EDGEFIELD ADVERTISER.

A Democratic Journal, devoted to Southern Rights, News, Politics, General Intelligence, Literature, Morality, Temperance, Agriculture, &c.

"We will cling to the Pillars of the Temple of our Liberties, and if it must fall, we will Perish amidst the Ruins."

W. F. DURISOE, Proprietor. EDGEFIELD, S. C., JULY 24, 1851. VOL. XVI.—NO. 27.

Political.

SPEECH OF

HON. F. W. PICKENS,

Delivered at Edgefield C. H., July 7, 1851.

MR. CHAIRMAN! FELLOW CITIZENS:—I return you my sincere thanks for the kind manner in which you are pleased to receive me—It is far more than I had a right to expect.

It is with the utmost reluctance that I am induced to trespass upon you at the present time. I assure you in great sincerity, that upon no previous occasion of my life, have I risen to speak more reluctantly or under feelings of deeper embarrassment and anxiety for the future. I thank God! that I have been able, for the last few years, to withdraw myself entirely from all the bitter conflicts of party feeling. It was my lot, when very young, to have been thrown into many angry contests in the excited party warfare of the day. I know that I have said many things, which perhaps in cooler moments I might have wished unsaid. But removed, as I have been, for years, from all active struggles in politics, I can truly say that whatever harshness may have been generated by collision, I, at present, feel not a lingering sentiment of unkindness towards any party or any men, with whom it has ever been my lot to come in conflict through the past scenes of life. I never wish again to mingle in the bitter, and, for the most part, heartless struggles of politics. I have enough, in the endearments of home, to give contentment to the heart of any man. But, gentlemen, we are on the eve of mighty events. And the emergency of the country rises superior to all parties or all party contests. Entitled to an inheritance, transmitted through treason and revolution, I would be untrue to those from whom I claim my origin, and prove myself but a bastard, if I could hesitate to risk that inheritance and life itself, if necessary, in defence of the ancient liberties and independence of South Carolina.

If we expect to go through the present controversy successfully, the very first thing to be done, is to produce union, concert of action, cordial and kind feelings at home, in every citizen of the State and between all classes and all parties. We must forgive and forget the past—we must come together as brethren of one family—we must bury all feelings in a consecrated and holy devotion to the State, and nothing but her true honor and interests. Division at home will be fatal to South Carolina—and through her to Southern Independence. All know that to divide South Carolina is to paralyze her arm, and to make her imbecile is to destroy all hopes of Southern co-operation or Southern resistance. Our strength has heretofore consisted in our union, and this has made us a fit basis to commence Southern resistance. We are a small State and have been isolated by detraction and abuse. The minions of Federal power and the tools of Northern aggression have singled us out for their constant denunciation, because they well knew we stood in their way and were their main difficulty in perpetrating schemes of plunder and usurpation. If we become united, they become bitter. If we become divided, our deadly enemies begin to exult, and fawn upon and flatter those who make the division.

I stand here untrammelled, to speak the unbiased dictates of my heart and the convictions of my judgement, and I beg and entreat that there will be no party divisions in South Carolina, and that we will give and take, and if we differ, we shall differ as friends and as brothers, with no hard or unkind aspersions whatever. The day of trial is coming, and let no man suppose we are to go through without difficulty and without dangers. Commercial credit is sensitive and dreads a convulsion; banking capital is also sensitive, and to the amount of millions will be deeply felt in any movement calculated to shake society. But if the people of the State, with all the interests of the State, be united and we move with judgement and firmness—standing upon our chartered rights as fixed in the compact and deducible from the history of the Confederacy—we can do any thing that a sovereign people dare do—we can save ourselves by joint co-operation with our sister States of the South, if possible to be obtained by prudence and conciliation—but if all hope of co-operation be lost and we should be driven to the last sad alternative, if we are cordially united at home, we can *save ourselves alone.*

Fellow Citizens:—The great struggle in modern times is for separate communities to preserve their separate independence. The tendency in all modern society is to aggregation, where one consolidated public opinion is to govern absolutely. The press, steam-power, and electric communication all tend to concentrate one united public opinion and public feeling, without reference to different local interests. Local feelings and local rights are all absorbed in one general vortex.

Formerly the great struggle in the world was, to protect and secure the personal or individual rights of man. The contests for liberty were all confined to securing personal rights. But we have long since passed that point in the progress of civil liberty. Magna Charta—trial by jury—and the *habeas corpus*, have all secured mere personal liberty at least to every Englishman and American.

But the struggle, now is to preserve the independence of separate communities. It is far more difficult and requires a far more philosophical constitution of society. For one community to be subject to the control or public opinion of another community, if carried out in the power of Government, is political despotism. Magna Charta and its principles have secured personal rights, and a Confederacy of separate independent States, with power in the parts to prevent themselves from being absorbed by the central head, will secure political liberty. English writers and English statesmen have exhausted the subject of personal liberty, but being a compact small territory, with no distinct and sectional interests, entirely consolidated in interest and feeling, they have had no great occasion to investigate the still higher theories connected with the separate rights of independent communities acting together under a common Government.

The French writers and enthusiasts, at the breaking out of the French revolution, pushed personal rights to an extreme. The philosophy of Rousseau and Voltaire and their followers made the public mind drunk with new theories and doctrines. Being goaded and insulted by arrogant orders in society, they made all liberty turn upon the natural and personal rights of man; and the whole French people were converted into a nation of Propagandists. They believed themselves to be the chosen people of fate, destined to overrun the nations of the earth, and to redeem and regenerate a world of mankind sleeping under ignorance and despotism. And they came well nigh at one time to converting whole kingdoms and nations into mere provinces of a great French Republic. Many of our leading men of that day caught to some extent the enthusiasm and wild theory of French liberty. Amongst them were Franklin and Jefferson. They endeavored to plant many of these doctrines in America. It was from this kind of philosophy that the abstraction contained in our declaration of independence, "that all men are born equal" was taken, and many supposed that this carried out, would always give liberty. And the higher and far more philosophical proposition, that all separate and independent States were equal, seemed for a time to be lost sight of. The Northern people now seem to believe themselves to be the inheritors of French philosophy and French liberty; and under this idea, suppose that they are the chosen and peculiar people, under Providence, to spread the blessings of universal equality and relieve us from the evils of our local institutions. They consider themselves to be the elect of God to govern the world according to their notions.

It is well ascertained from history, that at the formation of the present Federal compact there were great and important interests in the separate States, peculiar to the different States. They were not ordinary interests that spring up in a body politic, but they were vital interests, essential to the very existence of the States themselves. Amongst these was the institution of domestic servitude. It is well known that the constitution could not have been adopted unless this interest were left exclusively under the control of the States interested, and unless it had been understood that the Federal Government was entirely excluded from all interference with it after the year 1808. And if the States now have not the right and the power to protect it in any way that their judgements may dictate, then there has been a perversion of power and they have been defrauded. If power has been exercised over them so that in their judgements, the peace and final existence of their society may become endangered—they have a right, under the *police power* if nothing else, to protect and defend themselves in any way that they may deem necessary.

If the power of the non-slaveholding States be concentrated through the Federal head so as to act upon, and absorb the slave-holding States, or to circumscribe their increasing power *on account of their institutions*, then if there be no check through the action of the States concerned, it must end in political despotism. If the people of Massachusetts, and New York, and Pennsylvania and Ohio, be brought to act together by their prejudices, or feelings, or public opinion, so that they move as one mass, and get control of the Federal Goverment, and bring it to bear, in all its moral and political power, upon the local institutions of the Southern States, then as far as these are concerned, they are governed by a people as alien to them as if they were entire foreigners. What consolation is it to a South Carolinian to tell him that he is governed by the freemen of Ohio who understand liberty much better than he does, and who deem it a duty they owe to God that the country shall be finally purged of the sin of slavery? What may be very well suited to Ohio, may not suit South Carolina at all. The whole organization and structure of our Society are different. They are almost two distinct orders of civilization; the one resting upon the individual equality of men of all colors, and the other resting upon domestic servitude in the black race. This distinction pervades all society, entering into the social, moral and political relations of every man in the two sections. They teach their children in their schools and at their fire-sides to contemn and hate us and our institutions. The same is taught from the pulpit and around the sacrament table, as well as in their politics. Who is to judge between us? The Federal Government? If this Northern majority control it absolutely, and finally bring it to bear upon these points, then it is but the judgment of Ohio in another form brought to act upon the interests and institutions of South Carolina. If this be the habitual working of the system, then indeed are we a doomed race. The truth is there are sections and States in this confederacy having totally different local interests, and the seperate independence and equality of the States is essential to guard and protect those interests in our system. State equality is an essential principal of liberty. We may have general interests in our external relations and foreign intercourse united, but when the General Government acts upon the organized local institutions of the country, then it necessarily becomes a despotism—an engine turned upon the interior liberty of sections, instead of maintaining our exterior independence. True liberty consists in a system of fixed and ascertained law, suited to the interests of the community, and regulated and controlled by those upon whom the law operates. What may be very good local law to South Carolina may be totally unsuited to Ohio. To take our institutions and transplant them there would be as vain as to plant the orange tree upon the frozen Mountains of Vermont and expect it to bloom and to bear. And so in like manner, to transplant the social and political institutions of Ohio in South Carolina, would be as vain as to expect us to live on whale-blubber upon which the Esquamaux fattens.

No! the Federal compact between the States was made with a view to guard and protect these different local interests & institutions, by reserving to the States exclusive jurisdiction over their peculiar and separate interests. Without this the Government could never have been formed, and without this, it should never be preserved. Mr. Chairman! the separate sovereignty and Independence of those States is the fundamental law of American liberty.

In the declaration of Independence it is expressly laid down that these "*colonies*" (not these people) "*are, and of right ought to be, free and independent States.*" In the old articles of confederation, the very 2d article, expressly declares that, "each *State retains its sovereignty, freedom and independence.*"

In the present constitution it is laid down that "the powers not delegated to the United States by the constitution, nor prohibited by it to the States, are *reserved to the States* respectively or to the people." This compact did not make an amalgamated people—it only united States together for certain specified objects. The mode and manner in which it was adopted proves this. It was acceded to by the States separately in their State Conventions, and until each State adopted it for itself it had no binding effect upon such State. North Carolina and Rhode Island actually refused to adopt it for sometime, and they could have remained out of it to this day if they had thought proper. The debate in this State took place in the Legislature upon the proposition to call a convention to ratify the constitution, and the call of the convention was carried by only one vote. Ninty six district, of which this district was a portion, voted against it except one vote, and the great majority in the middle & upper districts were against its adoption. It was carried by Charleston and the low-country. The convention, sitting in the capacity of a sovereign State, imposed the obligations of the federal compact upon us as citizens, and the same sovereign power can be again called into action to release us from those obligations. As the State acceded to the compact so, it can secede in like manner. Without this right and power the reserved sovereignty and independence of the States is all rabid declamation and swelling assumption.

The right and the power of the separate States to check, in an extreme case and as the last resort, by secession, is essential to preserve their independence. If this were known and acknowledged as a dormant power belonging to our system, there would be no cause for dissolution, for the Government would abstain from usurping power over local and vital interests, and the States themselves would feel easy as they had the ultimate power to protect themselves, and would not become excited on any temporary usurpation or exercise of obnoxious power. But without this, there must ever be in the public mind a restless uneasiness and impatience, for fear that the ultimate liberty of the parts cannot be preserved. And the Government which was created as a mere agent to execute the compact between the States, will in the course of time, make its own interests the measure of its power, and substitute that power as the law for the States that created it, instead of the compact itself. This compact is not a compact with the Federal Goverment, but it is a compact between co-States of the confederacy. And when a State, in its sovereign capacity, makes an issue upon the organic law by which it is connected with the other States, it is an issue not with the Federal Government, but an issue with the co-States. And if the Government interferes to decide the issue then tendered, it is usurpation—and if it tenders force to put down the State, thus making the issue upon the original powers of the compact, it is despotism, and we are cowards and slaves if we do not meet it like brave men, although the land should be drenched in blood or wrapt in flames.

But Mr. WEBSTER says, that the Government after it was created has original and inherent powers of its own, which it is bound to execute and protect. Original and inherent powers! He has never condescended to point out what these are, but was obliged to take that ground, after first denying that the constitution was a compact, and when his Boston Review was forced to give that point up, he fell back upon the doctrine of original and inherent* powers in the Government after its creation.

This is a great question fellow citizens; and bear with me while I examine it freely, for we are at the commencement of a mighty struggle. The issue whether we are under the Government of Independent States or under the Government of an absolute majority feeling for themselves only, is to be decided, and if it is to be decided by force we must not only be right, but we must understand the grounds upon which we move.

I have said that the States acceded to the compact as separate States, and to deny this is to deny history. But I go further and say that it was not only made by the States as States, but that they only can unmake it—and I say that the Federal Government at this day is but the creature of the States. How is the instrument to be amended or altered? Is it by the people of the Union? No! Article 5th, declares that amendments may be proposed and if ratified or adopted by "the *Legislatures of three-fourths of the* SEVERAL STATES, or by CONVENTIONS in *three fourths thereof*," shall become part of the constitution. It is the States that made the constitution and it is the States alone that can alter it. Three-fourths of the States can make a new constitution and a new Government under it. Suppose three-fourths of the States, by amendment to the constitution, declare there shall be no Navy and no Army, or that there shall be no President and nothing but a Congress of States. Can they not do so? and where then is the power of this Government? where are the original and inherent powers that belong to it, independent of the States? To talk about the Government having substantive powers independent of the States is nothing but naked assertion. Suppose a simple majority of the states should refuse to elect or send Senators to Congress where would your Government of inherent powers be? I admit, as long as we are in the Union, it is a constitutional duty in the States to elect Senators; but suppose they should think it a duty not to elect—where is the power to compel them? If under force they are compelled to send Senators, it is not of their free election, and itself changes the Government. There can be no law made without a Senate, and I only use this to shew how completely the Government is in the power of the States. In fact it is a Government of States, and of no simple majority of people. Wherever reposes the power in any community to make or amend the organic law by which the community is kept together, there resides sovereignty. If the written constitution be the supreme law of the land, the power that can make it or alter it is the supreme and sovereign power of the land. I have shewn that the States alone made the constitution and that they alone can alter or amend it, even so as to alter the whole Government itself, and if that be not sovereign power, then I am at a loss to conceive what can be. The truth is, the Federal Government has no sovereignty.

It is an agent limited by the specific grants of power made by the States. The only thing that even appears to contradict this idea is the power given to punish treason. Treason is an offence against Sovereignty. But this power itself is limited by the States who granted it; for they refused to give the power to define treason, and have themselves defined it in the very grant to punish it, and declared in what only it shall consist, and have even laid down how it shall be proved. It shews they intended to grant no sovereignty, for they limit and define exactly the power of the Government—even in treason. And the treason they define, is treason against the conjoined sovereignty of the States, not against the Government. For it is "levying war" against the "United States" that constitutes treason and nothing else does. As long as the States are united, there can be no treason, but when they are no longer united and sovereign power has absolved them, there can be no treason, for it cannot exist against the Government. All this shews that the government has no substantive powers: And that the compact is a compact with co-States, and on a question involving the original powers of the compact itself, if a State make an issue, it is not with the Federal Government but with the co-States. And there is no power granted in the compact to the Government to enforce obedience, but the States themselves must sit in judgment on the issues made, and three-fourths of the States can affirm the power denied; for they alone can add to or amend the constitution or affirm what it is, to bind a sovereign member of the confederacy. Any power short of this is usurpation and changes the whole genius and theory of our system. The whole system rests upon friendly discussion, upon a compromise—fair argument and truth, and a full hearing and final decision by independent and sovereign States with all their moral and political weight. In this point of view, the States are the *Peers* of each other. And if three-fourths decide against a sovereign State, then may arise the question of *final* secession—and if three-fouths, not only affirm the power, but grant force to the use of the government to carry out that affirmation, secession can then be adopted finally at the risk of the State. But if compulsion or force be used before this, it is lawless and the Government assumes a power not granted and must end in despotism.

The States of the confederacy in many points of view are the *estates* of *the Realm.* And on all vital questions involving the organic law by which they are united, their power must be recognized or there can be no real independence. There can be no political liberty unless these *estates* are fully and fairly consulted. Without this we have made no advance over Europe in civil liberty itself, to suit the issues of modern society. If oppression be intolerable, the lowest serf of Russia can appeal to arms and to revolution, and so can the Turk—but this is no system of liberty. The European draws the sword and appeals to revolution to vindicate his liberties, but we appeal to sovereign States with organized governments who shall give such authoritative declarations of the fundamental law as shall guard and protect our liberties, without an appeal to arms in the first instance.

They made the constitution and can alter it, and they *alone*, in a *great emergency*, can reform and regenerate the action of the Federal Government. This makes us a confederacy, as contra-distinguished from a simple democracy, where the sense of States has to be taken on sectional questions affecting the liberty of the parts. Without this, we have a central unchecked Government under the control of a majority antagonist to us, instead of a confederated republic where the power of the head is not inconsistent with the liberty of the parts. This is the original conception of our system, and a part of its very existence.

But many oppose that the constitution itself has created a common arbiter in the Supreme Court of the United States—instead of the tribunal of the States. This is a great misconception. In the clause conferring jurisdiction upon the Court, the wonderful wisdom of the instrument is illustrated as well as in every other clause. The words are, "the judicial power shall extend to all cases *in Law and Equity*, arising under this the constitution, the laws of the land and treaties &c." An amendment to the constitution, made at the instance of Georgia, also prohibits a State being sued. Those who drew this clause were lawyers and well understood the legal language they used. "Cases in Law and Equity," are such as can be made up by pleadings where the rights of *meum and tuum* are involved, where individuals can appear—where mere rights of property can be decided. But where a State makes an issue in her sovereign capacity on the compact itself—it is a high political question, beyond the pleadings to be made up by individuals. When a State secedes or chooses to release her citizens from the obligations of the federal constitution, her citizens can no longer be reached by federal power in any form.

* The State cannot be sued, for it is expressly prohibited, and when she makes an issue, it is political and not "in Law or Equity." The very nature of the issue is the reverse of any thing in "Law and Equity." There is no forced construction that can give jurisdiction. To do so, would pervert the whole genius of the Court and make it more than a 'Star' Chamber Court ever was. True, political opinions of individuals and even of corporations were brought under the jurisdiction of the old 'Star' Chamber Court, but sovereign States were never brought there. No! there is no umpire. The sovereign States themselves are the judges in the last resort, and from the nature of things there can be no other judges compatible with sovereignty. The power to interfere and check in extreme & vital cases, involving the liberty of the state, is inherent in the nature of the compact itself. Without this we have made no advance in the system of regulated liberty. It is the great distinctive feature of American freedom.—It is the great fundamental law of the American compact, without which we are under a consolidated despotism, one, from which we will have to march sword in hand and through the perils of revolution. Under the recognition of this great fundamental right belonging to the States, there can be peace and no revolution. A fair adjustment and new understanding of the compact may yet give life to the confederacy. But without it our doom is fixed—the hand writing is upon the wall, and we have no alternative, but an appeal to arms and the God of battles.

But the right of a State to secede or interpose was not questioned by the republican party of old. The Virginia and Kentucky resolutions of 1798, drawn by Jefferson and Madison, expressly laid down the doctrine boldly and ably, and it was universally recognized by the republican party from that day until now. Virginia did actually interpose and declare the alien and sedition laws of no force, null and void within her territories—and empowered the Legislature to carry it out. The Government was checked and controlled, and a civil revolution was brought about. If those who enacted these laws had held power and perserved in enforcing them, the Union would then have been dissolved. But State interposition made the issue palpable and they were overthrown.

The right to withdraw or secede is not left to inference, although clear from the very nature of the compact and of sovereignty in the States. But New York, in the conditions upon which she ratified, expressly declared that the 'powers of Government may be reassumed by the people whensoever it shall become necessary for their happiness.' Virginia did the same except using the words, "whensoever the same shall be perverted to their injury or oppression." Rhode Island did the same. Those were the conditions these States expressly annexed, and if it was a right they expressly reserved, if it avails any thing, it accrues equally to all; for it was ratified by equals and no one could retain a power which each and all did not have alike. But it does not require that the right should be secured *in totidem verbis.* It belongs to the existence and independence of a State and cannot be limited or circumscribed by any parchment on earth.

But it is said this would make the Union a rope of sand. So it was said in old time that trial by jury would be a serious clog to an efficient government. To assert that it was necessary to obtain the verdict of twelve men, before you could convict a State criminal, would embarrass Government and ministers of state could not get along with powers. All free Governments are full of checks. It is the checks that make liberty. Despotism has no checks. So far from the interposition of States on vital local interests making the Union too weak, it is the only thing that can save the Union. Without this, in so extensive a country with such variety of interests, its dissolution is as inevitable as destiny. Heretofore the difference in our social and domestic institutions and our almost distinct orders of civilization, have not been so deeply felt, because we have had a sparse population. But as population increases and becomes pressed down into its different classifications, and grows dense—then these differences will be deeply felt and the conflict will grow more deadly. Nothing can save us but the recognized power of the States. What has aided in keeping this Union together heretofore has been the fear of European interference if we should separate. Fragments of the confederacy might be subsidized or conquered by European powers with monarchical institutions and thus monarchy might be reinstated here. This was the great fear in the early days of our Republic. But the last few years have dispelled all such fears. It is now apparent that European monarchies can scarcely maintain themselves at home. The convulsions of the last few years came near overthrowing their own Governments, and the day is now past when there is any danger from European interference in American Governments. WASHINGTON'S farewell address, which has been so often quoted by demagogues, was drawn in reference to the state of the world at that time. We were then, comparatively speaking, but a handful of people. We had but recently come out of a bloody struggle with Great Britain. There was deep prejudice to our institutions in Europe. And the great dread with us was, that we might be re-conquered or portions might become subsidised. United we could defend ourselves and divided we would be ruined. To keep us together so as to defend ourselves from Europe, was the great object of WASHINGTON'S address. It was suited to the day in which it was delivered. We have now passed from a weak to a powerful people. The address was to rally us against Foreign power, but never contemplated one powerful section of the Republic combining so as to insult and degrade nearly one half of the States of the Republic. It is totally inapplicable to the present state of the world and to our country. We are now alive to other dangers than disunion, and the dormant powers of the States may be called out to their fullest developement according to the genius of our system, without at all runing into the dangers that WASHINGTON dreaded from European interference. We are now strong enough to develope the true nature of our Government fully, and as it might have been too weak at first to encounter the power of Europe, true patriotism then required a cordial Union to support it. But, if in its progress, it becomes too powerful at the centre for the independence of the parts, then true patriotism would require a checking power, and that the States should be raised up to assert their original rights and independence, so as to force back the Government itself into a channel compatible with regulated and enlightened liberty. It is vile demagogueism to quote the great WASHINGTON'S farewell address as applicable to the present state of the country; those who expect to save the Union by simply doing that, without reforming the Government first, hug to themselves a fatal delusion.

Fellow citizens! we now come to investigate our present position as a State, and to state fairly what may be our particular duty in the present emergency.

I was opposed to the call of the Convention under existing circumstances, and particularly opposed to the meeting of the convention being so long after the election. I thought it would give a pretext for divisions amongst our own people. I thought it dangerous to repose the sovereign power of the State, even extending to life and property in its results, in so small a body of men as constitute that Convention, for so long a time in advance. The great strength of a convention consists in coming fresh from the people, and the people themselves deciding all great questions in advance. I thought there was danger of confusion and feared final imbecility. I therefore would have preferred the election of the Convention to take place in October next, instead of February last. But now that we are in Convention—I am for going through. I am against standing still or taking any step backwards. True, the issues may somewhat change by next Spring when the Convention meets. New questions may arise that may vary the prospect of affairs. Allow me to say, with deference to others, that the great danger now is, not rashness, but division and imbecility. The danger is that we will sink under the pressure brought to bear on us. I fear, that if we pass this crisis without doing something, the country will sink. The spirit of our people will die away. If we permit this accumulation of all power in the Federal hands under the dictation of Northern fanaticism, Northern prejudice and Northern interests, we will be worn out and prostrated, and finally quail before despotism.

Our young men will sink—They will begin to worship Northern power, and become indifferent to their own country. They will bow down before a magnificent Government where liberty will be absorbed in the extended rays of patronage——

"They will crook the pregnant hinges of the knee
Where thrift may follow fawning."

Our very women will contemn and despise us as a degenerate race, and they will look to others for protection. The first evidence of the corruption and decay of a people, is that the women begin to idolise foreigners. If the men become cowardly and luxurious, the women begin to look to others for that manliness which they so much admire. Such was the case in Mexico and such will be the case in every country where the men want spirit to defend their rights. I know that the great chartered rights and independence of my State are in danger—I feel that we are a degraded people if we do not rise. I desire co-operation with our sister States of the South—I will wait to the very last while there is hope—I will yield every emotion of pride and every thing, but a sacrifice of principle, to procure co-operation.—But it may *become our sacred duty to act alone and if so, we must walk the plank alone* like men, although that plank may lead over a gulf of frightful dangers. If it be a right to secede—it is a perfect right, and belongs as much to one State as to all. It is a right incident to sovereignty. And the denial of that right by the constituted authorities would make it an imperious duty to exercise it. If this be the issue, the sooner we test the question of the unlimited powers of the Federal Government, the better. But the gentleman (Capt. BROOKS) has quoted from a speech of mine delivered in Spartanburg last August, urging co-operation and joint action with the South. I do so now. But he must recollect, that speech was delivered under totally different circumstances from the present. It was delivered before the second meeting of the Nashville Convention when we were actually in consultation with our Southern brethren. It was delivered before the election and meeting of the Georgia State Convention—before the meeting of the Virginia Legislature, before the extra session of the Mississippi Legislature—and before our own Legislature had met or done any thing. I feared that we might become isolated at that time. But all these things have taken place and we exhausted every thing in trying to produce co-operation—and we are now free to take our own course, exercising our best judgment for the wellfare of all.

The gentleman will see, in that very speech I ask if others should give way and we should fail in co-operation—what then will South Carolina do? I said then "she dare not submit finally." Let others do as they will, she was bound, (not by any commital, for a State is not committed to herself—and only committed when acting with others,) to go through. I used this language—"what others may do we cannot say, but I trust I may be excused for saying, *we* cannot—we dare not submit finally, If we do, the mighty spirits that sleep under the plains of the Cowpens and Eutaws would turn in their graves with scorn and indignation for their degenerate sons." The very speech from which the gentleman quoted contains this language.

I was for concert and co-operation, but I never dreamed that we were to fold our arms and wait forever. I was for waiting and doing all that reasonable men could do to produce concert and unanimity in the States, but I never conceived the idea, that in no emergency, should we be forced to act alone.

In the first Nashville Convention, I took the ground that decided and concerted action of the leading Southern States would preserve our rights and the Union too. The States, if they had then united firmly and temperately, could have made an authoritative declaration of their rights under the Constitution, and it would have been equivalent to a bill of Rights in all time to come. If Virginia had taken the lead in this matter, our rights would have been preserved and the Union too. I said then, that without this, the States would be driven to separate action, and this would bring on a convulsion and in all human probability disunion. I saw it then and I see it now. Virginia and Georgia permitted the occasion to pass, by which they might have saved the Constitution and avoided a convulsion. Those two States acting together then, could have controlled the South and dictated terms. They have passed it by and we now must make our own issues and save our own liberties. We were the first State to put forth a written Constitution and form a government independent of Great Britain, even before the joint declaration of Independence, and we also as a State won a glorious victory before that declaration. And, if we are true to ourselves, we can stand alone again. I do not stop to ask the question, whether, we will have rendition of fugitive slaves secured perfectly, or whether it will affect the value of that species of property and its profits, if we move alone. I scorn and despise this small view of a great question. It is a question of chartered rights—of Constitutional liberty and rises far above these small views.

If they have a right to say that you shall not go beyond a certain line with your slaves, they have a right to say you shall not go with any other species of property. If they had declared in so many words that the people of Mississippi, of Alabama, of Georgia and of South Carolina, shall not go above a certain line into any of the public Territories of the Union—if they had named these States the insult and degradation would have been so palpable, that an army of Southern soldiers would have taken the field at once to avenge the wrong And yet they have done precisely the same thing in effect. If they have a right to exclude you with your slaves, they have the right to exclude you as citizens of the States named. As far as constitutional power is concerned in government, the ingenuity of man cannot show why they should have the power in one instance and not in the other.

If they can put the citizens, holding slaves in certain states, under the ban of the confederacy they can put the States themselves by name and the citizens as citizens. The Constitution declares that "the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States." And yet the government openly asserts that that the citizens of near half the States of this Union, shall not be allowed to go above a certain line with the privileges of their property, but shall disposses themselves of the most valuable part of that property before they can claim equality, in privileges, with the citizens of Ohio or Massachusetts. They make a Compromise line of 36° 30' when it suits them to seize half the territory of Louisiana, and then, instead of carrying out that line in good faith, as it was intended, in spirit and substance to the Pacific, when it suits them to seize territory below it, they do so without remorse and without shame.

Where is their Compromise? Where is their plighted faith? Are we to be circumscribed at their pleasure? Are we to be encircled in great penitentiary walls by our masters and our keepers?

Merciful God! are we born slaves or are we born freemen? Are the descendants of Cavaliers to let the swords of their forefathers hang around them, in their halls, to rust forever? Do they dread to draw them, because forsooth a nation of Yankee shoe-makers may let drive at them with their awls, or a nation of weavers may threaten to raise their shuttles and spindles?

Mr. Chairman! the final result of all these measures is to abolish slavery in the States, or to render it valueless, and thus to force those who own them to abandon the country or perish in its ruins. To establish the truth of this—bear with me while I go back and trace the history of events particularly for the last twenty-five years. Look first at its rise and progress in England. When Wilberforce first proclaimed his doctrines of emancipation for the British West India Islands, he had few or no followers, and I believe he was mobbed in the streets of Liverpool, or at least treated with great indignity. The productions of those Islands and slave labour were then of great importance to England, and the movement was looked upon as a direct blow at her prosperity and commercial wealth. The proposition for emancipation was scouted, and received but slender support in the British Parliament for years. And yet Wilberforce lived to see the day when he bore down the common sense and talent of England by mad fanaticism and wild philanthropy. The deed was consummated against the judgment of the thinking classes. And the Prime Minister of England, in the same speech, by which he carried the Emancipation Bill, congratulated the country that he would thereby finally be enabled to withdraw troops from these West India stations and station them in Ireland!! Emancipate the black man of the West Indies and station British bayonets to keep in slavery the white man of Ireland! What a comment upon British Philanthropy! And what has been the result? Ireland under the British bayonet—in chains and perishing with starvation.—The West Indies free, yet poor—miserable—wretched, in degradation and ruin. And this is what the world called humanity!

The movements for emancipation in France and England were then transferred to the United States. And as short time ago, as 1834 and '35, when I first entered Congress, it was talked of as belonging to a few obscure fanatics who were considered madmen and utterly unworthy of all kind of notice. They were merely laughed at. In 1836 they began to send in petitions quite frequently to abolish slavery in the District of Columbia, &c. Gen. Hammond and myself, although very young members, at that time, made the question of reception on those petitions. It produced great excitement, and it was thought even by Southern members that we were ultra and extravagant in our views. I recollect well, in a speech I then delivered, denying the Constitutional right of the Government to abolish slavery in the District of Columbia without the consent of Virginia and Maryland. I said that there was danger from this party of abolitionism, and that the day would come when they would hold the balance of power, and overrun both parties at the North and endanger the existence of this Union. I was pronounced a madman and it was gravely put forth in a New York paper that I ought to be expelled the House of Representatives for such sentiments. A large majority even of Southern

*See the Review of the great debate between WEBSTER and CALHOUN, in the North American Review.