



"MONEY MAKES THE MARE GO."

Each dweller in our glorious States Talks loud of equal rights, and prates That wealth is no embargo!

WIDOW SIMPSON'S SPOONS.

The parish of Bathgate, in Linlithgowshire, ought to be reckoned among the classic spots of Scotland, inasmuch as it formed part of the dower which Robert the Bruce bestowed on his eldest daughter Margery, when she married Walter, the High Steward of Scotland, and thus became the progenitrix of the royal and unlucky house of Stuart.

In the family resided, in the capacity of help, one Nancy Campbell, a girl about nineteen, who was suspected of having taken a fancy to Robin, who reciprocated the sentiment.

"There's nae room for ye here, Geordy," said the widow; "we're on weighty business."

"Weel, mien," said Geordy, turning to depart, "it's of nae consequence. I only came to speak about your spoons."

"I couldna miss, bein' blessed wi' the precious gift o' hair, and what's better, I saw them," said Geordy.

"Saw them, Geordy? What are they? and here's a whole shillin' for ye!" said Mrs. Simpson's purse, or rather an old glove used for that purpose, was instantly produced.

"Weel," said Geordy, "I slipped in a day, and seen' the siller unguarded, I thought some ill-guided body might covet it, and just laid it by, I may say, among the leaves o' that Bible, thinkin' you would be sure to see the spoons when you went to read."

Before Geordy had finished his revelation, Nancy Campbell had brought down the prodigious display, but never-opened Bible, and interspersed between its leaves lay the dozen of long-sought spoons.

The minister of Bathgate could scarcely command his gravity while admonishing Geordy on the trouble and vexation his trick had caused. The assembled neighbors laughed outright when the dat man, pocketing the widow's shilling, which he had clutched in the early part of his discourse, assured them all that he kenne'd Mrs. Simpson read her Bible, and the spoons would be certain to turn up. Geordy got many a basin of broth and many a luncheon of bread and cheese on account of that transaction, with which he assuaged all the freights of the parish. Mrs. Simpson was struck dumb even from scolding. The discovery put an end to her ostentatious professions, and, it may be hoped, turned her attention more to practice. By way of making amends for her unjust imputations on Nancy Campbell, she consented to receive her as a daughter-in-law within the same year; and it is said there was peace ever after in the farmhouse; but the good people of Bathgate, when discussing a character of more pretence than performance, still refer to Widow Simpson's spoons.

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ran through it like one distracted, questioning, scolding, and searching. Robin, Nancy, and the farm-men were despatched in different directions, as soon as the rain abated, to advertize the neighbors, under the supposition that some strolling beggar or gipsy might have carried off the treasure, and would attempt to dispose of it in the parish. Nobody thought of Geordy Wilson; he had not been spied from the hay-field; his circuits were wide; his visits to any house were not frequent; and if he eschewed Widow Simpson's front the day of her loss, it was believed Geordy knew that neither her temper nor her liberality would be improved by that circumstance.

Lost the spoons were, beyond a doubt, and the widow bade fair to lose her senses. The rich relation came at his appointed time, and had such a tea, that he avowed never again to trust himself in the house of his entertainer.

But the search went on; rabbits' holes were looked into for the missing silver, and active boys were bribed to turn out magpies' nests. Wells and barns in the neighborhood were explored. The crews of the three nearest parishes were employed to proclaim the loss; it was regularly advertised at kirk gate and market place; and Mrs. Simpson began to talk of getting a search-warrant for the beggar's meal-pouch. Bathgate was alarmed through all its borders concerning the spoons; but when almost a month wore away, and nothing could be heard of them, the widow's suspicions turned from beggars, barns, and magpies, to light on poor Nancy. She had been scouring the spoons, and left the house last; silver could not leave the table without hands. It was true that Nancy had always borne an unquestioned character; but such spoons were not to be met with every day, and Mrs. Simpson was determined to have them back in her stocking. After sundry hints of increasing breadth to Robin, who could not help thinking his mother was losing her judgment, she, one day plumped the charge, to the utter astonishment and dismay of the poor girl, whose anxiety in the search had been inferior only to her own. Though poor and an orphan, Nancy had some honest pride; she immediately turned out the whole contents of her kist, (box) unstrung her pocket in Mrs. Simpson's presence, and ran with tears in her eyes to tell the minister.

As was then common in the country parishes of Scotland, difficulties and disputes which might have employed the writers and puzzled the magistrates were referred to his arbitration, and thus law-suits or scandal prevented. The minister had heard, as who in Bathgate had not, of Mrs. Simpson's loss. Like the rest of the parish he thought it rather strange; but Nancy Campbell was one of the most serious and exemplary girls in his congregation—he could not believe that the charge preferred against her was true; yet the peculiarities of the case demanded investigation. With some difficulty the minister persuaded Nancy to return to her mistress, bearing a message to the effect that he, and two other of his elders who happened to reside in the neighborhood, would come over in the following evening, to hear what could be said on both sides, and, if possible, clear up the mystery. The widow was well pleased at the minister and his elders coming to inquire after her spoons. She put on her best mitch—that is to say, cap—prepared her best speeches, and enlisted some of the most serious and reliable of her neighbors to assist in the investigation.

Early in the evening of the following day—when the summer sun was wearing low and the field-work was over—they were all assembled in the clean-scoured kitchen, the minister, elders, and neighbors, soberly listening to Mrs. Simpson's testimony touching her lost silver, Nancy, Robin, and farm-men sitting by till their turn came; when the door, which had been left half-open to admit the breeze—for the evening was sultry—was quietly pushed aside, and in slid Geordy Wilson, with his usual accompaniments of staff and wallet.

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A case in chancery, begun in England in 1791, was decided in London last October.

PRESIDENT BUCHANAN'S MESSAGE, DELIVERED DEC. 4TH, 1860.

Fellow-citizens of the Senate and House of Representatives:

Throughout the year since our last meeting, the country has been eminently prosperous in all its material interests. The general health has been excellent, our harvests have been abundant, and plenty smiles throughout the land. Our commerce and manufactures have been prosecuted with energy and industry, and have yielded fair and ample returns. In short, no nation in the tide of time has ever presented a spectacle of greater material prosperity than we have done until within a very recent period.

AGITATION AND ITS CAUSES.

Why is it, then, that discontent now so extensively prevails, and the Union of the States, which is the source of all these blessings, is threatened with destruction? The long-continued and intemperate interference of the Northern people with the question of slavery in the Southern States has at length produced its natural effects. The different sections of the Union are now arrayed against each other, and the time has arrived, so much dreaded by the Father of his Country, when hostile geographical parties have been formed. I have long foreseen and often forewarned my countrymen of the now impending danger. This does not proceed solely from the claim on the part of Congress or the territorial legislatures to exclude slavery from the Territories, nor from the efforts of different States to defeat the execution of the fugitive slave law. All the evils which have been endured by the South without danger to the Union, (as others have been,) in the hope that time and reflection might apply the remedy. The immediate peril arises not so much from these causes as from the fact that the incessant and violent agitation of the slavery question throughout the North for the last quarter of a century, has at length produced its malign influence on the slaves, and inspired them with vague notions of freedom. Hence a sense of security no longer exists around the family altar. This feeling of peace at home has given place to apprehensions of servile insurrection. Many a Matron throughout the South retires at night in dread of what may befall herself and her children before the morning. Should this apprehension of domestic danger, whether real or imaginary, extend and intensify itself until it shall pervade the masses of the Southern people, then disunion will become inevitable. Self-preservation is the first law of nature, and has been implanted in the heart of man by his Creator for the wisest purposes, and no political union, however fraught with blessings and benefits in all other respects, can long continue, if the necessary consequence be to render the homes and the fireside of nearly half the parties to it habitually and hopelessly insecure. Sooner or later the bonds of such a Union must be severed. It is my conviction that this fatal period has not yet arrived; and my prayer to God is that He would preserve the Constitution and the Union throughout all generations. But let us take warning in time, and remove the cause of danger. It cannot be denied that, for twenty-five years, the agitation at the North against slavery in the South has been incessant. In 1835 pictorial hand-bills, and inflammatory appeals were circulated extensively throughout the South, of a character to excite the passions of the slaves; and, in the language of General Jackson, "to state that to insurrection and produce all the horrors of a servile war." This agitation has ever since been continued by the public press, by the proceedings of State and county conventions, and by abolition sermons and lectures. The time of Congress has been occupied in violent speeches on this never-ending subject; and appeals in pamphlet and other forms, endorsed by distinguished names, have been sent forth from this central point and spread broadcast over the Union.

How easy would it be for the American people to settle the slavery question forever, and to restore peace and harmony to this distracted country. They, and they alone, can do it. All that is necessary to accomplish the object, and all for which the slave States have ever contended, is to be let alone, and permitted to manage their domestic institutions in their own way. As sovereign States, they, and they alone, are responsible before God and the world for the slavery existing among them. For this, the people of the North are not more responsible, and have no more right to interfere, than with similar institutions in Russia or in Brazil. Upon their good sense and patriotic forbearance I confess I still greatly rely. Without their aid, it is beyond the power of any President, no matter what may be his own political proclivities, to restore peace and harmony among the States. Wisely limited and restrained as is his power, under our Constitution and laws, he alone can accomplish but little, for good or for evil, on such a momentous question.

LINCOLN'S ELECTION NO CAUSE FOR SECESSION.

And this brings me to observe that the election of any one of our fellow-citizens to the office of President does not of itself afford just cause for dissolving the Union. This is more especially true if his election has been effected by a mere plurality, and not a majority, of the people, and has resulted from transient and temporary causes, which may probably never again occur. In order to justify a resort to revolutionary resistance, the Federal Government must be guilty of "a deliberate, palpable, and dangerous exercise" of powers not granted by the Constitution. The late Presidential election, however, has been held in strict conformity with its express provisions. How, then, can the result justify a revolution to destroy this very Constitution? Reason, justice, a regard for the Constitution, all require that we shall wait for some overt and dangerous act on the part of the President, or feel before resorting to such a remedy. It is said, however, that the antecedents of the President elect have been sufficient to justify the fears of the South that he will attempt to invade their constitutional rights. But are such apprehensions of contingent danger in the future sufficient to justify the immediate destruction of the noblest system of government ever devised by mortals? From the very nature of his office, and his high responsibilities, he must necessarily be conservative. The stern duty of administering the vast and complicated concerns of this Government affords in itself a guarantee that he will not attempt any violation of a clear constitutional right. After all, he is no more than the chief executive officer of the Government. His province is not

to make, but to execute the laws; and it is a remarkable fact in our history, that, notwithstanding the repeated efforts of the anti-slavery party, no single act has ever passed Congress, unless we may possibly except the Missouri Compromise, impairing, in the slightest degree, the rights of the South to their property in slaves. And it may also be observed, judging from present indications, that no probability exists of the passage of such an act, by a majority of both Houses, either in the present or the next Congress. Surely, under these circumstances, we ought to be restrained from present action by the prospect of Him who spoke as never man spoke—"sufficient unto the day is the evil thereof." The day of evil may never come, unless we shall rashly bring it upon ourselves.

SLAVERY IN THE TERRITORIES.

It is alleged as one cause for immediate secession that the Southern States are denied equal rights with the other States in the common Territories. But by what authority are these denied? Not by Congress, which has never passed, and I believe never will pass, any act to exclude slavery from these Territories; and certainly not by the Supreme Court, which has solemnly decided that slaves are property, and like all other property, their owners have a right to take them into the common Territories, and hold them there under the protection of the Constitution. So far, then, as Congress is concerned, the objection is not to anything they have already done, but to what they may do hereafter. It will surely be admitted that this apprehension of future danger is no good reason for an immediate dissolution of the Union. It is true that the territorial legislature of Kansas, on the 22d of February, 1860, passed in great haste an act, over the veto of the Governor, declaring that slavery "is, and shall be, forever prohibited in this territory." Such an act, however, plainly violating the rights of property secured by the Constitution, will surely be declared void by the judiciary whenever it shall be presented in a legal form. Only three days after my inauguration the Supreme Court of the United States solemnly adjudged that no such act could exist in a territorial legislature. Yet such has been the factious temper of the times that the correctness of this decision has been extensively impugned before the people, and the question has given rise to angry political conflicts throughout the country. Those who have appealed from this judgment of our highest constitutional tribunal to popular assemblies, would, if they could, invest a territorial legislature with power to annul the sacred rights of property. This power Congress expressly forbids by the Federal Constitution to exercise. Every State legislature in the Union is forbidden by its own constitution to exercise it. It cannot be exercised in any State except by the people in their highest sovereign capacity when framing or amending their State constitution. In like manner, it can only be exercised by the people of a Territory represented in a convention of delegates for the purpose of framing a constitution preparatory to admission as a State into the Union. Then, and not until then, are they invested with power to decide the question whether slavery shall or shall not exist within their limits. This is an act of sovereign authority, and not of subordinate territorial legislation. Were it otherwise, then indeed would the equality of the States in the Territories be destroyed, and the rights of property in slaves would depend upon the guarantees of the Constitution, but upon the votes of majorities of an irresponsible territorial legislature. Such a doctrine, from its intrinsic unsoundness, cannot long influence any considerable portion of our people, much less can it afford a good reason for a dissolution of the Union.

THE FUGITIVE SLAVE LAW.

The most palpable violations of constitutional duty which have yet been committed consist in the acts of the Southern legislatures to defeat the execution of the fugitive slave law. It ought to be remembered, however, that for these acts, neither Congress nor any President can justly be held responsible. Having been passed in violation of the Federal Constitution, they are therefore null and void. All the courts, both State and national, before whom the question has arisen, have from the beginning declared the fugitive slave law to be constitutional. The single exception is that of the State court in Wisconsin, and this has not only been reversed by the proper appellate tribunal, but has met with such universal approbation that there is no danger from it as a precedent. The validity of this law has been established over and over again by the Supreme Court of the United States with perfect unanimity. It is founded upon an express provision of the Constitution, requiring that fugitive slaves who escape from service in one State to another shall be "delivered up" to their masters. Without this provision it is a well-known historical fact that the Constitution itself could never have been adopted by the Convention. In one form or other under the acts of 1793 and 1850, both being substantially the same, the fugitive slave law has been the law of the land from the days of Washington until the present moment. Here, then, a clear case is presented, in which it will be the duty of the next President, as it has been my own, to act with vigor in executing this supreme law against the conflicting enactments of State legislatures. Should he fail in the performance of this high duty, he will then have manifested a disregard of the Constitution and laws, to the great injury of the people of nearly one-half of the States of the Union. But are we to presume in advance that he will thus violate his duty? This would be at war with every principle of justice and of Christian charity. Let us wait for the overt act. The fugitive slave law has been carried into execution in every case since the commencement of the present administration; though often it is to be regretted, with great loss and inconvenience to the master, and with considerable expense to the government. Let us trust that the State legislatures will repeal their unconstitutional and obnoxious enactments. Unless this is possible for any human power to save the Union. The Southern States, standing on the basis of the Constitution, have a right to demand this set of justice from the States of the North. Should it be refused, then the Convention, to which all the States are parties, will have been willfully violated by one portion of them in a provision essential to the domestic security and happiness of the remainder. In that event, the injured States, after having first used all peaceful and constitutional means to obtain redress, would be

justified in revolutionary resistance to the Government of the Union.

THE ABILITY OF STATES TO SECEDE.

I have purposely confined my remarks to revolutionary resistance, because it has been claimed within the last few years, that any State, whenever this shall be its sovereign will and pleasure, may secede from the Union, in accordance with the Constitution, and without any violation of the constitutional rights of the other members of the Confederacy; that as each became parties to the Union by the votes of its own people assembled in Convention, so any one of them may retire from the Union in a similar manner by the vote of such a convention. In order to justify secession as a constitutional remedy it must be on the principle that the Federal Government is a mere voluntary association of States, to be dissolved at pleasure by any one of the contracting parties. If this be so, the Confederacy is a rope of sand, to be penetrated and dissolved by the first adverse wave of public opinion in any of the States. In this manner our thirty-three States may resolve themselves into as many petty, jarring, and hostile republics, each one retiring from the Union, without responsibility, whenever any sudden excitement might impel them to such a course. By this process a Union might be entirely broken into fragments in a few weeks, which cost our forefathers many years of toil, pain, and blood, to establish. Such a principle is wholly inconsistent with the history as well as the character of the Federal Constitution. As it was framed, with the great deliberation and care, it was submitted to conventions of the people of the several States for ratification. Its provisions were discussed at length in these bodies composed of the first men of the country. Its opponents contended that it conferred powers upon the Federal Government dangerous to the rights of the States, whilst its advocates maintained that under a fair construction of the instrument there was no foundation for such apprehensions. In that mighty struggle between the first intellects of this or any other country, it never occurred to any individual, either among its opponents or advocates, to assert, or even to intimate, that their efforts were all vain labor, because the moment that any State felt herself aggrieved she might secede from the Union. What a crushing argument would this have proved against those who dreaded that the rights of the States would be endangered by the Constitution. The truth is, that it was not until many years after the origin of the Federal Government that such a proposition was first advanced. It was then met and refuted by the conclusive arguments of General Jackson, who in his message of 16th Jan., 1833, transmitting the nullifying ordinance of South Carolina to Congress, employs the following language: "The right of the people of a single State to absolve themselves at will, and without the consent of the other States, from their most solemn obligations, and hazard the liberty and happiness of the millions composing this Union, cannot be acknowledged. Such authority is believed to be utterly repugnant both to the principles upon which the General Government is constituted and to the objects which it was expressly formed to attain." It is not pretended that any clause in the Constitution gives countenance to such a theory. It is altogether founded upon inference, not from any language contained in the instrument itself, but from the sovereign character of the several States, which were ratified. But is it beyond the power of a State, like an individual, to yield a portion of its sovereign rights to secure the remainder? In the language of Mr. Madison, who has been called the father of the Constitution: "It was formed by the States—that is, by the people in each of the States, acting in their highest sovereign capacity; and formed consequently by the same authority which formed the State constitutions. Nor is the government of the United States created by the States, less Government in the strict sense of the term, within the sphere of its powers than the governments created by the constitutions of the States are, within their several spheres. It is, like them, organized into legislative, executive, and judicial departments. It operates, like them, directly on persons and things; and, like them, it has at command a physical force for executing the powers committed to it." It was intended to be perpetual, and not to be annulled at the pleasure of any one of the contracting parties. The old articles of confederation were entitled "Articles of Confederation and Perpetual Union between the States;" and by the 13th article it is expressly declared that "the articles of this Confederation shall be inviolably observed by every State, and the Union shall be perpetual." The preamble to the Constitution of the United States, having express reference to the articles of Confederation, recites that it was established "in order to form a more perfect Union." And yet it is contended that this "more perfect Union," does not include the essential attribute of perpetuity.

POWERS OF THE FEDERAL GOVERNMENT.

But that the Union was designed to be perpetual appears conclusively from the nature and extent of the powers conferred by the Constitution on the Federal Government. These powers embrace the very highest attributes of national sovereignty. They place both the sword and the purse under its control. Congress has power to make war, and to make peace; to raise and support armies and navies, and to conclude treaties with foreign governments. It is invested with the power to coin money, and to regulate the value thereof, and to regulate commerce with foreign nations, and among the several States. It is not necessary to enumerate the other high powers which have been conferred upon the Federal Government. In order to carry the enumerated powers into effect, Congress possesses the exclusive right to lay and collect duties on imports, and in common with the States to lay and collect all other taxes. But the Constitution has not only conferred these high powers upon Congress, but it has adopted effectual means to restrain the States from interfering with their exercise. For that purpose it has, in strong prohibitory language, expressly declared that "no State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a legal tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts." Moreover, "without the consent of Congress, no State shall lay any imposts or duties on any imports or exports, except what may be absolutely necessary

for executing its inspection laws;" and, if they exceed this amount, the excess shall belong to the United States. And "no State shall, without the consent of Congress, lay any duty on tonnage; keep troops, or ships of war, in time of peace; enter into any agreement or compact with another State, or with a foreign power; or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay." In order still further to secure the uninterrupted exercise of these high powers against State interposition, it is provided that "this Constitution and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding." The solemn sanction of religion has been superadded to the obligations of official duty, and all senators and representatives of the United States, all members of State legislatures, and executive and judicial officers, "both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution." In order to carry into effect these powers, the Constitution has established a perfect Government in all its forms, Legislative, Executive, and Judicial; and this Government, to the extent of its powers acts directly upon the individual citizens of every State, and executes its own decrees by the agency of its own officers. In this respect it differs entirely from the Government under the old Confederation, which was confined to making requisitions on the States in their sovereign character. This left it in the discretion of each whether to obey or refuse, and they often declined to comply with such requisitions. It thus became necessary, for the purpose of removing this barrier, and "in order to form a more perfect Union," to establish a Government which could act directly upon the people, and execute its own laws without the intermediate agency of the States. This has been accomplished by the Constitution of the United States. In short, the Government created by the Constitution, and deriving its authority from the sovereign people of each of the several States, has precisely the same right to exercise its power over the people of all these States, in the enumerated cases, that each one of them possesses over subjects not delegated to the United States, or to the States, respectively, or to the people." To the extent of the delegated powers the Constitution of the United States is as much a part of the constitution of each State, and is as binding upon its people as though it had been textually inserted therein. This Government, therefore, is a great and powerful Government, invested with all the attributes of sovereignty over the special subjects to which its authority extends. Its framers never intended to implant in its bosom the seeds of its own destruction, nor were they at its creation guilty of the absurdity of providing for its own dissolution. It was intended by its framers to be the useless fabric of a vision which, at the touch of the enchanter, would vanish into thin air, but a substantial and mighty fabric, capable of resisting the slow decay of time and of defying the storms of ages. Indeed, well may the jealous patriots of that day have indulged fears that a government of such high powers might violate the reserved rights of the States, and wisely did they adopt the rule of a strict construction of these powers to prevent the danger! But they did not fear, nor had they any reason to imagine, that the Constitution would ever be so interpreted as to enable any State, by her own act, and without the consent of her sister States, to discharge her people from all or any of their Federal obligations.

SECESSION IS REVOLUTION.

What, in the meantime, is the responsibility and true position of the Executive? He is bound by solemn oath, before God and the country, to take care that the laws be faithfully executed," and from this obligation he cannot be absolved by any human power. But what if the performance of this duty, in whole or in part, has been rendered impracticable by events over which he could have exercised no control? Such, at the present moment, is the case throughout the State of South Carolina, so far as the laws of the United States, to secure the administration of justice by means of the Federal Judiciary, are concerned. All the Federal officers within its limits, through whose agency alone these laws can be carried into execution, have already resigned. We no longer have a district judge, a district attorney, or a marshal, in South Carolina. In fact, the whole machinery of the Federal Government, necessary for the distribution of remedial justice among the people, has been demoralized; and it would be difficult, if not impossible, to replace it. The only acts of Congress on the statute book, bearing upon this subject, are those of the 28th of February, 1785, and 8d of March, 1807. These authorize the President, after he shall have ascertained that the marshal with his posse comitatus is unable to execute civil or criminal process in any particular case, to call forth the militia and employ the army and navy to aid him in performing this service, having first by Proclamation commanded the insurgents "to disperse and retire peaceably to their respective abodes, within a limited time." This duty cannot be possibly performed in a State where no judicial authority exists to issue process, and where there is no marshal to execute it, and where, even if there were such an officer, the entire population would constitute one solid combination to resist him. The bare enumeration of these provisions proves how inadequate they are without further legislation to overcome a united opposition in a single