

Free Trader

# LIBERTY ADVOCATE.

WHEN POWERS ARE ASSUMED WHICH HAVE NOT BEEN DELEGATED, A NULLIFICATION OF THE ACT IS THE RIGHTFUL REMEDY.—Jefferson.

JAMES M. SMILEY, EDITOR.

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## ADDRESS OF THE WHIG CONVENTION, TO THE PEOPLE OF MISSISSIPPI. [Concluded.]

For these multiplied abuses, we have no hope of relief, but in a change of rulers. That the President will occasionally disclaim from office, some of the most prominent plunderers of the public, is not improbable. But he is too dependent on the great majority of them, to venture on a thorough reformation. Elected without personal popularity, it is to party discipline alone, since the retirement of his predecessor, that he can look for support. To offend those who are his most active and efficient friends would be to sacrifice his last remaining hope.

Firmly impressed with the truth of these suggestions, the convention which we represent has recommended a man to whom, more than any other now living, this nation is indebted for its greatness. As speaker of the House of Representatives during the last war with Great Britain—as supporter of the interests of the west in the negotiation at Ghent—as the able defender of southern rights in the Missouri difficulty—as the author of the compromise bill in 1833—and more recently, as the master spirit who quelled the spirit of Abolition in Congress—Henry Clay has been prominent in usefulness.

The whole country can bear witness, with what untiring perseverance the friends of Mr. Van Buren have endeavored to destroy Mr. Clay's popularity, by ascribing to him opinions at war with the rights and interests of the south. Of these, his support of the tariff has furnished the most plausible, and, for several years, the most prominent topic of denunciation. We have no wish to distinguish the truth on any point connected with history. We readily admit that Mr. Clay was the advocate of this policy, to the full extent of the tariff of 1824—a measure which received the votes of General Jackson and Mr. Van Buren, then members of the Senate. Whether that measure was right or wrong, it is not material to inquire—its most decided enemies must admit, that it raised a great market for the consumption of our cotton. But right or wrong, it sinks into nothing, when compared with the tariff of 1828. It was this which was familiarly known as the "Bill of Abominations"—which created universal dissatisfaction in the south, and placed one state in the attitude of open resistance to the power of the general government. And for this bill Mr. Van Buren voted—not on its final passage only, but for the "minimum" principle, which constituted the worst feature of its details. We are aware that the legislature of New York had passed some resolutions instructing the Senators from that state to support a protecting tariff; but they were too indefinite in their character, to require such votes as those which Mr. Van Buren gave. And it should ever be remembered, that Mr. Clay never designed that a tariff should be more than temporary—proposing, merely, to establish manufactures, and to leave them to sustain themselves.

We know not Mr. Van Buren's precise position on this subject now. But the act of 1832 was passed by his friends, having majorities in both houses of Congress, avowedly as a final settlement of the question—and far from quieting the agitation produced by the act of 1828, instead of checking South Carolina, it rather hurried her into the extreme remedy of nullification.

It was less than one year afterwards, when the bravest look with terror on the prospect of civil war, and servile insurrection, which, if commenced, could not cease before the whole South should be involved in its calamities, that Mr. Clay submitted his celebrated bill for the gradual diminution of the Tariff. The South was satisfied with its provisions, and the North saw the necessity of acquiescence in this measure of conciliation. It passed—and by its ordinance of Nullification was neutralized; the Proclamation and Force Bill were disarmed; the horror of civil war was averted; the South and the North again met as brothers; and our extended country once more presented the magnificent spectacle of a great, a happy, and a united people. Mr. Van Buren had no part or lot in this matter.

And yet it has been often and gravely urged, that the election of Mr. Clay would revive the Tariff policy. No well informed man can believe this. The act of 1833 was the result of mutual concessions by the North and South, and has ever been regarded by Mr. Clay as a solemn contract, rather than an act of ordinary legislation. Such was his exposition of the bill when he presented it, and such have been his uniform declarations since.

He has been charged, also, with favoring the designs of the Abolitionists. It is difficult to conceive a more conclusive answer to this, than a statement of his own situation. He is a large slave-holder—he was born and reared among slave holders—and his home, his connections and interests are permanently fixed among such a population. But we have other evidence of his sentiments on abolition, in the resolutions which he introduced in the Senate in 1838, and more recently, his speech on that subject during the last session. Well did Mr. Calhoun remark, at the conclusion of Mr. Clay's argument, that the question of abolition was now settled.

It is among the strange things of these disjointed times that such an accusation should be made by the friends of Van Buren; it might be doing this gentleman injustice to charge him with desiring the success of abolitionists. He has no interest, and, we presume, no feeling, either in their success or failure. But if the time shall arrive, as we have reasons to fear that it will, when this unholy fanaticism shall control elections in the North, what security have we that he will not barter Southern rights for Northern suffrages?—his past history offers none. He was an active promoter of the Missouri controversy, which Mr. Clay had the glo-

ry of settling. He was the most efficient supporter of Rufus King, the prime mover in that difficulty; and he voted in the Senate of New York, for a resolution, instructing their Senator in Congress "to oppose the admission, as a State in the Union, of any territory not comprised within the original boundary of the United States without making the prohibition of slavery therein an indispensable condition of admission." Had this policy prevailed in Congress, Missouri, Arkansas, and Florida, would now be little else than the retreats of runaways, robbers and slave-stealers.

We are admonished by the tone of a portion of the public press, that the whig party will be charged with the responsibility of the measures which have led to the present disorders of the currency. It would be difficult to make any accusation so utterly destitute of truth.—The measures connected with the financial condition of the country, are so notorious—so recent—and were so loudly boasted of by the Van Buren party, who claimed, and justly too, to have suggested and adopted them, that an effort to disclaim them now, wears rather the face of madness than of cunning. So long as the advocacy of a National Bank was thought to be odious in the community, we were pointed at, as the party who sustained it. And now, when the disorders of the currency have reached the worst stage they can attain, without its ceasing to be a currency at all—when the eyes of all are beginning to look to some establishment like the late United States Bank, to restore our circulating medium to its purity—when such an institution furnishes a topic for party warfare against us, we, the advocates of such a bank, are charged with being the authors of a disordered currency! We never had, and never could have had, any purpose in wishing the recharter of the late Bank, except to prevent our present disorders. And we cannot have any purpose, now, in wishing the charter of another, except to cure them. That the great majority of us do entertain such a wish is notorious; and a resolution of the Convention that we represent, emphatically declared it.

But were this not so, we could confidently appeal to facts, now matters of well-known history, to disprove the accusation. In the government under which we live, laws are established by a majority of votes. And when, we pray, have the whigs been a majority, either in Congress or the Mississippi Legislature?—Never, for ten years past. The President and both Houses of Congress, in all that time, have been against us; and it is too universally admitted, that the action of the General Government, struck the fatal blow at our currency, for the most reckless to hazard a contrary opinion. The Van Buren party is responsible for that.

The class is not very different in the government of the State. At the last general election, in November 1837, the Van Buren party elected a Governor, a clear majority of the Senate, and about an equal number in the House of Representatives. It is true, that the complexion of the last has undergone a change; but we all know that this was effected in special elections for the supply of vacancies which occurred in 1838. Until this change was thus effected, the whigs never were a majority in either House. And when, we ask, were the banks established, that are so much complained of? All of them, without exception, during the ascendancy of the democratic party. The acts of the two last sessions show—not a solitary bank charter, except of the Union Bank; of this, it may suffice to say, that its establishment appeared to be desired by a large majority of the people. Its charter was passed by the Legislature elected in 1835—a body devoted to the fortunes of Mr. Van Buren and it was confirmed by the succeeding Legislature before the whigs had obtained a majority, even in the House of Representatives. Of the manner in which that Bank has been managed, it is no part of our duty to speak. But whether well or ill, we disclaim equally the praise or the censure; and the members, true to the interests of the party, elected a controlling majority of the board, from their democratic friends. For all the managers have rightly done, let them or their party have the credit—and if they have done aught that cannot be approved, let not the censure fall upon the Whigs.

But, it is urged, that the act authorizing the Banks to issue post notes was a whig measure. Again we appeal to history. That act was passed at a special session in May, 1837, while the Van Buren party was predominant in both Houses of the Legislature. The act relieving the Banks from damages on failure to pay their notes when due, passed at the session of 1838, by votes of two-thirds of each House. It was not a party vote—no act could have passed the Legislature at that time, by so large majorities, without disclaiming all party considerations; certainly it could not have passed as a measure of the whigs.

We will not enter into further details to prove our innocence, against a charge which has so little plausibility. We cannot believe that our enlightened people will lay upon the minority, the responsibility of acts which they had not the power to perform.

If the banks are responsible to the law, courts of justice are open to the complaints of the injured. If not, let those who granted the charters, without securing the community against the abuses which we have witnessed, bear the whole indignation of the public.

The accusation is made, in truth, to divert from themselves the odium which naturally falls on the authors of these calamities. The measures which produced them are too recent, too notorious, and were too loudly boasted of by the democratic party to have been forgotten. The Bank of the U. States was struck down, and the use of the people's money, for which it had paid a heavy bonus, was distributed as spoils to some favorite State banks. The power of the National Institution was broken—its recharter was vetoed, and the State Banks, relieved of the wholesome control that rendered

them harmless, issued, by the express direction of the Treasury Department, an amount of notes beyond the security of their means. The temptation for the creation of other banks produced its natural effects,—and before the bubble burst, their number had nearly doubled, in a period of three years. Then came the Specie Circular, and the ruin of those banks that were within the reach of the Land offices was complete.

With the expansion of the currency, produced by the operations of the Government, arose a spirit of speculation, restricted by no considerations of prudence. But the suspension of the banks was the signal for all to pause and examine their conditions. With a great foreign debt, no currency could be kept among us that could be used abroad; and the prediction of a great leader of the democratic party, that the measures of the Government would cause gold to flow up and down the Mississippi, was literally verified. It flowed from our ports to the upper country, and to New Orleans. Pressed as the banks were by these untoward circumstances, they resorted to all measures that their ingenuity could suggest, to save themselves from a continued suspension; and the public received as money, their depreciated notes because no other medium of trade could circulate here, under the pressure of our foreign debt. This, it seems to us, is a true and simple statement of the causes which have produced the depreciation of our currency. In the confidence that the verdict for our fellow citizens will confirm these views, we cheerfully submit them.

We may not omit to remark, before leaving this part of our subject, though at the hazard of being thought to descend from the propriety of the occasion, the frequent use of party catch-words, employed by Mr. Van Buren's friends, to prop the sinking fortunes of their chief. These men claim to be the true "democratic republican party," and those who are sufficiently independent to refuse a passive submission to the despotism of a faction are termed "federalists." These party names are rarely mentioned now, except to delude the ignorant. But there was a time when they meant something—when the names "republican" and "federalists," distinguished parties who differed on great subjects of constitutional law and foreign policy. At the memorable epoch of the declaration of war against Great Britain, when our young country, with an army or a treasury, and with five frigates and a few smaller vessels, for a navy, was driven by oppression to measure strength with a power which claimed the empire of the seas by right of conquest—which was wealthy enough to subsidize Europe—upon whose provinces the sun never sets—and whose arms were destined to overthrow the conqueror of all Christendom, that his armies could reach—the American people were not united in their counsels. At that gloomy period Henry Clay was the champion of his country's honor, on the floor of Congress; while that party which was indirectly aiding the cause of the common enemy, by seeking to embarrass the administration of Mr. Madison, received the active aid of Martin Van Buren, in advancing the election of De Witt Clinton, the Presidential candidate of the Federal party. The man who could co-operate with such a party, for such a purpose, can scarce deserve the name of patriot. He is indeed the proper chief of a faction, which denied to the people of Mississippi the right to choose their own representatives in the Legislature of the State.

The name of John Tyler, of Virginia, also, is presented by the Convention to the people of Mississippi, and our sister states, as a proper candidate for the office of Vice President.—We offer no extended eulogy on his character, and no act of his calls for apology or defence. The honorable post which he has filled, and the high reputation which he has sustained in the councils of the Nation, and of his native State, are not unknown in any section of Mississippi.

The nominees for other offices will, we presume, represent their claims in person. We leave them, therefore, to their own exertions, with the passing remark, that the wishes and interests of all portions of the State were duly consulted and laboriously examined, by the Committee which made those nominations; and that the Convention accepted them with entire unanimity.

In conclusion, permit us to indulge the hope, that all who wish well to our cause, will give us their active aid. The delusions of former years have, indeed, been passing away; and in this State, the sceptre seems to have departed from those who so long abused the confidence of their countrymen. But one victory does not prove established ascendancy. The friends of good government must not relax their efforts, in the belief that success is easily attainable.—All that energy and concert can effect, must be expected of those who have a sinking party to sustain. And if we fail in the elections of next November, we will deserve to bear the reproach of indifference to our country's welfare.

Your fellow citizens,

- GEORGE WINCHESTER,
- E. L. ACEE,
- A. L. DABNEY,
- J. M. SAITLER,
- J. H. MAUREY,
- B. GILLESPIE,
- S. M. GRAYSON,
- J. A. BENTRESS,
- W. S. BODLEY.

### APPENDIX.

In Senate of the United States, May 13, 1828.—The amendments to the bill entitled "an act in alteration of the several acts imposing duties on imports, having been reported by the committee correctly engrossed, the bill was read the third time as amended; and

On motion of Mr. Hayne, that the said bill

be postponed indefinitely, it was decided in the negative—Yeas 20, nays 27.

Those who voted in the affirmative, are—Messrs. Berrien, Bouligny, Branch, Chambers, Chandler, Cobb, Ellis, Hayne, Johnson of Louisiana, King, McKinley, Macon, Parris, Robbins, Smith of Md., Smith of S. C., Tazewell, Tyler, White, Williams, Woodbury—20.

Those who voted in the negative, are—Messrs. Bernard, Barton, Bateman, Benton, Chase, Dickerson, Eaton, Foot, Harrison, Hendricks, JOHNSON of Ky., Kane, King, McLane, Marks, Noble, Ridgely, Robbins, Ruggles, Sanford, Seymour, Silsbee, Thomas, VAN BUREN, Webster, Willey—27.

On the question, "Shall the bill pass as amended?" it was determined in the affirmative—Yeas 26, nays 21.

Those who voted in the affirmative, are—Messrs. Bernard, Barton, Bateman, BENTON, Bouligny, Chase, Dickerson, Eaton, Foot, Harrison, Hendricks, JOHNSON of Ky., Kane, Knight, McLane, Marks, Noble, Ridgely, Rowan, Ruggles, Sanford, Seymour, Thomas, VAN BUREN, Webster, Willey—26.

Those who voted in the negative, are—Messrs. Berrien, Branch, Chambers, Chandler, Cobb, Ellis, Hayne, Johnson of Louisiana, King, McKinley, Macon, Parris, Robbins, Silsbee, Smith of Md., Smith of S. C., Tazewell, Tyler, White, Williams, Woodbury—21.

So it was resolved, That said bill do pass with amendments. [Senate Journal, p. 401.]

In Convention of New York, September 1821.—Mr. VAN BUREN said:—"He had voted against a total and unqualified exclusion (of the blacks,) for he would not draw a revenue from them, and yet deny them the right of suffrage.—But this proviso met his approbation. They were exempted from taxation until they had qualified themselves to vote. The right was not denied to exclude any portion of the community who will not exercise the right of suffrage in its purity. This held out inducements to industry, and would secure his support."—[Debates of Convention, p. 376.]

In Senate of New York—Preamble and resolutions.—Whereas, the inhibiting the further extension of slavery in these U. S., is a subject of deep concern to the people of this State; and whereas, we consider slavery as an evil much to be deplored, and that every constitutional barrier should be interposed to prevent its further extension; and that the constitution of the U. S. clearly giving Congress the right to require of new States not comprised within the original boundaries of the U. S., the prohibition of slavery, as a condition of their admission into the Union: Therefore,

Resolved, (if the honorable Senate concur therein.) That our Senators be instructed, and our Representatives in Congress be requested to oppose the admission as a State, into the Union, of any Territory as aforesaid, without making the prohibition of Slavery therein an indispensable condition of admission.

On the 29th of January, 1820, the Senate took up the resolution and passed the same unanimously, the following Senators being present:—

"Messrs. Adams, Austin, Barnum, Barstow, Bowne, Childs, Dudley, Dayton, Ditmars, Evans, Frothingham, Hammond, Hart, Livingston, Lounsberry, McMartin, Moons, Mallory, Moore, Noyes, Paine, Ross, Rosencrantz, Skinner, Swar, VAN BUREN, Wilson, Young—30."

Examine Senate Journal.—On the bill to establish a Territorial government in Florida, a motion was made to introduce a section prohibiting the introduction of slaves, VAN BUREN voted in the affirmative.—[See Journal, 1823-5. From the National Intelligencer.]

In Senate, February 1, 1829.

On motion of Mr. Knight, the bill to allow a drawback on imported hemp, when manufactured in cordage and exported, was taken up.

Mr. Clay said, "Though he was a hemp raiser, he had no sort of objection to this bill, and he would have no objection to the total repeal of the duty on foreign hemp, were it not for the compromise act, which he wished to see preserved inviolable. He wanted to see it carried into effect, not only up to 1842, but beyond that period, and he believed it perfectly practicable to carry it into effect for all time hereafter."

In Senate, May 5, 1828.

The Senate resumed, in committee of the whole, the bill entitled "an act, in addition to the several acts imposing duties on imports," together with the amendments reported thereto, by the committee on Manufactures.

On the question to agree to the fourth amendment, in the following words:

Section 2, line 19, after "yard" strike out the words "there shall be levied, collected and paid, twenty cents on every square yard," and insert "shall be deemed to have cost fifty cents the square yard, and shall be charged thereon with a duty of forty per cent. ad valorem, until the thirtieth day of June, 1829, and from that time, a duty of forty-five per centum ad valorem."

It was determined in the affirmative—Yeas 24, nays 22.

Those who voted in the affirmative, are—Messrs. Bernard, Barton, Bateman, Bouligny, Chandler, Chase, Dickerson, Foot, Hendricks, Harrison, Knight, Marks, Noble, Parris, Robbins, Ruggles, Sanford, Seymour, Silsbee, Thomas, VAN BUREN, Webster, Willey, Woodbury—24.—[Senate Journal, page 358.]

Insert, "on question to agree to fifth amendment," &c. [Do. 357.]

Insert, "on question to agree to the sixth amendment," &c.—[Do. 358.]

Insert do. ninth amendment—page 390.

"do. eleventh amendment—page 361.

"do. "and on woolen blankets,"—p. 371.

On the question, "shall the bill pass as amended?"—page 410.

In Senate, May 13, 1824.

The "amendments" and the several acts for imposing duties on imports."

On the question, "shall the bill pass as amended?"

Those who voted in the affirmative, are—Messrs. Barton, Bell, BENTON, Brown Chandler, D'Wolf, Dickerson, Eaton, Edwards, Findlay, Holmes, of Maine, JACKSON, JOHNSON, of Ky., Knight, Lanier, Lowrie, McWhin, Noble, Palmer, Ruggles, Seymour, Talbot, Taylor, of Indiana, Thomas, VAN BUREN.—[Senate Journal, p. 491.]

### INDEPENDENCE.

The individual mind is the foundation of all freedom. Man must never allow the tyrannical chains of vicious habits, sensual appetite, superstition, or a slavish deference to the opinions of others, to take possession of him if he would be a man. He should think and act for himself in all matters, and never allow others to think for him, whether it be on politics, religion or occupation. The great mass of men are too much to those men, for in its own wisdom, has seen fit to call great, own reason, for action. They forget that "all the world's a stage," that every man has his own part to act, and in a manner, too, not to please those who are to be his audience, but to understand his own character, let those who are lookers on be pleased or not. This is not right; it is not manly; God never made man to be otherwise than independent—a free agent. A child always act independently from feeling; from impulse; cold-hearted selfishness has not yet taken possession of him—he has not yet acquired those sentiments which prompt a man to inquire, not whether what he is about to do is right, but whether it will be popular and safe."

To be great men we must cease to be slaves; and what slavery is there worse than the slavery of the mind—a slavery to the opinions of others? True, we have teachers who are possessed of that wisdom which experience can only give, who bid us look to those great men of the world, and find in them examples to be copied. But it seems to me to be a delusion—it seems to me that if these teachers acted with the principles of independence—principles which are inherent in every breast, and which should cease to exist only when smothered or shackled by ignorance or oppression—they would bid us look to those great men with reverence; analyze their characters, ascertain their principles, and then, with the calmness of philosophers, and the independence of men, strike out a path in unison with our own feelings—"thank God for these great men, but say, 'I also am a man.'" "To be an imitator, is to doom one's self to hopeless mediocrity;" it is impossible for him to rise above the level. "The inventor did it because it was natural to him, and so in him it has a charm. In the imitator, something else is natural, and he becomes himself of his own beauty, to come short of another man's."

In our age there is too little of that moral courage which dares write out the thoughts of men as they exist. We want that spirit which will guard us against the smiles of flattery, and the frowns of censure, and then dare to act and think as becometh men, let the world approve those thoughts and actions or not. What could Martin Luther have accomplished, had he not been possessed of that spirit which dared all opposition, and which brooked all the insults that were heaped upon him? What could those patriots of the Revolution have accomplished, had they not been possessed of that moral courage, and righteous independence, which proclaimed themselves no longer the slaves of others, but ready to act for themselves, in the spirit of freedom? Men are too sensible to the sneers of the world, to act independently, and thus we see most men before they perform any great action, ask themselves not only is it right? is it just? but how will the world receive it? And thus they temper their words and actions to the world, and not their own feelings and judgement. This is wrong—slavishly, degradingly wrong—and he who acts upon it is the slave of slaves.

### SWALLOWING A MAN WHOLE.

The Northern papers relate a feat of Signor Blutz's performance which amounted to the same as swallowing an entire man, or rather he bet he could do it, and won the wager. A gentleman challenged the magician to swallow him, and wagered one hundred dollars that he could not do it. The Signor took it up and appeared on the spot in due season with a large pot of grease to help out with his meal. The gentleman was also there, when the following conversation took place:

"Are you ready for the attempt," asked the magician.

"All ready."

"You will please take off your hat."

"Certainly."

"Now your boots; there may be nails in the heels of them."

"Oh Yes."

"Now off with your coat, the buttons would be likely to cut against my teeth."

"Of course."

"Now your pantaloons and shirt."

"Why, sir, do you intend that I shall strip myself entirely?"

"Yes; why not? I agreed to swallow you, but the clothes are not in the bond. By stripping and thorough greasing, I presume I shall be able to perform the feat with but little difficulty."

"That is your game is it? In such a case you are welcome to the money."

The thermometer stood at 100 at Vicksburg on the 8th inst. and for three or four days previous. The editor of the Sentinel had cast away his pen and thrown himself upon his scissars.—N. O. Pic.

Why is a basket of oysters like an unpaid bill.

Because a fellow must shell out before he can fork over.

Hartford Review.