glories of the greatest of revolutions, Generals Sturben and Lafayette, on behalf of their respective divisions, warmly disputed before the commander-in-chief, as to the right and *honor* of the *trenches*; so let us hope, that between all of us, who are here assembled, there shall be the same emulation, to be present—and the same zeal to dispute for posts, when the last breach in the enemies defences shall be made, and the flag of consolidation shall be struck forever, and lowered before the proud and sacred banner of the constitution.

On South Carolina is now imposed the paramount duty, of substituting for unsuccessful remonstrance, moderate, and yet decisive action. As in suffering, she is first, so in example she must be foremost. She has always been foremost. When the stamp act of Congress of 1765, was first suggested by Massachusetts, South Carolina seconded this first advance to continental union, before it had received the assent of any colony south of New England. South Carolina too, was the first colony who declared for independence by public authority. The preamble to her constitution, of March, 1776, is a counterpart to the declaration of independence, and by this act of her Provincial Congress, she became thence forward, independent *de facto* of the mother country. It is impossible to look into the history of those times, and not perceive the high consideration, which was always felt for this colony, in every part of United America. If the people of Boston destroyed the tea in 1773, the people of Charleston gave them the example in 1765, when they surprized Fort Johnson and seized all the stamps there deposited by the royal governor.

Are not examples such as these, sufficient to awaken us to the high destiny which awaits us, if we are but true to our principles and resolve to suffer no longer. Do we intend to wait for years and years, with the hope

that the other southern states will sustain us by their superior councils, or animate us by their better courage, and in the mean time to experience a collapse, from which we may never again recover. This hope will be unavailing. The people generally of other southern states, although they have as producers, suffered in the same degree with ourselves, yet as consumers, from their internal resources of supply, have not—and in no state have “southern rights and southern wrongs” been so thoroughly discussed as in South Carolina. Our neighbors have not considered the question, in all its bearings and tendencies, as we have, and they would, in my humble judgment, be wrong to pledge themselves, as to any course of action on their part, and particularly when they discover so much doubt and indecision here at home. What right have we to submit to other southern legislatures an hypothetical case. It would be as to them *coram non judice*. It would be to solicit an opinion, where no issue is made up. Be assured they will not thus commit themselves. They may, with great propriety say, that if we, who made the first movements, and are so much in advance, aided all by the consideration we have given the subject, are still at a loss what to do; the difficulty must be still greater with them. Besides any such application to our southern brethren would betray a want of confidence in our own spirit, and if we cannot rely on our own undaunted firmness, to commence a system of resistance to tyranny, we must remember that this same thing, called fear, is, in its nature highly contagious, and we shall, by such a course of conduct, run the hazard of infecting states, who are now free from its influence.

All hope of co-operation from our southern neighbours at this stage of the proceedings, must be abandoned. Some one state must first make up an issue with the general government, and then wait for the co-operation of other states. To go about begging before hand for assistance, would be as unavailing as it is premature. This was not the style in which our ancestors went to work. No one colony moved, as long as suppositions were put, or as long as *fiction* and *feigned* issues were talked of. But the instant any case to which there were *real* parties, came up for the consideration of the Provincial Congress of any particular colony, that colony instantly gave its judgment on that particular case. The destruction of the tea in Boston harbour, produced from the Parliament the memorable Boston port act. From the moment the news was received of the passage of this act, an issue was considered as made up, between the people of Massachusetts and the King. Here was a case which every colony felt itself bound to consider, without being solicited for that purpose. And what was the consequence of the Boston port act? It produced the Continental Congress of 1774. But for this, that Congress would not have been convened. So the battles of Lexington, and of Bunker Hill, the declaration of independence by South Carolina, in March, 1776, and the battle of Fort Moultrie, three months afterwards—these were all cases on which every colony, of its *own mere motion*, gave its judgment. Here, as well as in other instances, judgments were given on *real*, and not such feigned issues, as we now wish to get up, in order to know what our southern legislatures would or would not do under certain circumstances.

What cause have we in South Carolina to fear, that if we make up an issue with the federal government, other southern legislatures will not give judgment in our favor, after the good old fashion of our ancestors.

Have we yet taken responsibility upon ourselves, and they have not supported us? Did we commence by legislative protests? They have followed us. Have we forwarded strong remonstrances to Congress? So have they. Did we in these remonstrances approach Congress in the character of a sovereign? So has Georgia in particular. Did we next solemnly protest as sovereigns, and cause our protest to be entered on the journals of the senate? So has Georgia. Have we set fourth certain fundamental principles, as essential to the sovereignty and safety of the states, and expressed a determination to support those principles? So have they. It then appears, that as far as we have, by our public *acts* and not by our *requests*, invited the co-operation of other states, we have had that co-operation to our hearts content. But I take occasion to repeat, that a co-operation, in *opinion* was never given by any state, until we first actually took upon ourselves the responsibility of certain opinions. Had we beforehand consulted any southern legislature, whether it would support us by protest and remonstrance, it is probable that they would have declined an opinion. To my mind it appears clear, that nothing more is required to ensure the support of other southern legislatures, than to cease talking and to place the state upon her sovereignty. The moment that South Carolina adopts this step and commences a system of legislative protection to her citizens, she *forces* not only upon the southern states, but upon every state in the union, the momentous question of "southern rights and southern wrongs." She will be tendering an issue to which every member of the confederacy must become a party. It will be a case forced upon the attention of Congress, which that body must consider, and on which it must give judgment.

God forbid that the other southern states should be asked to decide, what part they ought to take in this contest as states, until the decision of Congress shall first be known. It is time enough for other states to act, when that most improbable event, the coercion of arms, shall be attempted for the destruction of southern liberty. As to any such coercion, our proceedings may be so conducted as to make it scarcely a possible case, but certainly not a probable one. I anticipate from instant and moderate, but yet decisive action, the happiest results to my country; but yet we ought to be prepared for all the consequence of our failure. The difficulty under which we have labored hitherto, has been, that we have not been able to be heard; and when I recommend that the state be put on its sovereignty, it is because I cannot conceive, nor have I yet heard, how otherwise our case can be called up for trial before the whole nation. The sooner we act the sooner the subject will be discussed. The more it is discussed, the more sure are we of success. Discussion is what we earnestly desire—discussion is what all tyrants dread. The moment a state is in serious conflict with the general government, the rights of a state become an object of conversation in every dwelling in the land.

But some will say, if South Carolina is to be put at all on her sovereignty, would it not be better to *secede* from the confederacy, rather than run the risk of opposing the laws of the union. I answer no—decidedly no. It is doubtful whether South Carolina would be permitted to secede. But if this right were graciously vouchsafed to her, I would be opposed to secession, because it is to wander from the path hallowed by the footsteps of our ancestors, in a journey in which they had the same object with ourselves.

In all the public acts and proceedings of the colonies, our ancestors did not close, but left open a door for reconciliation, with the mother country. Their acts were all provisional, until the final act, the declaration of independence. Secession, moreover, would be too harsh a remedy as long as there is the faintest hope. It is the extreme remedy and would neither be warranted by policy or reason or by the law of nations. We should by such an act deprive ourselves of the sustaining sympathy of the other states. I repeat now what I have a thousand times said to my friends from the beginning, that I would oppose secession with my latest breath, no matter how peaceably it might be effected; for though apart from the union, South Carolina would possess certain advantages, of which she is in the union now deprived; yet I never had a doubt that in *honorable* constitutional union with the same feelings and friendship with which it was formed, and with a government as pastoral to the south as it has been to the north, consists her greatest safety. God forbid that we, of the state rights party, who have been patriotically labouring through good report and through evil report to bring back the constitution to its first principles, should by such an act of suicide as voluntary secession, withdraw ourselves from the panoply of the American union. I trust I am too well acquainted with the history of governments and the fate of all small contiguous republics, not to give my voice against the rash act of secession. No. If the abiding memorials of the revolution are to perish—if the proud associations identified with our history are to pass away—if the frightful evil of disunion and secession shall come upon me, it will not be because I desire these things, but because they will be forced upon me by the unrelenting tyranny of the federal government. It will be because, like Jefferson, I believe that as great as is the evil of separation, it is infinitely to be less dreaded than a *consolidated* government “without limitation of powers.” It is impossible for any son of the south, to look with complacency, into the Pandoras box of evils, which a consolidated government would inflict on this southern country. The destruction in store for the foreign commerce which feeds us—the regulation for our internal industry by a majority who have great local interests to promote and which cannot be sustained but at the expense and ruin of the south—the fires which northern fanaticism is every where enkindling to subvert our peculiar *local* policy, and which has already extended to the halls of Congress—these are calamities which, to my mind at least, are most appalling. They are, falling upon upon us, fellow-citizens, in rapid succession and such being my honest conviction, I am for availing myself of all the precautions and means, which God and nature has given us for arresting their progress. At the head of these means stands decision and firmness—uncompromising firmness, and a well settled resolution to bring all matters to an issue as soon as possible.

What is then to be done you will ask, so that we shall be secured in our rights, and yet avoid the evils of disunion. I will tell you, fellow citizens, what is to be done—with me there is no shuffling; I am come at once to the point. NULLIFY. That RIGHT of a sovereign state not only founded in the nature and fitness of things, but consecrated as such on the altars of 1776—that DUTY not only prescribed by the laws of nature but enjoined on us by the most sacred of all obligations, the oath which we have all taken to defend the provisions of the constitution. That NONE OF PROCEED-

and, which your own Thomas Jefferson, on a full consideration of the subject, recommends as the only course which a sovereign state can adopt, consistently with a desire to preserve its peaceful relations with the other states. His emphatic language is; "NULLIFICATION IS THE RIGHTFUL REMEDY."

Nullification, fellow citizens, is the peaceful and rightful remedy. It is not disunion, or Thomas Jefferson would not have recommended it. It is not revolution. It is not *virtually* an act of *severance* of a State from the Union. It is not *ipso facto* a dissolution of the confederacy, any more than *retaliation, retortion, or reprisals* constantly practiced between sovereigns to prevent war, *ipso facto* constitute war. It is the only course, which can unite men who are for resistance in some shape or other. It is the mildest form, which resistance to federal oppression can possibly assume, and this is its highest recommendation, and it may be fairly remarked, that those who object to this course of action, are not as much influenced by an incompetency to understand the subject, as they are by a real desire in their hearts of submission in *every*, rather than resistance in *any* shape. Can Nullification be Disunion, if at the time South Carolina shall adopt it, she shall lay before Congress and the State Legislatures, her solemn MANIFESTO; and to the People of the United States, her patriotic ADDRESS, each of these documents clothed "with all the *force* of ancient eloquence, and all the *dignity* of ancient virtue," and evincing to the world that partial resistance to the authority of the Union, is imposed on her as a matter of paramount necessity? Can Nullification be Disunion if she distinctly sets forth that she is willing to abandon, and will abandon her course, if Congress will take up the question, and devise if it is possible, a more peaceful mode of settling differences between a State and the Federal Government? Can Nullification be Disunion, if every thing to be said or done by South Carolina, shall be so said, and so done, as to convince the most sceptical, that reconciliation and a more perfect Union is her ultimate object and that such a proceeding on the part of the State is not intended as the commencement of angry conflict, but as the most amicable mode of bringing to issue the great question, which as long as it remains unsettled, can produce none but the most disastrous feelings on both sides? Can resistance in this amicable spirit not by individuals, but by a sovereign state under a sense of its invaded prerogative be regarded by the federal authorities as a lawless combination, so as to justify a resort to force, rather than to the collected wisdom of the States in a general convention of the States. If it be so, fellow citizens; if a sovereign state is thus to be dealt with, then do we live under a consolidated government of the people, the most odious of all tyrannies for these southern states, and we had better tear in pieces that worthless piece of parchment which is so carefully preserved, amongst our articles, and which we call a Constitution. Can a prosecution of our rights thus mildly and patriotically, possibly lead to open war? I am free to admit, fellow citizens, that it may be peace or war; it may be union or disunion, not however as we in South Carolina, but as Congress shall determine. "It must not, and it cannot come to this," unless the common council of the league, shall indiscreetly and wantonly unsheath the sword against a confederate member, asserting what it conscientiously believes to be its sovereign rights, and yet anxiously expressing in the accents of its lofty patriotism, and its

devout love of Union, its desire for reconciliation, for better friendship and better feelings.

But the advocates of submission have told the people, that if we nullify an act of Congress the President of the United States will feel it to be his duty to execute the laws of the Union—that he will send his frigates and blockade our port—that Charleston will be discontinued as a port of entry and that this will lead to war. This is the raw head and bloody bones got up by a party to frighten women and overgrown children, and who feel that the ground is fast sinking under them. No doubt there are some well disposed individuals who seriously have this apprehension. But these persons do not reflect sufficiently. The President has no means of executing the laws of the Union in South Carolina but by the militia of South Carolina, and what reliance can he have of the militia, when according to the pledges of the leaders of the submission party, they are to rally around the state, as soon as she shall decide on her course. But, say they, he will blockade our port. No, fellow citizens, the President will not venture to *re-enact* without any other sanction than that of his own judgment, the odious Boston Port Act. The consequences of following this rash act of a British Parliament are too serious for General Jackson to encounter. But there are reasons already given by General Jackson, why a President, and himself in particular, never can be justified in resorting to the bayonet, for the purpose of coercing a sovereign state. In the first place he has in one of his messages to Congress recognized the constitution as a confederacy, and the twenty-four states as “TWENTY-FOUR SOVEREIGNS.” This is his expression, and he moreover is the first President who has distinctly avowed the government to be of this character. How then can Gen. Jackson attempt to treat South Carolina as a rebel, when he acknowledges her a sovereign. But in the second place, he has also in his message expressed the opinion in reference to this very subject that where there is a doubt amongst the states as to the right of Congress to exercise any particular power, it is the duty of Congress to have the dispute referred to the SOURCE OF ALL POWER, a general convention of the states—Besides the President must know that he has no power under the Constitution, to coerce a sovereign state, though he may apply force to a lawless combination of individuals. It would be a gross violation of the *spirit* of the Constitution as well as of its letter. A proposition was early made by Gov. Randolph, in the convention, which formed the Constitution, to give to Congress a power “to call forth the force of the Union, against any member of the Union failing to fulfil its duty under the articles of Union.” (Journals 68.) It was postponed by the House and never again called up. It was afterwards renewed by Mr. Patterson, in these words:—“And if any *state*, or body of men in any state, shall oppose or prevent the carrying into execution such acts, &c. the Federal Executive shall be authorized to call forth the powers of the confederated states, or as much thereof as may be necessary, to enforce and compel an obedience to such acts,” &c. (Journals, 126.) The committee who drafted the Constitution, promptly rejected the harsh proposition, and it never was afterwards renewed.—Such a provision had also been proposed when the old articles of confederation were about to be formed, and then rejected. Thus it appears that it always has been revolting to the minds of the American people, that force shall be applied to a sovereign state.

But I have wasted time in answering objections which duly considered by the people, will be found to be trifling. How, fellow citizens, can the bayonets of United States troops be brought against us if we nullify. If on every suit brought by the United States, our patriotic juries, who are judges of *law*, as well as of fact, shall decide against the Federal Government, this surely cannot serve as a pretext for open war. Gen. Jackson will not think of *bayonetting* men for *opinion sake*. So if under our law of nullification, suit after suit is brought for penalties under the act, and the collector of the customs, and his deputies are mulcted *toties quoties*, by the aid of the *Jury Box*, this certainly cannot be a justifiable cause for Gen. Jackson to open his *Cartouch Box* upon us. Nor can I ever discover how Gen. Jackson is to let slip his dogs of war, if the whole shall at last resolve itself as it certainly will, into a direct conflict between our State Judges and Federal Judiciary. For where is the Federal Marshal who would not, like Mr. Habersham of Georgia, resign rather than act against his state; and if he did not resign, where is the *posse comitatus*, to come from to execute the decrees of the Federal Judge. We all know full well where to look for the *posse comitatus*, which is to take care of our own valuable State Judges. "The rock upon which the storm will first beat."

It is idle thus to talk of the President's resorting to the intemperate measures of coercion. He is a plain farmer, and knows that in Tennessee, where two farmers, good neighbors, are differing about lines, as the states are about boundaries of jurisdiction, nothing is more common than for one of them to commit some act, which in the opinion of the other amounts to a trespass, but in perfect good feeling avowed at the time: with the amicable intent of bringing a long pending dispute to an issue, that their children might not have cause to quarrel after them. General Jackson would, therefore, at once see in the proceedings of South Carolina, nothing like hostility to the Union, but only a desire to settle a long standing controversy in good feeling. But it is quite immaterial whether the President chooses to act the part of a wise Chief Magistrate or not. I venture to pronounce that no President ever did, or ever will *dare*, to coerce a sovereign state, when that state shall put herself upon her sovereignty, on the ground of an infraction of the league. This is a responsibility so awful, that there is no man however great his popularity, who would assume it and be sustained by the people. It is a question too solemn for any one mortal in this confederacy to decide. It is a question of peace and of war—a question of speedy reconciliation, or perpetual enmity—a question not for the President, but for Congress, or the States to determine. Those who take the opposite view, instead of looking up to the President, as in duty bound they ought to look up to him, as in a great measure, *deleniation* of the *discretion* and good sense of the nation, are rather disposed to describe him as actually *a thirst for blood*, or as some giant after "snoring away the fumes arising from the undigested blood" of his victims of the preceding day, rises again with his

—————Fee-Faw-Fum!

I smell the blood of a *Southern* man,
Dead or alive I must have some!

No, fellow citizens, give no heed to the report, whether it be true or false, that Gen. Jackson has written to the Union party here, that he intends to nullify us through the Cartouch Box. Should he be mad enough to attempt this, of which I confess I can see no probability, we shall, as I said before, have a great accession of strength, for many of the leaders of the Union party, will then solicit a command in our cause. "If South Carolina shall once be in arms," says one of them, "no son of hers will stop to ask the cause, if at her bosom a blow be aimed." No! Gen. Jackson is not so rash and hot headed as the Union party represent him. In whatever manner he may incautiously have spoken, let us not, from our knowledge of him despair, but that when a South Carolina Legislature shall nullify the tariff act, and the conflict between our state and federal judiciaries shall become so serious as to require interference somewhere, he, Gen. Jackson, will be found to take exactly the only course in which he would be supported by the whole nation, namely, a reference of the whole subject to Congress on the ground of its being an occurrence novel in the administration of the government, and as such only fit for the consideration and judgment of all the states.

And what would be the moral effect of such a course? honor, imperishable honor to South Carolina! We should no longer, as usual, hear a remonstrance from Georgia or South Carolina read, and the members in their seats franking their letters, and contemptuously smiling at the expression "*Sovereign States.*" Here is no conflict between the government and a mob of whiskey insurrectionists in the interior of Pennsylvania. But here is a direct, serious collision between a sovereign member and the common council of the confederacy. Our case is now forced upon the consideration of Congress: we shall now no longer hear the motions to lay on the table the remonstrance or protest of a sovereign state. The affair is now becoming too serious. It has excited public feeling. It is discussed in every dwelling in the United States. Anxiety is every where on the tiptoe to know the result. The halls of Congress are crowded to suffocation: and do we in South Carolina fear the result of free enquiry and of public discussion under this excitement. And think ye, fellow citizens, that when Congress shall be engaged weeks and weeks in a Committee of the Whole on the state of the Union, there may not arise from his seat some son of freedom from the north, who shall exclaim in the spirit, and with the feelings, and in the very language of the elder Pitt, on the question of the colonies: "I REJOICE that South Carolina has resisted. So many thousands of worthy citizens so lost to *every sense of virtue as tamely* to give up their liberties, would be but fit *instruments* to make SLAVES of the rest." Would there be no Edmond Burke to bring forward his motion and resolutions for reconciliation with their southern colonies, and by the powers of his eloquence, warn them of the danger of losing one of the brightest jewels in the crown that they wear. Think ye, that on the slightest hint escaping the lips of some imprudent member for coercion against South Carolina, so dignified in her remonstrance, and so uniformly distinguished for her love of Union, every drop of blood in the veins of the delegates south of the Potomac, would not swell into indignation at the monstrous thought and a general southern feeling be at once found to rally around Carolina, as it did around Georgia on the Indian question. Aye, all this is the natural course of things. Has not Judge

Rowan, the enlightened Senator from Kentucky, when asked in debate what would be the result of resistance by a state to an unconstitutional law of Congress, or a decision of the Supreme Court, triumphantly answered, "the *first* result will be the *preservation of the sovereignty* of the state, and the liberty of its citizens for a *time*; and that the *next* result will be, that the attention of the people of the other states will be awakened to the aggression, and that Congress or the Supreme Court, which ever shall be the aggressor, will be *drien* back by the **REBUKE** force of **PUBLIC OPINION.**" So it will be with South Carolina, if she had only the wisdom to perceive that her only safety lies in the course pointed out by Mr. Jefferson. Let her only nullify the tariff acts and her own independence is safe forever; and so far from dissolving, she will be hailed in after times as the Saviour of the American Union.

A few words more, fellow citizens. It is amongst the delusions of the day, that if the practice of nullification were permitted, under our government, in all the instances in which the states felt themselves aggrieved, our Union would become a rope of sand. This objection is scarcely worth a reply. There is no probability of a state opposing the laws of Congress if that state be *wrong*. Our own experience teaches us how difficult it must always be to bring a state to the *resisting point*, even when a state shall be *right*. There are two remarkable instances to prove, that even when the two governments are drawn up in hostile array, the government which is wrong will be compelled to give way. Pennsylvania, in the case of *Olmstead*, with her militia ready to act, under a resolution of her Legislature, finally yielded, because rebuked not only by public opinion elsewhere, but by her best judges and lawyers. She was right to yield, for she was decidedly in the wrong, and there was no constitutional principle at stake. It was a mere case of *meum* and *tuum*. But how was it with Georgia. This state happened to be right. She contended for the right of self-government, in a territory which was her own. She was threatened with military coercion, if she did not yield. The answer of Gov. Troup, was accompanied by orders from head quarters for a Division of Georgia Militia to be in readiness to defend the state against the United States troops. Mr. Adams began to reflect, and fearing the rebuking force of public opinion, Gen. Gains' army was ordered to halt, and Georgia thus nullified the supreme law of the Federal Government.

An honorable gentleman of the Union party, (Judge Huger,) in the extreme of his aversion to the doctrine of nullification, has ventured upon a sentiment in relation to it, which has greatly surprised me, as it no doubt will himself, when he submits it to his better reflection. He is shocked when he reflects on the dishonor which will attach to the Federal Government, if, in the present dispute with South Carolina, it shall be forced to recede. His words are as far "as I can penetrate the future, a convention must endanger the Union, or wound the honor of my country. If the convention shall move forward—if it shall assume an attitude hostile to the government, and Congress shall recede, what sir, must be the effect on this Union? We shall have **DISHONORED** our own government—we shall have started the strands of that cord by which the states are bound together." That a citizen of South Carolina with so many ties as this gentleman has, to attach him to the state which we believe he loves most dearly, should, in a contest between that state and the general government, for principles of

most vital importance to her, honored and affirmed by her sovereign authority, in every shape in which the question was submitted, feel such a sympathy for the offending government, as to regard it as dishonored, by the glorious success of his native state in a contest waged for constitutional liberty, is an opinion which would be inexplicable, were not the sentiment perfectly in character, with the general doctrine of unlimited obedience to the will of a majority of the Congress of the United States, as expressed through the constitutional organs, which that gentleman's speech strives to establish. On the contrary, I am proud to say, that whenever South Carolina shall move forward, it will be my hope, that she may be triumphantly successful, and that the federal government may be driven back within its limits, and publicly compelled to abandon its scheme of piracy upon the southern interests and southern industry. I am proud to say, that with me the honor and safety of South Carolina, in this plain case of life and death, is the paramount consideration. I care for no honor which is put in competition with South Carolina honor. I however differ radically with the honorable gentleman that the federal government will be dishonored. I do conscientiously believe there is no one circumstance which would so clearly exalt our political institutions in the present admiring eyes of Europe, and of the world, as the illustration which nullification would afford, of the practice of our government, so delightfully corresponding with its theory. Our anomalous system of government has been compared to the planetary system, in which the federal government is represented as the sun, diffusing its warmth and light to so many state sovereignties, revolving around a common centre, in beautiful and harmonious order. What can be more cheering and animating to the real friend of liberty, in every part of the world, than to be assured, that so admirably contrived is the mechanism of our compound government, that not the most trifling derangement in any part of the system, can take place, without a power somewhere to correct it. Is it not rather a subject of congratulation, than of sorrow, to reflect, that if either of these revolving bodies, should occasionally be thrown from its orbit, too *near*, or too *distant* from the common centre, there is yet in the intricate adjustment of the centripetal and centrifugal forces, a principle, which will as assuredly correct every excentric movement and bring each wandering planet back again to its home.

No, fellow citizens. The cases of nullification which already have occurred; or which are hereafter to occur in our history, will go farther to disprove the assertion made by distinguished men in Europe, that power even in America, will advance step by step to consolidation, and from consolidation to monarchy, than all the arguments which human ingenuity or wisdom can devise. He is but a dribbler in politics, who does not see in the integrity and sovereignty of the States of this Union, the best and the only security for American liberty and of consequence for the liberty of mankind. Therefore, so far from any success of South Carolina in her present dispute, "fulfilling" in the view of the honorable gentleman, "the prediction of our enemies, that our Union is but a rope of sand," it will on the contrary demonstrate that nullification is the **ROCK OF SAFETY** for that Union, and the only Rock against which the waves and tempests either of Consolidation or Disunion shall beat and break in vain. The success of South Carolina and of the other states, which have been or

hereafter may be in conflict with the general government, will shew, that all the agitations, which occasionally may be produced in our country by nullification, are nothing more, than those strong and refreshing breezes of liberty, which are as indispensable to the purification of the atmosphere in the political, as in the vegetable world. Even "the storm that rends the skies serves but to root more deeply," the majestic oak. It is nullification alone, which can give a deep root to constitutional freedom, and to southern safety.

Mr. Turnbull concluded by offering the following sentiment:—

FREE INSTITUTIONS to those who have the *spirit* of freedom. The SPIRIT OF FREEDOM to those who have free institutions.

at

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