

JUDGE LONGSTREET :

The accompanying letter contains such admirable views and sentiments, that I think it due to the South to publish it. I cannot believe that the writer will have any objections to this disposition of it, and therefore I have not waited to ask his permission.

Yours truly,

Athena, Jan. 9, 1835.

To _____ :

Dear Sir— You ask me for my opinion on the course of certain politicians in Congress relative to the abolition question which has recently been so warmly agitated there; and what, do I suppose, is their object? Every man who has read the late debates, and who has watched the progress of political events for the last twelve months, must have formed some opinion on the very singularly curious direction attempted to be given the subject by the professed enemies, but secret friends, of abolition. I will very frankly give you mine. I am well acquainted with Mr. Beardsley, of New York; as a private gentleman I have no right to speak of him; indeed, if I did, it would be in his favor, for his deportment is marked by a courteousness and urbanity altogether respectful and prepossessing. But as a public man, of whom it is lawful to discourse, he is in all its parts, a New York politician of the Van Buren school. He is more devoted to Van Buren than any other member in Congress, and it is my opinion has a deeper interest in his success than any man now living, for I have no doubt some high office will devolve on him in that event. I mention these facts now, that they may be kept in view during the progress of my future remarks. You are apprized what a deep sensation pervaded the South on the conduct of the abolitionists—that it has sent a tremor to every heart and shaken the very foundations of every Southern government—in many instances it has suspended the laws—whole communities have been convulsed—the intercourse between the North and South has been interrupted—doubt and suspicion have so controlled the public sentiment, that the very charities of social life have been broken up and safety was no where felt but in the most unsleeping vigilance and the application of the most rigorous discipline. This state of things aroused the sympathies of the considerate and reflecting portions of the Northern population, and we had their assurances that this mad scheme of the fanatics received no countenance from them. Thus rested the matter awaiting future developments, but evidently producing a new era in the slave question, and leaving an abiding heart-felt concern for the shape it was to assume hereafter in its dark and stealthy progress. The next place we see the monster lifting his hydra head in the Halls of Congress, the place of all others the most dreaded and deprecated, in the shape of petitions to abolish slavery in the District of Columbia. These are from the very quarter where we were assured all was safe for our interest, and what is worse, they pour in upon Congress at the very beginning of its session, destroying all the harmony and sobriety of reflection necessary to the other vital business of the country, and notwithstanding too the throes and convulsions through which the whole country has just passed. Had we not a right to expect that this artful destroyer would be crushed at once? Was it not due to the integrity of the constitution, the justice of compacts, the rights of the South, the faith of the North, and the peace and quiet of the whole country to lay this evil spirit at once? But instead of that, what do we find? Jurisdiction given to Congress over the subject which we have so strenuously denied, by a most deep-laid treacherous manœuvre. Mr. Beardsley, the leader of the Van Buren party in Congress, expresses himself opposed to the object of the petitioners, on the mere simple ground of *courteous expediency*, but that he is equally opposed to the prompt rejection of their unwarranted petition because it will violate, as he says, the constitutional right of the people to petition Congress for a redress of grievances! Now let us examine this right and see how artfully the constitution is to be perverted whenever the States are to be robbed of their rights by the Federal Government. This is a plain case of State rights, and I am aware that its force can only be evaded by the scorn and ridicule of the friends of power, and of patronage, their accustomed instruments to blind the people.

The Federal Constitution which conferred upon the people the right "peaceably to assemble and to petition the government for a redress of grievances," meant, and could mean, no other grievance, than such as Congress had a right to redress. No man can ask what another has no right to give. The right to petition implies the right to grant; for it would be a mockery without a parallel in point of ridiculous folly *graciously* to confer the right of supplication without at the same time conferring a power to relieve. Then, as the Constitution contains a definite and special enumeration of powers, out of which Congress dare not go, the right of petition mentioned in the Constitution must range within those powers—it cannot travel beyond those boundaries, because they are the prescribed limits of the jurisdiction of Congress. Within the *granted powers* of the Federal Government the right of petition belongs. Within the *reserved rights* of the States it is wholly inadmissible. Congress can no more listen to a petition affecting one of the reserved rights, than a State Legislature could do the same thing, as to one of the granted powers. What would be the course of a State Legislature to whom a petition should be preferred praying the right to coin money? Would it not, and ought it not, to reject it, at once for the want of jurisdiction? What if Congress should receive a petition asking a law regulating discounts so as to restore the right of primogeniture? Can Mr. Beardsley seriously believe that Congress is bound to entertain in any shape, even so far as to lay it on the table, such a petition, under the notion that a contrary course violates the right to petition? Now, if laying a petition on the table was tantamount to a *courteous rejection* of it, there are some cases where I would have no objections to that course. The slavery question is, however, very far from being one of them; but recollect, Mr. Beardsley does not conceive it to be a rejection *at all*; for he says he will vote to lay it on the table, but he *will not vote for rejecting it*—and why? He gives the reason, *because it will violate the right of petition*. Then as I will shew you presently, this clothes Congress with the jurisdiction of the question, and we of the South are to hope for a rejection of such petitions, if rejected at all, not on the ground of unconstitutionality, but that of mere expediency. A matter of ever varying complexion, and a fit subject for political agitations through all future time, so that our peace, interests and happiness, are to become the foot-balls of every presidential aspirant and his myriads of dependents.

To come back to my illustrations: suppose a petitioner (and what is good as to one is equally so as to one million) should present himself in person, at the bar of congress and ask that body to manumit all the slaves in the southern states? now this has been universally admitted every where during the past excitement, even by Mr. Van Buren himself, to be unconstitutional and beyond the power of Congress to grant. Well, what ought Congress to do in such a case? Would "the right to petition" authorize them to receive and lay such a demand, for one single moment, on their table? Would it not be their duty as well as due to us, not only as a matter of right, but more especially under the late alarming and dangerous disturbances to reject *instantly* such a request, and holding up the constitution say to the de-

mandant, "what you ask is not within our power, because it is not within this instrument, by which alone we live, move, and have our being?" Now, we of the South contend, and have at all our public meetings so declared, that what Congress can not do *directly*, it can not do *indirectly*. If it cannot manumit the Slaves in the States, it can not do so in the District of Columbia, or the Territories; for every one must perceive the former follows as a consequence of the latter, and no man is so lost to common discernment as not to see that there is as much warrant for the one as the other in the constitution.

All this cry therefore about the sacred right of petition, is the veriest flummery—a shallow artifice, and a most hollow-hearted pretence, designed by Mr. Beardsley and the Van Buren party, to evade a vote upon the right of Congress to abolish slavery in the District of Columbia. A vote we must have, we should never rest until we do obtain it. No blinking the question. It is one which Van Buren has been asked over and over again to answer, and which he as constantly illudes, coming no nearer to a clear and definite reply, than that as "against the *PROPRIETY* (meaning *EXPEDIENCY*) of agitating the question in the District of Columbia," he is opposed. And who thanks him for his *inexpediency* at *this time*? We want to close the account against all *future time*, if we are to live together as a united people. Does not every man perceive that Mr. Beardsley's doctrine completely invests Congress with the jurisdiction of the question? What does it amount to? He says he cannot *reject* the petitions, because it will "violate the right of petition;" then if they have the right to petition, **ON THIS SUBJECT**, Congress has the power to grant or refuse their prayer at pleasure; for if the right to petition is not an idle and unmeaning privilege, it is impossible to separate it from the correlative right to vouchsafe the object of the supplicants. To confer the favor, to ask without the means to give, is too small a business for the sages who framed the Constitution. Hence, I consider all those who voted to lay the petitions on the table, intend that Congress shall retain jurisdiction of the question to be exercised hereafter, as circumstances may require. I believe further, there was a special object in it. Van Buren is in a dilemma between the Southern people and the Northern abolitionists, and this is too well known to admit of the shadow of a doubt. He wants to please both. To say it is *inexpedient* to act on the subject, he thinks will please the former—to give Congress power over the question to be acted on when their strength will justify it, he hopes will satisfy the latter. The Southern members who have aided in this treacherous scheme deserve our most indignant animadversion.

A. S. CLAYTON.