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ART. I.—SOUTH-CAROLINA: HER PRESENT ATTITUDE AND FUTURE ACTION.

Proceedings of the meeting of Delegates from the Southern Rights Associations of South-Carolina ; held at Charleston, May, 1851.

THE most appropriate introduction to the remarks we propose to offer in regard to the present attitude of South-Carolina, and her future action, will be found in the noble exordium of General Hammond's late oration on the life and character of Mr. Calhoun. We shall quote this exordium, satisfied that it cannot too frequently invite the attention of our readers :

“ Faith is an instinct of the human heart. Its strongest, its purest and its noblest instinct—the parent of love and of hope. In all ages and every where, mankind have acknowledged, adored and put their trust in the great Creator and Ruler of the Universe. And, descending from the invisible and infinite, to the visible and finite, they have entertained the same sentiments, differing only in degree, for those of their own species, who have received from heaven an extraordinary endowment of intellect and virtue. The ancient heathen deified them. By the early Christians they were enrolled among the saints. It is a shallow and a base philosophy which can see superstition only, in such customs, and fails to recognize the workings of a profound veneration for the attributes of God, as manifested through his favourite creations. A better knowledge of the bounds which separate the natural from the supernatural, has taught us in our day to limit our homage, but still it is a

deep and pure wisdom which counsels us to submit ourselves, in no grudging spirit, to the guidance of those great minds, that have been appointed to shed light and truth upon the world.

“To the honour and praise of South-Carolina it may be said, that she has always recognized her prophets, and believed their inspiration. She has aided and sustained them in the performance of their missions, with a warm and steady confidence, and she has been faithful to their memory. Her loyal reverence for real greatness has ever been a deep,—I might say, a religious sentiment,—untinged with superstition, but as profound as it is magnanimous and just.”

These passages speak for themselves. We shall not stop to criticise them. To praise them would be superfluous. South-Carolina still “recognizes her prophets, believes in their inspiration, and aids and sustains them in the performance of their missions.” Let her continue thus to honour merit, and reward service, and she will never be left without a prophet. The country of Rutledge and Pinckney, of Lowndes and Calhoun, of Hayne, McDuffie, Turnbull and Harper, still boasts her Cheves, her Barnwell, her Preston, her Rhett, and her Hammond, and, when these have fulfilled their appointed mission, others will not be wanting to supply their place. *Uno avulso, non deficit alter.* What other State has so long had cause to rejoice in the glory of her sons? Alas for Virginia! We look back twenty years, and we say, “there were giants in those days.” In her convention of 1829, we see Madison, Monroe, Marshall, Randolph, Upshur, Leigh, Johnson, Stanard, Doddridge! They are gone. Of all that Titan generation, Tazewell alone remains—*neglected and forgotten.* Not even enough of the old leaven remains to do honour to the memory of the mighty dead. “They belonged to a past age. Great though they were in their day and generation, they had not the benefit of the lights that have since dawned upon the world. Locke, Sydney and Montesquieu, were the best instructors they had. Let them give place to Ledru Rollin, Lamartine, O’Connell and Abby Folsom.” And so the wren now chatters from the eagle’s perch. The obscure hyæna defiles the lion’s lair. The monarch’s roar no longer shakes the forest, and the black night of moral and intellectual darkness is only disturbed by the sharp petulant yelp of the fox and the wolf’s long howl. “From out the palace of the Cæsars comes the owl’s wild cry.” In that very hall

where all these glorious names were met, what do we now see? One who boldly asserts, defying contradiction, and, contradicted, asserts it again, that John Locke was the contemporary of Charles I, and the apologist of his usurpations. Another, (a States Right man, par excellence,) who would wrest the sword from the hand of the State Executive, lest, by possibility, it might be used to restrain federal aggression. And these are the great ones of their respective parties—the champions in the arena, who, while they differ about all things else, concur to disgrace Virginia by their incompetency, and to dishonour, degrade and destroy her by their measures. How true, that “among the blind, a one-eyed man is a king.” Has Virginia then “lost the breed of noble bloods?” We would hope not. But she does not “recognize her prophets.” Has she not thrown away—cast out to seek their fortunes in other lands—more great men than any other State but South-Carolina can boast? Crawford and Clay, and Crittenden, Barry and Preston, Harrison and Scott, and Bibb and Bates—are not all these her sons? Did she not ostracise Randolph, the bold and valiant champion of her rights? Did she not dishonour Leigh, because he would not dishonour himself and her? Did she ever employ the giant intellect and spotless integrity of Johnson? She knew the virtue, the wisdom, the eloquence of Upshur. From an obscure corner of the State, he stepped forth into the arena, and made himself at once the admiration and wonder of all. Did she avail herself of this discovery of a pearl of great price? Did she not leave him to be drawn from the obscurity into which she suffered him to subside, by federal patronage, again to fill the world with amazement, that such a man should have so long lived unknown? Was it to her favour, or to her just appreciation of his greatness, that even Marshall owed the opportunity of securing to himself the unrivalled honour everywhere paid to his pure and illustrious name? Truly she has her reward. Her house is left unto her desolate. Her glory is departed. Her name has become a hissing and a by-word. Her arms are reversed.* The tyrant now tramples on liberty. Her banner trails in the dust. Her fangless rattlesnake† is trodden under the foot of federal usurpation. Her most sacred and fundamental

* The device is a figure of Liberty trampling on Tyranny.

† The cognizance of Virginia is a Rattlesnake.

institution, the only basis on which the temple of freedom can stand firm and enduring, is uprooted by fanatic abolition. She has renounced all her rights. Her cherished sovereignty is abolished by her own act. *SHE HAS BEEN.* And great and glorious she *was*. What is she now? Nothing. A political nonentity. A subject province, oppressed, insulted, outraged; not ashamed to complain of wrong: not daring to resent it: chewing her leech, but swearing horribly.

Whence came this? The answer to this question is foreign to our present topic: but we will give it in a few words, and let those who read ponder it for themselves. *She has given five Presidents to the United States.* Joy to South-Carolina, that she has never given one. He who administers power, can never be jealous of that power. He who feeds from the public treasury cannot be expected to care much by what means it is filled. We have been assured that the number of educated young men in Virginia, who grow up, looking to politics as a trade and to federal patronage for a livelihood, is tenfold greater than it was before Mr. Jefferson was President. What wonder, then, that jealousy of federal power fell into disrepute, when that power was wielded for more than thirty years, by the hands of her own most trusted sons; and the redundance of federal patronage was profusely poured into her own bosom. What wonder, that, while she consecrated the stepping-stone (the Resolutions of '98) from which her Presidents rose to power, she frowned on all who dared to assert the principles of those resolutions against their authors? Alas for Virginia! And yet she takes upon herself to counsel us. We, who stand in the breach in her defence: in defence of principles, to the support of which "her life, and fortune and sacred honour" stand pledged; which, but twelve months ago, she declared she would maintain "at all hazards and to the last extremity," and which she has already basely deserted and surrendered. Is it not as if Judas had followed his betrayed master to the judgment-seat of Pilate, urging him to renounce his mission and live—to take his thirty pieces of silver and deny his father. "Get thee behind me, Satan: thou art an offence to me; for thou savourest not the things that be of God, but those that be of men." Enough of her! Honour to her old renown! Shame to her degeneracy. Once characterized by all that is noble,

disinterested and magnanimous ; what has made her what she is ?

“ Clime of the unforgotten brave,
Whose land, from shore to mountain cave,
Was freedom’s home and glory’s grave :
Shrine of the mighty ! Can it be
That this is all remains of thee.”

And South-Carolina ! Shall she, too, make her bed in dishonour ! Shall she, too, “ say to corruption ‘ thou art my father,’ and to infamy ‘ thou art my mother and my sister ! ” Let her, then, follow in the footsteps of Virginia ; now advancing, now retreating ; uttering high-sounding words of vanity, and straightway eating them ; threatening and crouching ; showing her teeth and afraid to bite ; until, for her, too,

“ Self-abasement paves the way,
To villain bonds and despot sway.”

God forbid ! Be it still our boast, that the Palmetto stands though the Oak falls.* For the prostrate monarch of the forest let us take up the poet’s lament :

“ Thou, who unmoved, hast heard the tempest chide,
Full many a winter, round thy craggy bed,
And, like an earth-born giant, hast outspread
Thy hundred arms, and heaven’s own bolts defied,
Now liest along thy native mountain side
U’ptorn.”

What shall South-Carolina do, deserted as she is, “ in the imminent deadly breach,” by those who cheered her advance ? Shall she still go on ? Shall she fall back ? Or, shall she stand fast ?

1. Shall she advance ? Shall she go on to accomplish the wish that burns in the hearts of all her people, and throw off, at once, by secession, the yoke which galls her ? This is a question of COMPETENCY, of RIGHT, and of EXPEDIENCY.

Of the COMPETENCY of a State to secede from the Union, we believe that no doubt was ever expressed, until it was first denied in General Jackson’s famous and fatal proclamation of December, 1832. We are well assured that he himself was not aware of the force of the words put

* The device of South-Carolina is a Palmetto standing by a fallen Oak.

for him by an artful and treacherous Secretary. It will be remembered that he afterwards publicly disavowed them; and we do not now believe that any well informed man has ever yet, *in truth*, entertained a doubt of the *competency* of any State to resume the powers granted by herself in adopting the constitution. While the history of that instrument was fresh in the minds of all, it had not entered into the imagination of any man that it was possible to doubt it. At this moment, no intelligent man can examine the contemporary documents, without being convinced that, while these were present to the memory and understandings of all, such doubt was impossible. In that day, no man had forgotten that Virginia, in her very act of ratification, had expressly declared the right of her people to resume the powers granted by the constitution. At this day, Virginia herself affects to have forgotten this. Perhaps it may be more candid to admit, that the shallow and ignorant rabble, who have intruded themselves into her legislature and convention, never knew it. A few years ago, we should have deemed it superfluous to offer an argument on the subject. At this day it may be necessary

The inhabitants of the United States constitute as many distinct people as there are States, or they constitute one people. The fundamental principle of our revolution, vindicated by the event, recognized in the treaty of peace, and consecrated by the public act of each State, is, that "whenever any government shall be found inadequate, or contrary to the greatest degree of happiness and safety, a *majority* of the community hath the *inalienable*, indubitable and *indefeasible* right to reform, alter or abolish it in such manner as shall be judged most conducive to the public weal."

We quote here from the Bill of Rights of Virginia; and we choose to do so, because we desire to bring our argument to bear, in all its force, on a State which has made herself not more conspicuous for the soundness of her principles than for her base desertion of them: not more for her boldness in proclaiming them, than for her desertion of those who rally to their support.

The maxim just quoted has never been disputed. It lies at the foundation of all our institutions, and there is not a State which has not recognized it and acted on it. But, if it be true, and if the constitution of the United

States has made one people of all the inhabitants of those States, then is that people a "community," of which this maxim may be predicated, and all the checks and limitations on federal power, with which that instrument abounds, are nugatory. Why were they introduced? Because it was seen that it would never do to put *all* the rights and interests of one part of this vast continent in the power of a numerical majority in another part, which might be united, as one man, to advance an opposing interest. Had they who maintained the oneness of the States believed themselves, they would long ago have resorted to this good old maxim, the *ultima ratio*, and most sacred monument of freedom, to turn it upon her, and seize upon all the power which, for more than half a century, they have been contriving, by trick and chicane, and all sorts of forced and false constructions of the constitution, to filch from the States, and to ascribe to that government, which is *their* government, *because* they are the *majority*. Being a *majority*, why did they not change the constitution at once? Why perjure themselves by continuing to swear to support it, while bent on its violation, when they had the power, and the *right*, to dispense with the oath, and with the constitution itself? On this hypothesis, the power of the free States has, from the first, been absolute over this very subject of slavery, which now fills the land with agitation and alarm. Under the constitution, our slaves are represented to the extent of three-fifths. But, in an extra-constitutional revolutionary movement, such as is contemplated by the Virginia Bill of Rights, they would not be considered at all. They form no part of that "community," to a majority of which our maxim ascribes the indubitable, inalienable and indefeasible right to change the constitution; and there has been no day, for the last thirty years, when that majority was not ready to abolish slavery absolutely, could they have devised the means of accomplishing that object. To have assembled in convention for that purpose would have been to throw off the mask prematurely. The time may be at hand, when, a sufficient number of States having been cajoled, bullied, and bribed to submission, they may march, by that road, directly to their object.

But if it be admitted that, by the adoption of the constitution, all the States were amalgamated into one people, there was nothing to stop them for a moment. Why,

then, did they not at once go on, to accomplish this and other darling projects? They have, at all times, had a majority, who would have given power, under a new constitution, to charter banks, to open roads and canals, to impose tariffs, protective and prohibitory, to levy all the taxes on the South, and expend them on the North. Why has it not been done? And how can we believe the statesmen of the South to have been so blind as to rest secure that these things could not be done, if they were conscious of having done an act, conceding to a fixed local majority, in the North, the power and the right to change the constitution at pleasure? Patrick Henry, in the Virginia convention, laid much stress on this matter, declaring that, in the fullness of time, when the pear should be ripe, a construction would be given to the words, "We, the people of the United States," under which the North would acquire power to set all our slaves free. But what said the advocates of the constitution, in that body? They denied that the words could be made to bear any such construction, and protested against any such disingenuous perversion of their meaning. But Patrick Henry was a prophet. He foresaw this day, and he was perfectly right in saying that, if the words, "We, the people," have the effect attributed to them by politicians of the Webster school, then all limitations on the central power were nugatory. Had the constitution gone on to give, in terms, but a single power, and had it, in terms, prohibited every other, it could have made no difference. The words, so understood, would have amounted to an absolute surrender of all power, by the fixed Southern minority, to the fixed Northern majority. If this were so, the constitution would not be worth the skin of parchment it is written on.

Are we to be told, in answer to all this, that the constitution requires the assent of three-fourths of the States to all changes of that instrument? What of that? Is not this provision itself a part of that constitution of government, which a majority of the community has as much right to change as any other? What if a State were to declare her constitution unchangeable? Would that make it so? We find the answer in the words of our maxim, which declares the right to change to be *inalienable* and *indefeasible*. How, then, can it be barred by any constitutional provision, and how can the question

of change be rightfully decided by any thing but the will of the majority? Let every Southern man rest assured, that, if once we are brought to admit that the whole population of the States constitute one people, twelve months will not pass over before a majority of that people will give us a constitution that will place all our rights at the tender mercy of our enemies, and expose all our property to their rapacity. Are Southern men yet to be told that this thing is already thought of and spoken of at the North? Have they not seen intimations of the sort in Northern papers? We have. It was indeed indiscreet to give us so much insight into their views. But they presume upon our blindness and supineness, upon our cupidity and our cowardice, the anodyne power of Texas scrip and federal patronage, and the benumbing terror of federal power. They may be safe in doing so. We are not sure that Virginia would not go into such a convention, and agree to be bound by its vote. The honour and glory of seats in such a body, and the hope of prætorships, and quæstorships, and vice-royalties in the Southern provinces of the empire, might be as tempting to the demagogues who now direct her councils, as seats in the cabinet and foreign missions. What would South-Carolina do? What could she do *then*, against the concentrated force of a consolidated empire? *What, then, should she do now?* It depends on her answer to this question, whether she shall be put to find an answer to the other.

We content ourselves with this concise view of the matter. It is the only one with which the public has not been made familiar, by the tongues and pens of our Hayne, Calhoun, Cheves, McDuffie and others, who, though dead, yet speak. It would be superfluous and impertinent to repeat their arguments. That which we offer is only presented, because it is less trite, though, to our own minds, perfectly conclusive. The *reductio ad absurdum* refutes the idea that the inhabitants of the United States constitute one entire people, and establishes as incontestably, that they constitute as many distinct people as there are States.

The COMPETENCY of each State to separate herself from the Union, and to place herself, by her own act, (whether justly or unjustly, rightfully or wrongfully,) in all the relations of a foreign State, follows as an inevitable consequence. Her right to be recognized and dealt

with, as such, could not be denied by the United States, or by any nation of the civilized world.

We come, then, to the question of **RIGHT**. Has such been the conduct of the other States of this Union as to justify South-Carolina, in the sight of God and man, in declaring the compact which binds her to them forfeited, by breach of its conditions, and renouncing its obligations? Were it necessary, we might state the question in another way: Has experience shown the constitution of the United States to be conducive to the happiness and safety of the people of South-Carolina, or is it manifest that it must be fatal to both? We will not discuss either of these questions. Our wrongs are not denied by any of the Southern States, and even the perpetrators themselves seek their justification in appeal to a "*higher law*," which cancels all obligations, and absolves from all oaths. As to the effect of this incongruous Union on our prosperity, our happiness, and the safety of our institutions, we believe there is but one opinion among ourselves; and, on *this point*, it is our own judgment that must guide us. On such matters, nations never consult the rest of the world.

Coming, then, to the question of **EXPEDIENCY**, we are prepared at once to answer, without farther argument, that the day that frees South-Carolina from the yoke of this fatal Union will be a day to be ever celebrated in songs of praise and thanksgiving. But when we inquire of the **EXPEDIENCY** of attempting to shake it off, we are met by the terrible question: "Can she do it?"

And has it come to this? Are the chains riveted so strong upon us, that all attempts to break them can but bruise our fettered arms? Shall we, then, take up the speech of Belial, counselling "ignoble ease, and peaceful sloth—not peace?"

"Shall we, then, live thus vile—
Thus trampled—thus expelled to suffer here
Chains and these torments? Better these than worse,
By my advice, since fate inevitable
Subdues us, and omnipotent decree
The victor's will."

Is it, then, true, that to advance is to rush on destruction? For ourselves, we do not think so. But to act, in a great crisis, with divided counsels, is dangerous, and

rarely wise, though it is sometimes the part of wisdom to defy all danger. Many, among ourselves, think this not a case of that sort. They see danger, which, bold and resolute as they are, (and they are among our truest hearts,) they are unwilling to encounter. But for this, and were we all, with one mind, prepared to encounter the worst that might befall, we believe that the danger would dissipate itself in empty menace. We have great faith in the desperation of determined men, and few are bold enough to encounter it. Despair is fatal, but there is *hope in desperation*. But men are not to be *reasoned* up to this, and the fact that such as we speak of, but will not name, have such misgivings, is entitled to great weight, even with those who do not partake their doubts. In this case, we are constrained to admit it to be decisive, at least of the question, whether South-Carolina should proceed, forthwith, to take the important and final step, of dissolving her connection with the other States, and assuming her separate and independent place among the nations of the earth.

II. But shall she then fall back? Shall she, too, declare herself wronged—insulted—outraged—but submissive? Shall she, too, “swear horribly” about what she will do, *if* ——? Shall she fall back quietly into her old and friendly relations with her implacable enemies, and join in the shout of *esto perpetua* to this Mezentian Union? God forbid! If she cannot advance, let her, at least, stand fast in the position she has assumed, proclaiming her rights and her wrongs; her unshaken determination to maintain the one and resist the other; to bide her time; never to “give rest to her eyes, nor slumber to her eyelids,” until the inglorious and galling yoke is shaken off; to husband her resources; to renounce all commercial intercourse with her oppressors; to take no part in the affairs of the Union; to prepare all things for the last and decisive step, and to seize on all means and opportunities for effecting her deliverance.

III. Should such be the purpose, then let her not give one foot of ground; let her take no step backward, but stand fast, just where she is.

But in what attitude shall she stand? Can she forbear, even for a time, to act out her avowed purpose, without giving back? Is there any medium between advance and retreat? This is the question of questions. If there can

be no such middle ground, then is there nothing left to South-Carolina but to choose between the different modes of inevitable destruction. Will she perish now, sword in hand, or preserve a dishonoured existence, for a season, to die by the hangman's hands, or to rest in chains and rot in a dungeon? These are questions to be decided, not by reason, but by impulse and taste. Whether to leap overboard, or perish in the burning ship, is but a choice between fire and water. Few men know how they themselves would choose in such extremity, and none have a right to advise others. One brave man may cling to the last plank, while another, equally bold, leaps into the waves, crying, "Hell is empty, and all the devils are here." When we think of the Siwards, and Hales, and Giddingses, the Clays, and the Websters, and Scotts, the Footes, and Toombses, and Stephenses, we ourselves should feel inclined to follow him—but by no means advising others to follow us.

But, in our judgment, there is a middle course. There are many things which South-Carolina can do, without making any present issue with federal power—acts which shall mark her determination not to submit, and prepare her for resistance when the time for resistance comes.

We beg leave to introduce what we have to say on these topics by a remark which may seem too speculative for the occasion, and the more so, because it is to be found in the writings of all who have ever speculated on the science of government. It is, that free government lacks the energy necessary to great emergencies. When dangers are all around, and every thing is in peril, there is no time to chaffer with individuals, and to work the complex problem of right and expediency. If vessels of gold and silver are wanted for fire-buckets, they must be used, and the soft handed owners must fall into line, and hand them too. What would have been the fate of New-Orleans, if Jackson had waited for formal authority from the owners of cotton-bales, before he built them into his breastwork? What would have been the event of his Florida campaign, if he had not summarily cashiered incompetent officers, put men of action into their place, and shot such as refused obedience to these, because he did not wait for commissions from the seat of government? Yet we cannot help shuddering at such things, nor can we think of them, as precedents, without dismay.

Had he failed, it would have been remembered that he had done things for which he might be shot or hanged. Let the same thing be done *hereafter*, and, whatever failure may follow, it will only be remembered that General Jackson had done the like. In the rout of Bladensburg, and in his flight from Washington, Mr. Madison forgot all his own irrefragable arguments against a bank, and Mr. Clay, as he declared, found an answer to them all, "in the necessities of the war." Had not the imbecility of the British ministry given us peace, Mr. Monroe, as Secretary of War, was ready for a *conscription* of 40,000 men. The prescient sagacity of John Randolph foresaw all this, and he warned us that "we should come out of the war without the constitution." How true the prophecy, let banks and tariffs, internal improvements and abolition, testify.

It will always be a question with a free people, whether they shall submit to wrong, or repel and avenge it at this hazard. But all people, worthy to be free, have ever decided that question in the same way. That hazard, along with all others, must be incurred. But it is the part of wisdom to endeavour to reduce that hazard to the minimum, and no surer indication of a resolute purpose of desperate resistance can be given, than the adoption of measures to mitigate the strain on the constitution which desperate resistance must cause.

The question being asked, "How is the constitution to be saved from this strain?" we give the answer in a few words: "By setting it aside for the occasion, and laying it up for future use."

Is this idea new? It is as old as the early days of the Roman Republic. It was the talisman of Roman invincibility. It was this which gave to the constitution of Rome a longer duration than Providence has allotted to any other free government. Whatever name political philosophy may assign to the constitution of Rome—whatever was recognized as the source of power—thus much we know certainly. In the normal condition of the government, power was so widely distributed, that nothing requiring concentrated action could be legally done but by the consent of many minds. The executive power, limited as it was, was divided between two. But, without a decree of the Senate, they could do nothing out of the ordinary routine of peace and tranquillity, and even such

decree might be arrested and annulled by a Tribunitian veto. In the field, at the head of his army, the power of the consul was absolute enough, as all military power must be. But he did not exercise it in virtue merely of the consular office. A decree of the Senate was necessary to assign him to the command of the army, and, even when there, he was liable to be recalled and censured by the Senate, and to be summoned, by jealous Tribunes, to answer criminally before the people, for the conduct of the war. How could such a constitution stand the shock of a war, threatening the very existence of the State? How could it be that innumerable lawless acts, excused by necessity and vindicated by success, should not be made precedents for similar acts, until nothing but the name of constitutional freedom should remain? The answer is found in a device, which amazes us not more by its grandeur than its simplicity. Those imperious necessities which might be pleaded in excuse for usurpation, were avoided, by a *free grant* of unlimited power. But it was not on the existing and permanent government that this grant was conferred. The regular constitutional rulers had thus no motive to create necessities, with a view to procure an enlargement of their powers. Just the reverse. So far from receiving any accession of power, they were required to surrender all that they already had. It was the office of the consul himself, standing in his place in the Senate, to give it in charge to some Fabius or Camillus, designated, we presume, by notorious enjoyment of public confidence, "to take care that the republic suffer no damage." The consul could not appoint himself, though he was not incapable of receiving the appointment at the hands of another. The power so conferred was absolute and irresponsible.

It is remarkable, that such power was never abused. But it is equally remarkable, that the men selected for this momentous trust were always men distinguished for moderation, and possessing the sober confidence of the public, rather than the noisy popularity which is the meed of the demagogue. But so it is. Men rarely mistake the marks of true greatness, and though, on ordinary occasions, they may bestow their suffrage to gratify a personal partiality, or to advance the views of a friend, yet, in times of extreme peril, they never prefer a Cleon to a Pericles, a prating Chares to a silent Phocion.

But, let it be remembered too, that the power thus conferred, though absolute for the time, was limited in duration, and that its instant determination reduced its depository at once to the rank of a private citizen. He was not, indeed, answerable, even then, to inimical prosecution, for any abuse of this unlimited power; but he was still dependent on public esteem for all his future prospects, and this he was the more sure to lose by misconduct, *because* he was not criminally responsible. Had the law allowed the punishment of a successful dictator, for any crime, however flagrant, the prosecution would, perhaps, excite reaction and sympathy on his behalf. But, being safe from punishment, there could be nothing to break the force of public detestation. Had General Scott been arrested and punished for that preposterous conduct of his at Mexico, which might have provoked a mutiny, if those he insulted by his absurd order had been as indiscreet as he, he would have been requited by the presidency. As it is, men speak of his folly with a good-humoured smile, and content themselves with wondering how a man, possessing undoubted military talents of a high order, can make himself so ridiculous and contemptible. General Jackson committed what, in the eye of the law, were capital crimes. He was denounced in the Senate, and threatened; and he, in turn, threatened to cut off the ears of his denouncers. The people sided with him, and made him President. The enemies of General Scott were more discreet. They loaded him with honours, and left the name of Marshal Turenne to stick to him. It will stick to him, and will go down to posterity, in striking contrast to the honour which will forever attach to the rude soubriquet of Old Hickory. In short, the Romans never chose a vain man as Dictator, and it may be doubted whether any man ever selected for that high office would not have stood less in awe of the Tarpeian Rock itself, than of the contempt and detestation of the public, *aggravated by his impunity.*

However this may be, the dictatorial power never was abused, and was never resisted. It always proved equal to the occasion, and determined in the very moment of success and triumph.

Has it never occurred to our politicians, that what we call a convention is a many-headed dictator? It is even so. A convention is, by political fiction, what its name

imports—an assemblage of the whole body of the people. The people are the source of all power, and, therefore, to the power of the people, met in convention, there is no limit. Of the same nature is the political omnipotence of the British Parliament. The king and lords are actually there, and, by fiction of law, the commons are all there too. Who, then, shall set a limit to their power, and why may they not change the constitution itself, as they have done more than once. We get the idea from them; but we do not copy the English model. Our people meet in convention, with power, of course, unlimited; and the use made of it is to constitute a government of limited powers, administered by men who act under a restricted power of attorney, called a constitution. This, like all such powers, may be enlarged or revoked at pleasure, or it may be, for the time, superseded, whenever the principal thinks proper to come forward in person, and act for himself.

This is precisely what the people of South-Carolina should now do. They have already taken steps for meeting in convention, and, when met, they will find themselves in attitude to strike or ward, as occasion may require; to exert every muscle of the body politic; to command all the resources of the State; to adopt measures equal to every emergency, and, in short, to do every act which the necessities of the time and the public good may require, without being embarrassed by questions of constitutional authority. Meantime, the constitution lies quietly upon the shelf. A word from the convention will be enough to continue the powers of the existing government, at discretion. A word will be enough to annul them, and to leave no public authority but that of the people themselves, in convention. But, should it be thought advisable, as it probably would be, to employ the services of the present functionaries, under their present denominations, the convention should still keep itself in place, to enlarge or restrain the powers of these functionaries. *for the time*, so as to adapt them to all emergencies. *For the time!* What time? Until the peaceable recognition of the independence of South-Carolina by the United States. Until that is done, the public peril may be too great to be encountered by a government armed only with such powers as a people jealous of freedom will entrust to their *permanent* rulers. But, in the meantime,

is it to be endured that the liberty of the people may be cloven down, all their rights trampled under foot, their government abolished, and the State a subjugated province, under the dominion of the commissary of a foreign power, and all for want of some constitutional authority, which the people, *if they could be appealed to*, would not hesitate to give? *Let them, then, keep themselves in condition to be appealed to.* Is paper money necessary? Let power be given to issue it. Is it necessary to send the militia out of the State? Let it be authorized. Should it be found that even bills of attainder, terrible as they are, would be a less evil than base men, keeping within the limits of written law, might bring upon the State—what then? Can any man fear that, should they be deliberately and solemnly authorized by the convention, and then deliberately and solemnly enacted by the legislature, the axe would fall on any head not worthy of death? These thoughts are awful, and it is because they are awful that we present them. The struggle in which South-Carolina may be involved, sooner or later, will be no May-game. Should coercion be attempted, every man must go into it, taking his life in his hand. If the people are not prepared for this, let them stop short at once, and fall back; eat all their words; renounce all their principles; relinquish all hope; and let South-Carolina, like Virginia, kissing the hand that smites and the foot that spurns her, submit herself to bondage, and forget that she ever heard the name of honour.

Do we, then, propose that the convention shall keep itself in perpetual session? By no means. Let them determine upon a position of “masterly inactivity,” and adjourn from time to time, devolving their powers, in the interval, on a committee of public safety, consisting of a few men, who possess the confidence of the people and the respect of the world. South-Carolina has such men within her borders. It is a favourable omen, that God has not yet left her without her prophets, and, while she is true to herself, she will never want a man “to go in and out before him!” Alas for Virginia! Has *she* no great minds and noble spirits, that Botts, and Wise, and such as they, are left to speak for the land of Washington, Henry, Jefferson, Madison, Marshall, Mason, Lee, Randolph, Leigh and Johnson? The great and *unterrified*

COLONY!" "The abject, crouching, craven STATE! South-Carolina, is this to be your exemplar! Marion, Pickens and Sumter, Pinckney and Rutledge, Lowndes, Hayne, Turnbull, Calhoun, McDuffie, Harper, sleep on! Your fame is consecrated by death, that dies not! South-Carolina cannot dishonour you. South-Carolina *will* not dishonour you. "Up, Guards, and at them!" were the last words of her great leader. Had these been the last words of Wellington—had a ball, at that moment, crashed through his brain—would it have changed the fate of Waterloo? The live-long day had that gallant body, curbing their impatient valour, lain secure in the hollow of the road that ran along the brow of that hill, restrained by the authority of a leader, who knew when to forbear and when to strike. Would they not have avenged his fall? Just so has the impatient spirit of South-Carolina been held in check, by the influence of one equally wise and equally bold. His last words announced that the moment of action was come. "Up, Guards, and at them!" Shall she not avenge him?

But it is not by one bold and fiery charge that the enemy we must encounter is to be swept from the field. Prudent boldness, masterly inactivity, deliberate promptness, fortitude, self-denial, these are the tactics—these are the weapons of South-Carolina's warfare.

"Masterly inactivity!" "deliberate promptitude!" Behold these ideas embodied in a *war government*, lying dormant awhile, till the crisis comes, when every energy must be strained, every resource put in requisition, and the concentrated force of the State, hurled like a stone from the hand of a giant; a *peace government*, with its limited powers, goes on quietly, to perform its peaceful functions, with its accustomed regard to constitutional restraints and vested rights.

The measure of secession, let it be adopted when it may, will be only one of many things that South-Carolina will have to do, and most of which must be first done. It is fortunate that many of these are of such a nature that they may be done without producing, directly or indirectly, any collision with the central power at Washington. They are such as will prepare and dispose the minds of her own people for the last decisive step.

* These are the words of Lord Cornwallis.

They are such as will open the eyes of other States to their own true position and true interests. They are such as will awaken the slumbering attention of European statesmen, to what is passing here, and provoke them to study and understand the true character of our institutions. If the importance and character of these measures be duly considered, it will be seen that many of them are not within the competency of the regularly constituted and permanent government of the State. Let us look at some of them.

When the legislature assembles, can they dispense with the oath to support the constitution of the United States? When taken, are they to follow the example of that perjured wretch, Seward, and plead the authority of a higher law releasing them from the obligation of that oath? Can they free from that obligation all the functionaries of the State, by whom, alone, they can act, and who have already taken that oath? These questions can only be answered in the negative.

A convention will have no such difficulties. It is a body not known to the constitution. It does not meet *under* the constitution. It is above all constitutions: for of such bodies all our constitutions are the creatures. It may prescribe its own oaths, or dispense with all. It may cancel all existing commissions, and issue new ones, dispensing with the oath to support the constitution, which they are about to renounce and abjure.

Can the present Senators and Representatives of South-Carolina, consistently with that oath, forbear their attendance on the sessions of Congress? Should they resign, can the legislature, consistently with that oath, forbear to fill the vacancies in the Senate? Can the governor withhold new writs of election for members of the Lower House?

Let us not deceive ourselves. We have, heretofore, conscientiously, and acting in strict conformity to that oath, opposed what we deemed infractions of the constitution. We have reasoned justly when we said, that, in opposing, by all means, unconstitutional laws, it was we who were supporting the constitution. But the case is altered, when the very thing proposed is to shake off the constitution, as an intolerable burthen, and to renounce all its obligations. Until we do this, South-Carolina must continue to be dishonoured by the appearance of her

Senators and Representatives in that synagogue of Satan, that Sanhedrim of the powers of darkness, that meets at Washington. It is only by the action of a convention, untrammelled by any such oath, that this degradation can be avoided.

Is there any authority in the regular constitutional government of the State to open negotiations with foreign powers? Is any constitutional functionary authorized to propose and adjust that reciprocation of commercial advantages, which would make the commerce of South-Carolina most beneficial to herself, and of more value to a foreign manufacturing and commercial nation than that of any other State in the existing Union? Is any one authorized to represent to such a nation that her own rights and interests are engaged to forbid those annoyances to her trade with the free, sovereign and independent State of South-Carolina, the dread of which hangs over us, as the only thing to deter us from at once assuming that character among the nations of the earth?

Is there any authority, under the constitution, for prohibiting or crippling the trade of the Northern States with our people? for raising troops? for issuing scrip, for the purposes of effecting loans? for issuing bills of credit, by which the State might avail herself of the confidence of her own sons in her faith and resources, though all others might be distrustful? The necessity for these, and many other powers, which would suggest themselves, may be the consequence, and they should therefore be the antecedents of secession. There is not one of these measures about which the central power at Washington can raise a question, to be brought to the arbitrament of courts or arms. All this may be done, and having done this, South-Carolina might go on, preparing to work out her deliverance, evading all collision, until the danger of collision should have passed away, or until she should be in condition to defy it.

Do the powers of the convention extend to all these objects? If they do not, then it is not a *convention of the people*. The powers of *such a body* are, from the nature of the thing, unlimited. An assemblage of deputies, however called together, invested with powers limited in the slightest degree, is not a *convention of the people*, in fact, and no fiction can make it so. If the body about to assemble is doubtful of the extent of its powers, let it

invite the people to remove that doubt, by a new election, under an act expressly providing that they who shall come together under it shall have full power to take care "*quod nil detrimenti capiat respublica.*"

It is doubted whether the people are enough in earnest to be willing to sustain the convention in the stand we propose that it shall take. A new election may be contrived, to remove that doubt too. Meantime, the convention, *without disbanding*, may adjourn, after having done whatever they may deem clearly right, and in accordance with the public will. But let them not adjourn without having first published a manifesto, declaring that South-Carolina, (in language used by all the States, seventy-five years ago,) "*of right, ought to be a free, sovereign and independent State;*" but that, *in fact*, though sovereign, she is *not free, not independent*, but a *subject province* of a power, which, by innumerable infractions of the only bond which bound her to it, has made itself a *power foreign to her*, with interests antagonist to hers, oppressive, unjust, tyrannical, devoted to a course of policy injurious to her rights and fatal to her very existence. Such is, indeed, the true import, even of the whimpering palinode of Virginia, recently put forth under the absurd name of *resolutions*. But shall South-Carolina, like Virginia, proclaim her determination to submit to these wrongs, and to cherish friendly relations with the perpetrators? Let her, indeed, frankly say to her people, that she has not, at this moment, power to protect them from the axe and the halter which her oppressors are preparing for them; let her advise them, therefore, to pay all taxes, duties, imposts and excises, and to offer no resistance to the federal courts within her limits. But let her, at the same time, declare her fixed determination never again to take part in the affairs of the central government. Let her annul all her laws for the election of federal officers, and call upon all who now hold them to resign them. Let her protest that she will no longer lend an active compliance to her own ruin, and say plainly to her enemies that she regards them only as enemies—that she does not strike, only because her hands are tied; but that she cherishes, and will cherish, as necessary to her salvation, a sentiment of undying hate, and a settled purpose of revenge, whenever the day of vengeance may come. *It will come!* When? However long delayed, what will she lose by assuming the attitude

we propose? Is the federal government anything to her? Is her voice of any weight in the federal councils? She pays, and she can but continue to pay, into the treasury. What does she hope to receive from it? The only appropriations ever spent within her borders are for military fortresses, which, under the pretence of protecting, are really meant to bridle her. These will go on, and she will get the benefit of them, *when they fall into her hands, as an independent State.* Then, and not till then. *And that time will come.* As soon as the people of South-Carolina are brought to know and feel that their deadliest enemies are on this continent, they will learn to see their best friends in the enemies which the restless cupidity and growing insolence of the North will provoke. Let the North again presume so far on the pacific policy of any European nation as to put forth any such bravado as "54° 40', or fight," and they will presently be indulged with a fight. Let them back the schemes of Yankee speculators and adventurers in Nicaragua, and crow defiance to Great Britain. Will she fail to see that her interest, not less than her honour, will require her to echo that defiance, and to push on the controversy, which must surely aid in the dismemberment of that power from which she has more to dread than from all the nations of Europe? What is the foundation of the power of Great Britain? Her foreign possessions. But these are preserved at great charge of men and money. And what are they all, as elements of power, to the central authority, compared with the subject provinces here, in the south of *New England*, which cost her nothing, and from which she can derive, in time of war, not only money, but men. Canada furnishes no men to the British armies; but Virginia will be proud to wear the livery of her Northern masters, and will think herself well repaid for all her sacrifices, by the chance of furnishing a new "military chieftain," another *hero*, to be a candidate for the presidency, and to make himself subservient to the interests of her oppressors. It is but the other day that South-Carolina poured out, like water, the rich blood of her noblest sons, to conquer an *El Dorado* for these Northern harpies. Will she ever do so again? Let her see to it *now*, that she never shall, by assuming an attitude which shall *familiarize* her people with the great truths necessary to their salvation. Be it lightning or

earthquake that throws down the walls of their prison, let them be prepared to hail it as a friend and deliverer.

But the people of South-Carolina have not yet entirely forgotten the angry feelings growing out of the war of the revolution. Well, then, let them read over the declaration of independence, and compare the wrongs recited there to those they now endure. What was the *actual* grievance then? What is it now? Then they "augured misgovernment at a distance." Now the evil is upon them, and tenfold greater evil than the most far-seeing politicians of that day anticipated from British tyranny. One, and but one, of the luxuries of the rich was taxed, not more than five per cent. Now, every necessary of life, which she does not produce at home, is taxed, at an average rate of not less than thirty per cent. Then, *Old* England claimed the right to exact from her a portion of the revenue necessary for the support of the British empire, while the amount expended for the benefit of South-Carolina very far exceeded all that she was called on to contribute. Now, *New* England requires her, together with a few of her uncomplaining and acquiescent sisters, to furnish the whole revenue of the Union, no part of which comes back to them, except in the shape of bribes to such as are willing to sell themselves into the service of their enemies, for Texas scrip and the emoluments of office. And are we to lose all sense of present wrong, insult and intolerable grievance, in the cherished remembrance of a wrong which was but speculative, and not attended, even at the time, by any actual grievance to us? Massachusetts was wronged. Massachusetts was aggrieved. But she forgets, or dissembles the recollection of her wrongs, and enters into league with the fanatics of Exeter Hall, to make war upon an institution entwined with our very vitals. She *was* wronged. She was outlawed, and her port of Boston was shut. *We* took up arms, in *her* quarrel. It was hardly our own. But we made it our own. It was for her that our Moultrie, Marion, Pickens and Sumter fought, in defence of our fire-sides, against an enemy whom our zeal in her behalf brought upon us. From Ninety-Six to Charleston, our country is full of monuments of our efforts in her cause. It was for her the gallant Hayne died a felon's death; and the requital of that sacrifice is to threaten the like doom to his descendants, should they be as bold, in de-

fence of our own rights, as he then was in defence of hers. We separated ourselves from *Old* England, because the port of Boston was shut up. Should we now separate ourselves from *New* England, we hear from Boston, itself, that the port of Charleston is to be shut up. "Oh! fools and slow of heart, to believe all that your prophets have spoken!" What is there, at this day, antagonistic, between the interests of Great Britain and those of South-Carolina? Is not each the consumer of all the others productions, reciprocally? Is not their relation, like that of the sexes, each necessary to the other. And shall South-Carolina, like the Circassian slave, continue shut up in the harem of a brutal and sordid tyrant, when a generous lover is waiting to make her his honoured wife, and to establish her in wealth, and comfort, and freedom, and all the dignity of a Christian matron? How is this delusion kept up? It is from the same source whence all our other evils flow. With all her professions of friendship, Massachusetts hates England, with an inextinguishable, *because interested hatred*. They are rivals in commerce. They are rivals in manufactures. An especial object of rivalry is the commerce of the Southern States, and hence Massachusetts does all that she can to keep alive in the South their old animosities, and to prevent the growth of any sympathy between us and England. Hence she excites the impertinent clamours of English abolitionists. What for? Can they interfere with our institutions? No! they can but make us angry. And so Massachusetts echoes the brayings of long-eared Exeter Hall, and would have us take them for the articulate voice of the people of England. Never was there a grosser mistake. Never did any people more heartily repent a folly and a wrong, than the enlightened of England repent their blundering injustice to her West India possessions. They have become a burthen to her. They continually harass her, with well-founded complaints, and demand some indemnity, in the way of protection to their sugar, in the English market. But this is oppressive to her people at home, and especially to the manufacturing operative, to whom coarse sugars are a necessary of life. To reconcile him to this, nothing so ready as an appeal to his sympathies with his brother slave, on this side of the Atlantic; and he, poor wretch, shut up in the work-house, the factory or the

mine, readily believes that the condition of the negro slave must be a "lower depth, in that lowest deep," with the horrors of which he is so familiar. Little does he understand of the "proud submission, the liberal obedience, the generous loyalty," the heartfelt love, which so often warm the negro's heart, animate his labours, render his light tasks yet more light, and make his duty his delight. But this truth is finding its way to enlightened English minds, and, let but South-Carolina, even alone, set up for herself, and establish such commercial relations with Great Britain as would be best for both parties, how long would it be before Great Britain would see her interest in permitting, and encouraging, and aiding Jamaica, and her other West India Islands, to form one State, and Demarara another, and to enter into confederacy with South-Carolina? Getting slaves from the continent, they would need no more protection, and all the clamour about "slave-grown sugar" would cease forever. Entering the ports of England, under a moderate revenue tariff, the sugar would find its way to the operative at half its present price, and the poor woman, wasted and worn by her twelve hours of unceasing toil, would not be obliged to deny herself the cheering influence of her indispensable cup of tea—her only luxury, and not her least necessary.

We have wandered on, from topic to topic, of this vast subject, and find it still extending before us, in the never-ending variety of all the chances of that new and untried being, on which South-Carolina is about to enter. Gladly would we perform the office of the good fairy, of the Eastern tale, who watches over the birth of the new-born princess, and welcomes her to life with the promise of the choicest gifts. We can only promise Carolina one blessing, in which all others are comprehended, and, should she fail of that, *she*, at least, shall have no cause to reproach us, for the fulfillment of the promise will depend on her. We promise that *she shall be true to herself*. Let her but go to her work with full purpose of accomplishing it, sooner or later, and she will hazard nothing for want of prudence, and lose nothing for want of boldness, and surrender nothing for want of fortitude. Is she not the land of MARIÏN? Let his spirit animate her. Let his example instruct her. Patient, vigilant, indefatigable, enduring, never ashamed to run, never afraid to

strike, let her show, in her own quarrel, the same qualities she displayed in fighting the battles of ungrateful Massachusetts, and she cannot fail.

We find we have omitted a single remark, without which we might be liable to misconstruction. It may be supposed that, because the revolutionary convention ought, as we insist, to be a body unfettered by any constitutional restraint, it should therefore be exempt from the control of public opinion, and not take measures to keep itself in communication with public sentiment. Far from it. On the contrary, it should not fail to take every measure to keep itself fully advised of all the workings of the common mind, and, for that purpose, to provide for new elections, at short intervals, of the whole or portions of its own body. The existence of the convention should be uninterrupted, while opportunity should be given, from time to time, for the people to express any change of purpose, by a change of members. We have already suggested the wisdom of plainly indicating to the people the course of action deemed most advisable, and affording them, in the outset, an opportunity of arresting that course, or pledging themselves to it by new elections. Should their hearts fail them, all experience proves that contest must be unavailing, and that there will be nothing left but submission, however abject. But let them express their approbation of the proposed course of action, by the re-election of its authors, and these will come back to their work, like Antæus, with strength renewed and multiplied by contact with the bosom of his mother, earth.