

# Anti-Tariff Convention.

*Mill-dgeville, Thursday, Nov. 15.*

The President announced a communication from Judge Johnson, stating his appointment by the Union Party in South Carolina, to attend this Convention—And also, a letter from Judge Harper, disclaiming any official character, but expressing a willingness to give any information respecting the Free Trade Party in South Carolina, that he might be able to furnish. They were both invited to seats, by resolution.

On motion of Mr. Forsyth, the debate on his resolution, and the substitutes offered for it, was postponed till Friday, to allow time for the report of the committee of 21.

*Friday, Nov. 16.*

The Convention met at 10 o'clock, in the Methodist Church. The committee not having reported, the Convention adjourned to meet at 3 o'clock P. M.

At which time they again convened in the Representative chamber. The committee of 21 then made the following report :

1. Resolved, That the Federal Government is a confederacy formed by the States composing the same, for the specific purposes expressed in the constitution, and for those alone.

2. That every exercise by the federal government, or by any department thereof, of powers not granted by the Constitution, notwithstanding it may be under the forms of law, is, in relation to the constituent States, a mere usurpation.

3. That a government of limited powers can have no constitutional right, to judge in the last resort, of its own use, or abuse, of the powers conferred upon it, since that would be to substitute for the limitations of the constitutional charter, the judgment of the agents who were employed to carry it into effect—to annihilate those limitations by a power derived from the same instrument which created them.

4. That the Federal Government, is a Government, the powers of which are expressly limited by the Constitution which created it, and can therefore, have no Constitutional right to judge in the last resort of the use or abuse of those powers.

5. That it is essential to a confederated Government, the powers of which are expressly limited by the Constitution which creates it, that there should exist some where a power authoritatively to interpret that instrument to decide in the last resort, on the the use or abuse of the authority, which it confers upon the

common agent of the confederating States; that such a power cannot belong to the agent, since that would be to substitute his judgment for the constitutional limitation, and that in the absence of a common arbiter expressly designated by the Constitution for this purpose, each state as such, and in virtue of its sovereignty, is necessarily admitted to the exercise of that right.

6. That the several States composing this Union were, at the adoption of the Federal Constitution, free, sovereign and independent States: that they have not divested themselves of this character, by the relinquishment of certain powers to the Federal Government, having associated with their sister States for purposes entirely compatible with the continued existence of their own original freedom, sovereignty and independence.

7. That the act laying duties on imposts, passed in July, 1832, as well as the several acts of which that act is amendatory, in so far as it transcends the purposes of revenue, and is intended to operate, and does operate substantively for the protection of manufactures, is an exercise of powers, not granted by the Constitution, but a plain, and palpable violation of the true intent, meaning and spirit thereof; that the said acts cannot be justified under the power of regulating commerce with foreign nations, since to REGULATE is not to DESTROY; and the principle of a substantive protection to domestic manufactures assumes, and in some instances, exerts the power of imposing a duty, which effectually prohibits the importation of foreign fabrics of like kind with those which are thus protected, and to this extent destroys foreign commerce, instead of regulating it. That they cannot be supported under the power to lay and collect duties, since this power was given solely for the purpose of enabling the government to raise a revenue, which should be adequate to its wants, and the amount of revenue which is raised by these protective duties, very far exceeds the legitimate wants of the Government—and that that attempt to vindicate the exercise of a power to impose a burthen on the labor and industry of one portion of the people of the United States for the benefit of another portion of the same people, under the power to provide for the common defence and general welfare of the United States, is even more alarming than the direct results of the system itself, because that is to ascribe to Congress a power to do whatever in their judgment may conduce to the common defence and general welfare, and thus to invest the National Legislature with unlimited, (because merely discretionary) power over the rights and liberties of the people of Georgia.

8. That the people of Georgia are sincerely attached to the Federal Constitution, and to the union of the States, which it creates and guarantees—that they consider it as a precious inheritance received from their fathers, which it is the duty of patriotism to maintain and defend, and estimate it above all price, save that of liberty: that they are ever ready to peril their fortunes and their lives in its defence, and would deeply deplore its dissolution, as an event alike mauspeious to themselves, and to the cause of civil liberty throughout the world. That actuated by these feelings, and even amid the difficulties which beset them, not despairing of the Republic, they will still persevere in the use of every proper and efficient means for the peaceful adjustment of this unhappy controversy, which may be within their power as one of the southern members of this confederacy, or which may result from consultation and conference with their sister States having a common interest with them in this matter. That taking the payment of the national debt, as the period after which the present tariff of duties, so far as it transcends the purposes of revenue, and is designed for the protection of domestic manufactures, can find no plausible pretext in our constitutional charter, they are willing to wait until Congress shall have full time deliberately to determine whether they will reduce and equalize the duties on foreign imports, so as to bring the income of the Government within the limits of revenue, and to collect the contributions of our citizens on the principles of just taxation. That having regard to the interests of those whose capital has been invested in manufactures, during the progress of that course of legislation of which they complain, they are willing that the reduction and equalization of duties which they ask, should be prospective and gradual; and fearfully admonished, as they have been by experience, of the fallacy of their past hopes for relief from the evils under which they suffer, they will still look to the justice and patriotism of their brethren of the manufacturing States.

9. That the people of Georgia cannot submit to the permanent protection of domestic manufactures by duties imposed for that purpose on the importation of foreign manufactures, and especially on such as are among the necessaries of life: that they cannot submit to the adoption of the principle on which such duties are imposed, as a permanent principle of federal policy—but will feel bound to resist the same by the exercise of all their rights as one of the sovereign members of this confederacy—and by consultation and concert with their sister states, having like interest with themselves, and disposed to unite with them in resistance to this principle.

10. That it be respectfully recommended to the several Southern States, having a common interest with us in the removal of the grievances under which we labour, from the protective system, to assemble in Convention by Delegates from the respective States, corresponding to the number of their Representatives in Congress, and elected for that purpose on the third Monday in March next, to confer together on the subject of these grievances, and to recommend to the people of their respective States such measures as may best conduce to the removal of the same—and that the place of such meeting be deter-

mined by correspondence between the Delegates elected to said Convention.

11. That the Clerks of the Superior Courts in the several counties be requested to open a register in their several offices, and that the citizens of each county be requested to attend at said offices, and enrol their names on the said register, expressing their approbation or disapprobation of the proceedings of this Convention—that the said Registry be conducted under the superintendence of Committees to be appointed by the president of this Convention for each county—that the said Registry be opened on the 15th day of December next, and kept open for thirty days thereafter, notice thereof being given by the superintending committee in each county.

12. That if at the expiration of the time of registering the names of the citizens in the several counties, a majority shall be found in favor of the proceedings of this Convention, it shall be the duty of the superintending committee in each county to give public notice of that fact within said county, and to invite the citizens of the same to elect by general ticket, on the first Monday in February thereafter, eleven delegates to represent this State in the proposed Convention of States.

13. That when this Convention adjourns it adjourn to meet at this place on the first Monday in May next—and that the counties which are not represented in this convention, be respectfully requested to elect delegates to represent them therein, at the said adjourned meeting.

14. That the President of this Convention do communicate the foregoing resolutions from one to ten inclusive, to the Governors of the several States, having common interest with us in the removal of the grievances of which we complain, asking them to give publicity to the same within their respective States, and earnestly requesting them to unite with us in Convention, as the sure, perhaps the only means of preserving the peace of the Union.

15. That the committee of superintendence for the county of Baldwin be denominated the Central Committee, and be authorized under the direction of the President to take all necessary steps for giving effect to the measures of this convention.

16. That the superintending committee in each county be requested to communicate to the central committee of the county of Baldwin the result of the elections for delegates to the Convention of the Southern States, and that the said committee be authorized to announce the general result of the said election, and to give to the persons elected certificates of their election.

17. That copies of the proceedings of this Convention be printed and distributed under the direction of the Central Committee.

This report was agreed to.

The question was then taken and carried for adopting Berrien's amendment of Forsyth's resolution.

The final question on Forsyth's resolution as amended was taken by yeas and nays and carried.

Yeas—Messrs. Alford, Allen of Elbert, Allen of Baker, Allen of Laurens, Alexander, Barron, Beall of Bibb, Beall of Monroe, Bailey, Berrien, Blackshear, Cartledge, Cabinoss, Clayton, Clifton, Crews, Collins of Columbia, Davis, Dawson, Dozier, Flournoy, Fitzpatrick, Gamble, Gordon of Monroe, Gordon of Putnam, Greer, Guerry, Hughes, Hulson, James, Jeffries, Jones, Kennon, Keith, Lamar, Lawhon, Lemlie, Lewis of Jones, Leonard, Lockhart of Warren, Ligon, Mason, Matthews, Moore of Clark, Moore of Oglethorpe, Park of Jackson, Powers, Ramsey, Robertson of Upson, Rockwell, Ryals, Simms, Spalding, Stokes, Storrs, Tate, Tillman, Torrance, Troup, Vinson, Wade, Williams, Witt—63.

Nays—Messrs. Brackwell, Brown, Campbell of Houston, Clark of DeLalb, Clark of Henry, Crowell, Collins of Bibb, Coker, Comming, Cuthbert, Daniel, Dupree, Ector, Faris, Forsyth, Garrison, Gibson, Hargrove, Harris, Haynes, Hill, Holland, Holt, Hull, Kennan, Kiddoe, Key, King of Richmond, Lawson, Lewis of Burk, Lewis of Hancock, Lockhart of Bullock, Long, Maltbie, Martin, McAfee, McHullin, Moore of Henry, Mosely, Morton, Oliver, Park of Gwinnett, Peabody, Philips, Powell, Putman, Remsen, Reese, Robertson of Washington, Sloan, Stroud, Taylor, Underwood, Warner, Ward, Watson.—55.

Mr: Forsyth then rose in his place, and after withdrawing his second resolution which circumstances had rendered it unnecessary to discuss; he expressed his disappointment in whatever hope he had entertained that some plan would be proposed in which all could agree; and his regret that a sense of duty would not permit him longer to act as a member of the Convention. He took the occasion to disclaim all unkind feelings &c. and laying on the Secretary's table a paper which he said contained a brief exposition of the reasons of himself and those who acted with him for their secession—He withdrew from the Hall followed by about 50 gentlemen.

The paper alluded to, reads as follows:

### PROTEST

*Of the delegates who seceded from the convention, when that body refused an adequate scrutiny into the authority of its members to act as delegates of the People of Georgia:—*

The undersigned, who have been appointed Delegates to a State Convention to be held at Milledgeville, hereby declare their secession from the body, which is now sitting, under that title, for the following reasons:

First—More than twenty counties are unrepresented in the Convention. The absence of so large a part of a perfect representation would, in any case, make it probable, and in the present instance renders it almost certain, that every important vote of the majority of the Convention will be, in effect, a vote of the minority of the people.

Second—Not only have more than twenty counties plainly indicated that they disapprove the Convention, by declining to elect Delegates, but many of those which are represented, made appointments, not because they approved of the Convention, but that their delegates might endeavour to avert the evils which they anticipate from the meeting, and in the expectation that those delegates would withdraw, whenever a course

should be adopted inconsistent with the rights of their constituents.

*Third*—We conceive that a course has been adopted, inconsistent not only with the rights of our constituents, but with justice to the whole People. A very great proportion of those sitting as delegates, have produced no sufficient evidence, that they are duly authorized to appear in behalf of those counties which they nominally represent; and the majority of the Convention has refused to institute and enforce such a scrutiny as is indispensable to the investigation of this essential fact.

Under these circumstances, we deem it an imperative duty to secede—at the same time entering a solemn protest against any authority or influence, which may be claimed for the acts of the body which we have left, as acts of a Convention, representing the people of Georgia.

*Milledgeville, November 16, 1832.*

<i>John Forsyth, Richmond,</i>	<i>Thos. Long, Madison,</i>
<i>Wm. Cumming, do.</i>	<i>Barkly Martin, Harris,</i>
<i>Thos. W. Harris, Walton.</i>	<i>Wm. M. M'fee, Hall,</i>
<i>T. Haynes, Hancock,</i>	<i>H. T. Mosely, Rabun,</i>
<i>Wm. H. Underwood, Hall,</i>	<i>John G. Park, Gwinnett,</i>
<i>M. Brown, Washington,</i>	<i>Matthew Phillips, Jasper,</i>
<i>H. Crowell, Crawford,</i>	<i>Wm. M. Morton, Madison,</i>
<i>Hiram Warner, do.</i>	<i>S. Robertson, Washington,</i>
<i>N. B. Powell, Talbot,</i>	<i>Wm. Sloan, Irwin,</i>
<i>Z. B. Hargrove, Cherokee,</i>	<i>Orion Stroud, Walton,</i>
<i>Lewis J. Dupree, DeKalb,</i>	<i>David Taylor, jr. Burke,</i>
<i>Hugh Lawson, Houston,</i>	<i>R. Kemson, Lincoln,</i>
<i>Andrew K. Moore, Henry,</i>	<i>Sam'l. Lockhart, Bulloch,</i>
<i>O. H. Kennan, Coweta,</i>	<i>Thos Watson, Coweta,</i>
<i>D. A. Reese, Jasper.</i>	<i>John P. King, Richmond,</i>
<i>B. W. Braccwell, Pulaski,</i>	<i>David Kidlo, DeKalb,</i>
<i>Jno. G. Putnam, Jackson,</i>	<i>Oliver Clark, do.</i>
<i>W. L. Campbell, Houston,</i>	<i>Theophilus J. Hill, Walton,</i>
<i>Gibson Clark, Henry,</i>	<i>Thomas H. Ken, O'by,</i>
<i>James Coker, do.</i>	<i>John G. Oliver, Lee,</i>
<i>Alfred Cuthbert, Jasper,</i>	<i>Jesse Johnson, Henry,</i>
<i>Jno R. Daniel, Emanuel,</i>	<i>N. Garrison, Hall,</i>
<i>H. W. Ector, Meriwether,</i>	<i>Horace R. Ward, Camden,</i>
<i>Samuel Farris, Rabun,</i>	<i>Joseph Hill, do.</i>
<i>Thos. Gibson, Warren,</i>	<i>S. M'Mullen, Gwinnett,</i>
<i>Benj. Holland, Randolph,</i>	<i>William Maltbie, do.</i>
<i>Jas. G. Lewis, Hancock,</i>	

The roll being called, it appeared that a quorum still remained in the Hall—On answering to their names, Mr. Holt of Gwinnett and Mr. Peabody of Washington, observed in substance, that although they preferred Mr. Forsyth's resolution, and would have voted for it, they could not consider its rejection a sufficient reason for leaving the Convention, and depriving their constituents of their services on this important occasion.

After ordering the report of the committee to be printed, the Convention adjourned till the next morning 10 o'clock.

*November 17.*

The convention adjourned this evening sine die, to meet again on the 1st Monday in July next. The proceedings and resolutions adopted, will be published in our next. The resolutions, as reported by the committee of 21, were amended, but the amendments do not affect the principles advocated in them. The first ten resolutions received no amendment.