

## PRESIDENT'S MESSAGE.

On the 16th ult. the **PRESIDENT** of the United States communicated to both Houses of Congress the following

### MESSAGE.

Gentlemen of the **Senate** and **House of Representatives**:

In my Annual Message, at the commencement of your present session, I adverted to the opposition to the revenue laws in a particular quarter of the United States, which threatened, not merely to thwart their execution, but to endanger the integrity of the Union. And, although I then expressed my reliance that it might be overcome by the prudence of the officers of the United States, and the patriotism of the people, I stated that should the emergency arise, rendering the execution of the existing laws impracticable, from any cause whatever, prompt notice should be given to Congress, with the suggestion of such views and measures as might be necessary to meet it.

Events which have occurred in the quarter then alluded to, or which have come to my knowledge subsequently, present this emergency.

Although unknown to me at the date of the Annual Message, the Convention which assembled at Columbia, in the State of South Carolina, passed on the 24th of November last, an Ordinance declaring certain acts of Congress therein mentioned within the limits of that State to be absolutely null and void, and making it the duty of the Legislature to pass such laws as would be necessary to carry the same into effect, from and after the 1st of February next. A copy of that Ordinance has been officially transmitted to me by the Governor of South Carolina, and is now communicated to Congress.

The consequences to which this extraordinary defiance of this just authority of the Government might too surely lead were clearly foreseen, and it was impossible for me to hesitate as to my own duty in such an emergency. The Ordinance had been passed, however, without any certain knowledge of the recommendation, which, from a view of the interests of the nation at large, the Executive had determined to submit to Congress, and a hope was indulged that by frankly explaining his sentiments and the nature of these duties which the crisis would devolve upon him, the authorities of South Carolina might be induced to retrace their steps. In this hope I determined to issue my Proclamation of the 10th of December last, a copy of which I now lay before Congress.

I regret to inform you that these reasonable expectations have not been realized, and that the several acts of the Legislature of South Carolina, which I now lay before you, and which have all and each of them finally passed after knowledge of the desire of the administration to modify the laws complained of, are too well calculated, both in their positive enactments and in the spirit of opposition which they obviously encourage, wholly to obstruct the collection of the revenue within the limits of that State.

Up to this period, neither the recommendation of the Executive, in regard to our financial policy and imposts system, nor the disposition manifested by Congress promptly to act upon that subject, nor the unequivocal expression of the public will in all parts of the Union appears to have produced any relaxation in the measures of opposition adopted by the State of Carolina, nor is there any reason to hope that the Ordinance and laws will be abandoned. I have no knowledge that an attempt has been made, or that it is in contemplation to re-assemble either the Convention or the Legislature; and it will be perceived, that the interval before the 1st of February is too short to admit of the preliminary steps necessary for that purpose. It appears, moreover, that the State authorities are actively organizing their military resources, and providing the means, and giving the most solemn assurances of protection and support to all who shall enlist in opposition to the revenue laws. A recent Proclamation of the present Governor of South Carolina has openly defied the authority of the Executive of the Union, and general orders from the head quarters of the State have announced his determination to accept the services of volunteers, and his belief that should their country need their services, they will be found at the post of honor and duty, ready to lay down their lives in her defense. Under these orders, the forces referred to are directed to "hold themselves in readiness to take the field at a moment's warning," and in the City of Charleston—with a collection district, and a port of entry, a rendezvous has been opened for the purpose of enlisting men for the magazine and municipal guard. Thus South Carolina presents herself in the attitude of hostile preparation, and ready even for military violence if need be, to enforce her laws for preventing the collection of the duties within her limits.

Proceedings thus announced and matured must be distinguished from me-

naces of unlawful resistance by irregular bodies of people, who, acting under temporary delusion, may be restrained by reflection and the influence of public opinion from the commission of actual outrage. In the present instance aggression may be regarded as committed when it is officially authorized, and the means of enforcing it fully provided.

Under these circumstances, there can be no doubt that it is the determination of the authorities of South Carolina, fully to carry into effect their Ordinance and Laws, after the first of February. It therefore becomes my duty to bring the subject to the serious consideration of Congress, in order that such measures as they, in their wisdom may deem fit, shall be seasonably provided, and that it may be thereby understood, that while the Government is disposed to remove all just cause of complaint, as far as may be practicable, consistently with a proper regard to the interests of the community at large, it is nevertheless determined that the supremacy of the laws shall be maintained.

In making this communication, it appears to me to be proper, not only that I should lay before you the acts and proceedings of South Carolina, but that I should also fully acquaint you with those steps which I have already caused to be taken for the due collection of the revenue, and with my views of the subject generally, that the suggestions which the Constitution requires me to make in regard to your future legislation, may be better understood.

This subject having early attracted the anxious attention of the Executive, as soon as it was probable that the authorities of South Carolina seriously meditated resistance to the faithful execution of the revenue laws, it was deemed advisable, that the Secretary of the Treasury should, particularly instruct the officers of the United States in that part of the Union, as to the duties prescribed by the existing laws.

Instructions were accordingly issued on the 6th of November to the Collectors in that State, pointing out their respective duties, and enjoining upon each a firm and vigilant, but discreet performance of them in the emergency then apprehended. I herewith transmit copies of these instructions and of the letter addressed to the District Attorney requesting his co-operation.

Those instructions were dictated in the hope that as the opposition to the laws by the anomalous proceeding of nullification was represented to be of a pacific nature, to be substantially according to the forms of the Constitution, and without resorting in any event, to force or violence, the measures of its advocates would be taken in conformity with that profession; and, on such supposition, the means afforded by the existing laws would have been adequate to meet any emergency likely to arise.

It was, however, not possible altogether to suppress apprehension of the excesses to which the excitement prevailing in that quarter might lead; but, it certainly was not foreseen that the meditated obstruction to the laws would so soon openly assume its present character.

Subsequently to the date of those instructions however, the Ordinance of the Convention was passed, which if complied with by the people of that State, must effectually render inoperative the present revenue laws within her limits. That Ordinance declares and ordains "that the several acts and parts of acts of the Congress of the United States, purporting to be laws for the imposition of foreign imposts, and now having operation and effect within the United States, and more especially can act in alteration of the several acts imposing duties on imports," approved on the 19th of May, 1828, and also an act entitled "an act to alter and amend the several acts imposing duties on imports," approved on the 14th July, 1832, are unauthorized by the Constitution of the U. States, and violate the true intent and meaning thereof, and are null and void, and no law, nor binding upon the State of South Carolina its officers, and citizens; and all promises, contracts and obligations made or entered into, or to be made or entered into, with purpose to secure the duties imposed by the said acts, and all judicial proceedings which shall be hereafter had in enforcement thereof, are and shall be held utterly null and void. It also ordains that it shall not be lawful for any of the constituted authorities, whether of the State of South Carolina, or of the United States, to enforce the payment of duties imposed by the said acts within the limits of the State, but that it shall be the duty of the Legislature to adopt such measures and pass such acts as may be necessary to give full effect to this Ordinance, and to prevent the enforcement and arrest the operation of the said acts and parts of acts of the Congress of the U. States within the limits of the State, from and after the 1st of February next and that it shall be the duty of all other constituted authorities and of all persons residing or being within the limits of the State, and

they are hereby required and enjoined to obey and give effect to this Ordinance and such acts and measures of cinity. It a traveller had visited it the Legislature as may be passed or twenty years ago, he would have witnessed a scene than which nothing adopted in obedience thereto." It further ordains, "that in no case of law or would afford a more deduced contrast to equity, decided in the courts of the State, wherein shall be drawn in question the authority of this Ordinance, or the validity of such act or acts of the man had made no effort to subdue. Legislature as may be passed for the purpose of giving effect thereto, or to the all the deprivations and familiar with validity of the aforesaid acts of Congress, imposing duties shall any appeal be taken or allowed to the Supreme Court of the United States, nor shall any copy of the record be permitted or allowed for that purpose; and the person or persons attempting to take such appeal may be dealt with as for a contempt of court." It likewise ordains, "that all persons holding any office of honor, profit or trust, civil or military, under the State, shall within such time, and in such manner as the Legislature shall prescribe, take an oath well and truly to obey, execute and enforce this Ordinance, and such act or acts of the Legislature as may be passed in pursuance thereof, according to the true intent and meaning of the same; and on the neglect or commission of any such person or persons so to do, his or their office or offices shall be forthwith vacated, and shall be filled up as if such person or persons were dead or had resigned; and no person hereafter elected to any office of honor, profit or trust, civil or military, shall until the Legislature shall otherwise provide and direct, enter on the execution of his office, or be in any respect competent to discharge the duties thereof, until he shall, in like manner have taken a similar oath; and no juror shall be empanelled in any of the Courts of the State in any cause in which shall be in question this Ordinance, or any act of the Legislature passed in pursuance thereof, unless he shall first, in addition to the usual oath, have taken an oath that he will well and truly obey, execute and enforce this Ordinance, and such act or acts of the Legislature as may be passed to carry the same into operation and effect according to the true intent and meaning thereof." The Ordinance concludes, "And we, the people of South Carolina, to the end that it may be fully understood by the Government of the United States and the people of the co-States, that we are determined to maintain this ordinance and declaration at every hazard, do further declare that we will not submit to the application of force on the part of the Federal Government to reduce this State to obedience; but that we will consider the passage, by Congress, of any act authorizing the employment of a military or naval force against the State of South Carolina, her constituted authorities or citizens; or any act abolishing or closing the ports of this State, or any of them, or otherwise obstructing the free ingress and egress of vessels, to and from the said ports; or any other act on the part of the Federal Government to coerce the State, shut up her ports, destroy or harass her commerce, or to enforce the acts heretofore declared to be null and void, otherwise than through the civil tribunals of the country, as inconsistent with the longer continuance of South Carolina in the Union; and that the people of this State will thenceforth hold themselves absolved from all further obligation to maintain or preserve their political connection with the people of the other States, and will forthwith proceed to organize a separate Government, and do all other acts and things which sovereign and independent States may of right do."

CONTINUED NEXT WEEK.

### DINNER TO GEN. HARRISON.

Below will be found some of the toasts drunk on the occasion, and extracts of the response of Gen. Harrison to the sentiment in relation to him.

1. *By Gen. Walter Wilson, 1st Vice President*—The State of Indiana, may virtue, integrity, and patriotism, be the popular star of those who preside over her destinies and execute her laws.

2. *By Gen. J. Morgan, 2d Vice President*—The Star Spangled Banner, may it ever be had with acclamations of joy from Maine to Georgia.

3. *By Hon. Jas. M. Lemon, 3d Vice President*—The officers and soldiers of the late war, may their attachment to each other, formed when serving their common country, never be eradicated.

4. *By Hon. Thos. Givens, 4th Vice President*—The proclamation of the President of the United States, and the Union.

5. *By Wm. Polk Egger*—The surviving Pioneers of the West, may a grateful country duly appreciate their heroic fortitude and reward their sufferings and services, and may we, their descendants, imitate their virtues and smooth their declining years.

6. *By the Committee of argument*—The President of the United States.

7. *By Hon. James Blair, President of the day*—Our respected Guest, WILLIAM HENRY HARBOUR, wise in council, mild in power, distinguished in arms; his public services have endeared him to the citizens of Indiana.

*Mr. President and Fellow Citizens:* I will not do injustice to my present feelings, by attempting to describe them. No terms that I can command would properly express them. But I must say, that if the services I have been able to render to the country at large, and to this state in particular, had been ten times as great as they really were, I should consider myself amply repaid by the continued evidences of confidence and kindness which I have received from the people of Indiana. I will further say that Indiana has no son, nor is there any human being in or out of the state, who has watched her progress with more anxiety than I have done, or who more sincerely rejoices at her uncommon prosperity. The progress of the whole western country, indeed, under my own eye, has been so wonderful, that it appears like a dream, and but for the presence of some of my early associates, I should almost believe that I had been the subject of a miracle, such as we find in one of the old church legends; that I had actually slept an age or two, and then awoken to see the regular progress which the country had made in that period of

issue of victory or death, which was distinctly presented to them as the only alternative which the service they had undertaken presented, it was in the character of *American* soldiers. Will you deprive them in death of a distinction which was their glory when living? A band of sworn brothers, they were united by common principles. They fought as they believed for a common country. A common death was their portion. A common grave received them.

"And there let them rest with their glory."

Mr. President, the great and good Lafayette has earnestly implored the advocates of division to restrain their rash effort, at least until he and those like him, who have fought and bled in the war of the revolution, shall have passed from the scene of this life to receive their reward in another and a better world. As the senior officer and in behalf of those who have been since called into the service of their country to defend that independence and Union which had been so gloriously established by their predecessors, I ask also for some forbearance. Amidst the general wreck of the Union and the carrying out of new nations, where are those who have long worn the uniform grown grey under a helmet surmounted with the arms and the motto of that Union, to seek a home and a country? What in such a crisis, shall be my fate? Shall I claim from Ohio, to whom I owe great obligations, and "cast no longing look" to the venerated state that gave me birth? Shall I forget noble, generous Kentucky, who defended me from persecution, and who adopted me as her citizen, for the purpose of giving me the command of her gallant sons? Above all, shall I be a stranger in the land of Indiana? In that state whose infancy I nurtured with a parent's care, and which I still love with a parent's affection? Shall I be no longer the fellow citizen of those who have permitted me to consider them as my children? Yes! By you bright heaven I swear that whilst I pay all due respect to the sovereignty of the state in which I live, as limited by the constitution, whilst I yield obedience to her directions when exercising a civil office under her authority, that my paramount allegiance is only due and shall be only given to that paramount sovereignty which by the constitution rests in the people of the U. States, which is the rightful guardian of our national palladium, and which alone possesses the power to display that glorious star spangled banner which I so long followed, under the auspices of the heroic Wayne, and which has been the rallying point of the army of the Union in the achievement of so many victories.

Mr. President, the crisis calls for sacrifices from all who love their country, and every thing should be yielded that can in any way contribute to restore the harmony and preserve the integrity of the Union. That the way which duty points out may be more clearly seen let me entreat you to banish that party spirit, the offspring of inferior interests, which in a greater or less degree has pervaded every section of the country. A spirit which, if it is ever true to the country, is never untrue to itself; and which is frequently the grave of every patriot principle as of every social feeling.

Amidst the difficulties which surround us, there is one safe course, and only one; and that is to adhere to the constitution, such as it came from the hands of the father of his country, and such as he understood it.

Entreat you, fellow citizens, by your hopes of happiness for yourselves and your posterity, by the interests of liberty throughout the world, by the blood of your Spencer, your Warrick, and your Randolph, and that of the other heroes who have fallen in the defence of their country, give no countenance to the principles of nullification, nor admit the right of any member of the confederacy to secede from it without the consent of the majority of the rest. Again I entreat you to adhere to the constitution. Let your motto in peace be, Washington, Union, and the Constitution; and your war cry still, the Constitution, Union, and Washington.

Mr. President, I beg leave to offer you this sentiment:

*INDIANA*.—Destined by the fertility of her soil, the bravery, intelligence and patriotism of her sons, to become a brilliant star in our national constellation; may she be ever faithful in the discharge of her obligations to the family compact, and take for her motto, Washington, Union, and the Constitution.

*By Gov. Noble*.—The cloud in our southern horizon. Although portentous of evil, its elements will separate when the light of truth and love of country shall be brought upon it.

*By H. H. Moore*.—The brave, the war worn American soldier, no matter what may have been his rank, no matter in what battle he may have struggled for the liberties of his country—Indiana delights to honor him.

*By Gen. Robert Hanna*.—Thomas S. Grimké, of South Carolina, my juvenile play-fellow, he is as firm in his attachment to the Union of the States as the cedars to mount Lebanon—may his principles endure like their evergreen.