

he wished might now be read; which was accordingly done, and ordered to be printed.

It is as follows: (the original amendment of Mr. Grundy being in roman, and the proposed amendment of Mr. Calhoun in italic.)

1. That by the constitution of the United States, certain powers are delegated to the general government, and those not delegated nor prohibited to the states, are reserved to the states respectively, or to the people.

2. That one of the powers expressly granted by the constitution to the general government, and prohibited to the states, is that of laying duties on imports, *for the purpose of raising the necessary revenue to carry on the operations of the government; and, that the exercise of the power of encouraging manufactures, under color of, or in the name of the power to lay an impost by taking away the profits of one portion of the Union, or one class of citizens and bestowing them on another, is not authorized by the constitution; is contrary to the plain intent and meaning of so much of the sixth amended article as provides that private property shall not be taken for public use without just compensation; and against the primary objects of the constitution, which is to protect the states composing the Union, in the secure and peaceful enjoyment of their respective rights.*

3. That the power to lay imposts, is, by the constitution, wholly transferred, from the state authorities to the general government, without any reservation of power or right on the part of the states, *except as is provided for in the second clause, tenth section, first article of the constitution, which provides "that no state shall, without the consent of congress, lay any imposts, or duties on imports, or exports, except what may be absolutely necessary for executing inspection laws, &c., a power excepted in favor of the several states from a general grant of power to lay duties on imports, delegated to the general government, with the intention of enabling each state to protect its own manufactures, as clearly appears by contemporaneous documents connected with the proceedings of the convention that framed the constitution.*

4. That the tariff laws of 1828 and 1832 are exercises of the constitutional powers possessed by the congress of the United States, whatever various opinions may exist as to their policy and justice, *as far as they are exercises of power to lay imposts for revenue; but, that, beyond that point, and to the extent that they exercise power, not for revenue, but protection, they are unauthorized by the constitution, contrary to its provisions, and the primary object for which the constitution was formed.*

5. That an attempt on the part of a state, to annul an act of congress, passed upon any subject exclusively confided by the constitution to congress, is an encroachment on the rights of the general government, *provided the act be limited to the subject so confided; but, that all exercise of any power of a character essentially different, in the name of, or under color of the power so confided, is a violation of the constitution in the most insidious and dangerous form; a form which, while it is best calculated to elude detection, deprives those injured by the violation, of the right of appeal for protection to the judiciary department.*

6. That attempts to obstruct or prevent the exertion of the several acts of congress imposing duties on imports, whether by ordinances of convention, or legislative enactments, are not warranted by the constitution, and are dangerous to the political institutions of the country; *subject, however, to the principles contained in the foregoing resolutions, as amended; and, that, as an unconstitutional exercise of power cannot be rendered constitutional by blending the same with the exercise of powers that are constitutional, a state cannot, by such blending of the exercise of constitutional with unconstitutional powers be deprived of her rights, as a sovereign member of the Union, to defend her reserved powers against the encroachments of the general government; and if the exercise of the powers be so blended that it becomes impossible to separate them, they thereby become one act equally unconstitutional in all its parts; and as such, a state may, in defense of her reserved powers arrest the same within her limits.*

Mr. GRUNDY requested permission to make one declaration, which he wished might be remembered. He had never given his aid in establishing the tariff system. He was now probably willing to go as far as the senator from South Carolina [Mr. Calhoun] in reducing that system. In raising his voice on this subject, it was not in behalf of the tariff, but in support of the Union. Any personal appeal with regard to the reduction of duties, was not applicable to him—any insinuation that he wished to preserve the tariff system was unjust. The gentleman says, the bill from the Judiciary committee, *loses the courts of justice of South Carolina. He would enquire by way of reply, whether that state has not legislated the United States out of its limits? The object of the bill is to give due effect to the constitutional powers of the general government.*

Mr. CALHOUN said that the gentleman had enquired if South Carolina had not legislated the United States out of its limits. He answered no. The states have reserved powers—the United States delegated powers. The state had thrown herself upon her reserved pow-

ers to obtain justice. Nothing was intended but to meet process by process. No application of force on the part of the state had been contemplated, when the United States—a giant with a hundred arms, comes forward and says keep the peace—and now proposes to subvert the state government.

Mr. WEBSTER thought nothing could be more irregular than this discussion, unless the gentleman from South Carolina [Mr. Calhoun] acts upon the notion that it is necessary, in order to oppose a measure with success, to give it a bad name, and to denounce in advance what he might find difficult to controvert in argument, when it came regularly before the senate. He could not, as one of the committee which had reported the bill, sit silently, after hearing that gentleman state that its object was to erect a military despotism—to create a dictator. He proposed to try conclusions with the gentleman with reference to its provisions, at a suitable time, and in a suitable manner. The gentleman was not only sure of his own integrity, which he [Mr. W.] should not doubt—but was certain of the absolute truth of his resolutions, to the word and letter.

Mr. CALHOUN said, there was no fact stated in them which was not true.

Mr. WEBSTER—That is what I deny, and wish to put to issue.

Mr. CALHOUN would be happy to meet that issue.

Mr. WEBSTER had met with nothing comparable to the absolute infallibility of the gentleman upon abstract questions, except the case of the hero of Hudibras, who had met with and conversed with truth in her proper person. Humble minds, like his own, which had not enjoyed that advantage were compelled to acquire the knowledge of truth by argument, reasoning and discussion. As to the measures recommended in the bill reported from the Judiciary committee, he felt it incumbent on him to say that there was not a principle to be found in it which was not in strict conformity with the constitution and the laws heretofore passed. With regard to every provision in the bill except the first section, he might, if it was deemed proper, use the mode of reasoning called by logicians *argumentum ad hominem*; for there was not one of them which had not received the sanction and support of the representatives of South Carolina once and again. The charge that the bill erected a military despotism and created a dictator, he left bound to repel. Loud sounding words of that character, upon such a subject, were unworthy the gentleman.

Mr. CALHOUN said, if he had the wit of the author of Hudibras, he would not use it upon such a solemn occasion. It was not his purpose to denounce the bill or the committee which had reported it though the citizens of South Carolina, exercising no powers but such as rightfully belonged to them, had been denounced as traitors. The senator from Massachusetts, [Mr. Webster,] says he can show that the principles of the bill have received the votes of the representatives of South Carolina in their favor. That gentleman can show no such thing. According to the view's entertained by that gentleman, a sovereign state, throwing herself on her reserved rights, may be placed upon the same ground with a band of smugglers, who are endeavoring to evade the revenue laws. But in point of fact, no such case as the present had ever before existed.

Mr. POINDEXTER rose—but gave way to Mr. WILKINS, who moved to lay the resolutions on the table.

Mr. POINDEXTER had not given way with the expectation that such a motion would be made. It was accordingly withdrawn by Mr. WILKINS.

Mr. POINDEXTER could not persuade himself of the propriety of going into this discussion at this time. When the bill from the Judiciary committee should come up, he should be prepared to sustain his declaration that it amounted *ipso facto*, to a repeal of the constitution, and invested the President with dictatorial power. The subject now before the senate was a string of resolutions which involved the whole science of government, and if discussed, *in extenso*, would convert the senate into a body to settle first principles. What was the situation of the country? A great excitement prevailed relative to the tariff. The President had declared the rates of duties to be onerous and unjust. The secretary of the treasury has stated that they may be reduced six millions, principally on protected articles. A bill was now under discussion in the house of representatives, carrying into execution, to a certain extent, the views of the executive, which would probably be disposed of there in a few days. While such an intermediate measure was under discussion, was it not premature to press the decision of an ultimate one? If the bill reported by the Judiciary committee should pass the senate, it would be nugatory if the bill before the house became a law. The wisest course would be to quit this distracting subject—which would put the whole nation in a blaze—put a stop to all hopes of modifying the tariff—and result in what might be called a spinning jenny war. He therefore hoped the Senate would pause for a few days and ascertain the action of the house on the bill before them. If the intermediate remedy fails, it will then be time to urge the ultimate one. The most proper and salutary course would be to

postpone both the bill and resolutions until Thursday or Monday next.

Mr. MANGUM proposed to modify his motion so as to make the resolutions a special order of the day, that they might be discussed in connection with the bill.

Mr. FORSYTH enquired which would be entitled to the priority in that case?

The CHAIR stated that the bill was already a special order, and would of course be entitled to the priority.

Mr. CALHOUN would prefer that the resolutions be laid on the table—which was agreed to without a division.

The senate then, in execution of the special order of the day, took up the bill further to provide for the collection of duties on imports.

Mr. MANGUM moved to postpone the further consideration of the bill to Thursday next, and make it the special order—upon which motion he asked the yeas and nays—which were ordered.

The motion was negatived by the following vote:

YEAS—Messrs. Bibb, Black, Brown, Calhoun, King, Mangum, Miller, Moore, Poindexter, Rives, Smith, Troup, Tyler, Waggoner, and White—15.

NAYS—Messrs. Benton, Chambers, Clay, Clayton, Dallas, Dickerson, Dudley, Ewing, Forsyth, Foot, Frelinghuysen, Grundy, Hendricks, Hill, Holmes, Johnston, Kane, Knight, Prentiss, Robbins, Robinton, Ruggles, Seymour, Sibley, Sprague, Tipton, Tomlinson, Webster, Wilkins and Wright—30.

Mr. WILKINS then went into an extended explanation of the provisions of the bill, and of the occasion which called for them—after addressing the senate about an hour and an half without concluding his speech, he gave way to a motion by Mr. Grundy, that the senate adjourn, which was carried.

REVOLUTIONARY PENSIONERS

The speaker laid before the house a communication from the secretary of war, covering the following report:

WAR DEPARTMENT
Pension Office
January 23, 1833

Sir: In obedience to a resolution of the house of representatives, of the 11th inst. I enclose herewith a statement shewing the number of applicants for pensions under the act of the last session of congress, (June 7, 1832,) allowing pensions to the officers and soldiers of the revolution, and shewing also the number from each state. From this statement it will be seen that 24,260 persons have applied. Perhaps one thousand of that number may be rejected, which will leave 23,260 to provide for. These, at an average of \$75.97 cents per annum for each pensioner, will require to pay them for one year, one million seven hundred and sixty seven thousand and sixty two dollars and twenty cents.—To pay them from the 4th of March, 1831, to the 4th of September next, will require four millions, four hundred and seventeen thousand six hundred and fifty five dollars and fifty cents

I have the honor to be, &c.

J. L. EDWARDS.

Hon. LEWIS CASS, Secretary of War
Statement made in obedience to the resolution of the house of representatives of the 11th January, 1833.

Maine	1336
New Hampshire	1238
Massachusetts	2451
Connecticut	1982
Rhode Island	474
Vermont	1608
New York	5519
New Jersey	862
Pennsylvania	854
Delaware	7
Maryland	57
Virginia	1272
North Carolina	1013
South Carolina	303
Georgia	474
Kentucky	1281
Tennessee	1213
Ohio	1257
Indiana	423
Mississippi	9
Illinois	203
Alabama	261
Missouri	91
Louisiana	5
Michigan	16
Florida	8
District of Columbia	25

FOR SALE MY BRICK STORE ROOM AND

DWELLING HOUSE,

on North half of Lot Number Sixteen, being corner of Maine and Second Streets, in Mount Vernon, Indiana. To the premises are attached a Warehouse, a small frame Dwelling and Brick Smokehouse—there is a good cellar under the Store Room. I have various other lots and houses, with

81 Acres of Wood Land, about one mile from town, which may be purchased low, as my health has rendered it necessary to decline business.—Those wishing to purchase will make application to the subscriber by the first of February or March next.

ADAM MOFFATT.

Jan. 5, 1833. 49-1f

GEO. W. MEARS, M.D.

UNDERS his professional services to the citizens of Vincennes and its vicinity.—He may be found at John C. Clark's hotel.

Vincennes, Jan. 10, 1833. 51-1f

NOTICE!

THE subscriber has on hand a quantity of FLOUR of a very superior quality of his own manufacturing, which he will sell at the following reduced prices for cash only, viz. \$4.50 per barrel, or \$2.25 per hundred pounds for superfine—other qualities in proportion.

All those indebted to the subscriber are earnestly requested to call and settle their accounts, either in cash or wheat, as no longer indulgence can be given.

H. D. WHEELER.

Vincennes, Feb. 13, 1833. 3-3t

NEW ESTABLISHMENT.

I HAVE established a BLACK SMITH SHOP on Second Street, near Gen. Lasselle's Tavern, where I shall be glad to receive the patronage of the public in the above business. I have, and at all times will keep, the best of workmen, and none but the best of iron shall be kept on hand. It will be to the interest of all persons getting work done to give a call, as I have a large stock of IRON AND STEEL of all sorts, suitable for all kinds of work, on hand, and having made an arrangement at Louisville to keep up a regular supply. There is on hand

A great variety of Ploughs;

And I shall keep at all times all articles usually made use of by our farming population. Will be kept on hand at all times, by the dozen or single one, the best of

CAST STEEL AXES,

and many other articles. Farmers will find it to their interest to get their work done at my shop, as I am satisfied they can pay for their work easier and have it done cheaper than at any other shop in the place. I will give work for coal at all times, and receive in payment where there is no money, all kinds of grain, &c.

I want two boys as apprentices to the above business: boys of from 12 to 15 will be taken.

JOHN C. CLARK.

February 2, 1833. 1-1f

DR. JOSEPH BROWNE

OFFERS to the people of Vincennes and vicinity, his services in the practice of MEDICINE, SURGERY, and OBSTETRIC. He resides in the house formerly occupied by the late C. Graeter, where he may be found at all times, save when out on professional business.

Vincennes, Jan. 1833. 1-1f

SALE FOR TAXES.

THE following lots, and parts of lots, in the borough of Vincennes, will be offered for sale for the taxes and costs due thereon, on Saturday the 23d of March next, unless sooner paid, to-wit.

Brant, John Ballance H. A. No. 31.

Brady, John, 4 of lot 133.

Black, Black's heirs, 305.

Bono, John B. 238.

Black, Black's heirs, 237.

Brown, James 4 200.

Collins, David H. A. 128.

Carter, Pierre 404.

Dusky, Tousant 439.

Dunovan, Jeremiah 4 101.

Emison, Thomas 4 235.

Cary, Pierre or John Sheets, H. A. 65.

65, 67, 68.

Greater's, Christian heirs, 189, 256, 285.

185, 196, 135, 179, 187, 453, 426, 456, 477.

The heirs of F. Greater, 188, 178.

Huffman, Solomon 4 36, part of 100, part of 49.

Han, Catharine 118.

Laplant, Hyacinth 230.

McCall, William R. 379.

Purley's heirs, 279, 250, 376, 363.

Peep, Theresa 335.

Richeville, Henry 4 129.

Richards, John 166.

Rosenau, Joseph 170, 141, 462, 446.