soirées with Dryads and Hamadryads. As he is a perfect stranger at Washington (so my daughter tells me) he wants some kind of introduction that will give him the liberty of making inquiries for information. Do you know Dr Jones of the Franklin Journal [at] Washington? Pray introduce Dr Manners to him and to Warren D[avis]. I suspect Manners will call on you. Adieu my good friend,

My little Daughter just 12 plays Nina delightfully.

Adieu my good friend.

Yours truly

THOMAS COOPER.

2. *Letters on the Nullification Movement in South Carolina, 1830–1834.*

(*First installment.*)

THE following letters, illustrating in a variety of ways the nullification movement, have come into the managing editor's hands from various sources. Mr. Edward Spann Hammond of Blackville, S. C., son of Governor and Senator James H. Hammond, has kindly placed at the editor's disposal the letters which Governors Hamilton and Hayne addressed during the crisis to his father, then a young but influential lieutenant of their party, as well as copies of his replies, and a record of a conversation with Calhoun. He has also lent a valuable collection of contemporary pamphlets, which, combined with the considerable collection possessed by the library of Brown University, has helped greatly toward an understanding of the struggle. The letters to Hammond, it may be remarked, are during 1830 and 1831 addressed to him at Columbia; after that, to Silver Bluff or Silverton in Barnwell District. Next in importance are the letters of Hayne to another of his aides, Francis W. Pickens. For these we are indebted to Mrs. J. E. Bacon of Edgefield, daughter of Governor Pickens. The papers once possessed by Governors Hayne and Hamilton, including in the latter case his correspondence with John Randolph of Roanoke, have unhappily perished. General Edward McCrady of Charleston, president of the South Carolina Historical Society, has kindly furnished a copy of a letter from a Union committee, of which his father was a member, to one of the local supporters of that party. For the letters of President Jackson and of Bolling Hall to Nathaniel Macon, possessed by a descendant of Macon, Mrs. Walter K. Martin of Richmond, we are indebted to her and to Professor William E. Dodd of Randolph-Macon College.

It is not doubted that the letters will be thought to be interesting, and to afford a vivid notion of the character of the struggle and

the extent of the resistance planned (the unpreparedness of South Carolina in some respects is made manifest, but that of the United States must also be considered). But the series is too long for one issue of the REVIEW. For want of a better point of division, it has been divided by the date February 1, 1833, the date at which the Ordinance of Nullification was to go into effect. The remaining papers already collected, and perhaps some others, may be expected to appear in the October number.

The reader who wishes to see the same series of events from the point of view of the opposite party, may be referred to Dr. Joseph Johnson's narrative and the letters of Jackson, Huger and Drayton, printed in Stillé's memoir of Joel R. Poinsett, in the twelfth volume of the *Pennsylvania Magazine of History*, and to Grayson's *Life of James Louis Petigru*. For the more general aspects of the struggle, see Houston's *Critical Study of Nullification in South Carolina*.

1. ROBERT Y. HAYNE[1] TO JAMES H. HAMMOND.

(*Private.*)

WASHINGTON, 25th Feb. 1830

Dear Sir.

I have rec[d] your letter and will best manifest my friendly disposition towards your enterprise by answering it at once. [You]r objects are honorable, and of vital [im]portance, and you have my best [wis]hes for your success. I agree [wi]th you that our success in the [great?] struggle in which the South [is en]gaged, will in a great measure depend on the *firmness*, *steadiness*, and [*tem*]*per* of our proceedings. Everything [wh]ich looks like unnecessary violence [mu]st have the tendency to create reaction, and yet it is extremely difficult to keep up the public feeling at a proper point, and prevent its boiling over. Men who are suffering, and who are justly indignant at a violation of their rights, can hardly be expected to speak and act with due moderation. Be assured, that a perseverance in the course you indicate as approved of by *your own judgment*, will be attended by the happiest effects. If our friends at home could be induced to base their proceedings on the Virginia Resolutions of '98, I am confident they will carry with them the whole South, and a large portion of the people in other quar[ters]. acting on any other principle, [we] shall encounter difficulties at ev[ery] step. I shall be glad at all [times] to afford you all the informa[tion] in my power, on matters of public concern, and with my best wishes for your welfare am with great respect your

most ob[t] Serv[t]

ROB. Y. HAYNE.

James H. Hammond Esq.

[1] Hayne was at this time in the Senate. His great speech against Webster had been delivered a month before. Hammond was editing the *Southern Times* at Columbia.

II. ROBERT Y. HAYNE TO JAMES H. HAMMOND.

WASHINGTON, 29th March 1830.

Dear Sir.

Dr. Cooper's letter has been well recd here. Its tone of moderation has secured it a favorable reception. I hope and trust he will be equally temperate in all his writings. We have nothing to gain from violence or shocking even the *prejudices* of the people at home or abroad. I do not think I have seen the true spirit better illustrated than in the short article in the Carolinian, which I send to you, in place of an exposition of my own ideas. I think with you that no attempt ought to be made to produce excitement among our Citizens. Let the sound doctrine be spread abroad, and let them see and feel the actual posture of our affairs. There are only two points on which I will venture to give you a hint. Our Presses at home ought to refuse to discuss in any way the question of the next Presidential Election. We have questions of our own entirely above that of whether A. or B. is to be our next President. We must not again mix up our complaints with mere party questions. We ought to keep aloof from everything calculated to divide our own citizens.

You ought to keep an eye to all the measures *looking to the distribution of the natl* funds, whether by direct appropriation of money, or for Roads and Canals, Schools, Pension Bills, or in any other way,—and every decision in favor of such projects ought to be noticed and condemned. I write *in haste* and can only give you *hints*. I do so in compliance with your request, and have only to add that while I shall be happy to aid you with my advice, I wish of course that my suggestions should be considered as thrown out merely for *your consideration*, and intended merely for your own eye.

With great respect, yours

ROB. Y. HAYNE

J. H. Hammond Esq.

III. JAMES HAMILTON, JR.[1] TO JAMES H. HAMMOND.

CHARLESTON August 24 1830.

It has afforded me Dear Sir the sincerest satisfaction to receive your kind favor of the 21st which gave me the agreeable intelligence that my anxious wishes had been anticipated in a manner so satisfactory and honorable to both parties, through the good offices of the worthy and respectable gentlemen who acted as Mediators between Genl Blair and yourself. That his life has been spared for useful and honorable service to the State I sincerely hope, nor can I the less distrust the destiny for which your own has been reserved by the early and powerful exhibition which you have made of public spirit and Talent.[2]

[1] Major James Hamilton, jr., has been a member of Congress from 1823 to 1829, and was governor of South Carolina from December 1830 to December 1832.

[2] A pamphlet bearing the title *The Controversy between General James Blair and James H. Hammond, Esq.*, 1830, furnishes the explanation of this allusion. In a let-

I ought to observe to you that the seeming tardiness of my Letter resulted from a misapprehension of the time fixed for the Meeting between Gen! Blair and yourself. It was reported here that the 28!h was the day, which would have afforded ample time for my Letter to have reached its destination, and operated the purpose for which it was designed.

I will thank you to hand the enclosed to Mr. McMonnis, to the publisher of the S! Times. It is the amount of my Subscription in advance for the *Country* paper. I take so many papers, and at present so many are sent to me, that I am constrained to consult the economy of time in reading them, by confining my subscription to those at a distance to the weekly papers. Your own fire is so spirited and well directed that I should be disappointed not to see the Times at least once a Week.

The effort of the federal cabal here to put the Collector of the Port [3] at the head of the Gov! of our City will fail, I trust by such a rebuking majority on the side of the S! right party, as will teach Uncle Sam's officers that it is as well for them to eat the bread he provides for them in quiet,—and to let the rest of the Community take care of the liberties and honor of the State.

With my best wishes for your happiness and prosperity, I remain, with much esteem, very respectfully

Your ob! Svt.

J Hamilton Jr

J. H. Hammond, Esq!

P. S. I must beg you to present my kind regards to Cap! Butler. [1] If I had known that he was to have acted as one of your friends I should of

ter to the *Camden Journal*, dated from Washington, May 30, Gen. Blair, a member of Congress from the district in which Camden was situated, expressed warm satisfaction over President Jackson's veto of the bill for the Maysville Turnpike Road, and declared that thus the system of internal improvements was completely thrown overboard, and that, with regard to the tariff, if South Carolina would exercise a little forbearance, all things would come right in a year or two more. Indignant at such moderation, Hammond commented sarcastically upon the letter in his paper, the *Southern Times*. Blair replied with a long letter of defense, ending with calling Hammond a blackguard. Thenceforeward the affair went on in the regular course so well described by Touchstone in a well-known passage. Hammond's next article in the *Times* ended with the declaration that "as far as the freedom of the press is committed to us, we shall preserve it, professionally or otherwise, if the General will signify an inclination for it." Blair's next letter to the *Journal* concluded with the statement that he "held himself responsible to any gentleman that felt himself aggrieved by anything that he had written." Hammond sent him a challenge which was accepted, and a meeting was arranged for August 18. The night before, however, the friends of the two arranged a reconcilement. It was agreed that all offensive expressions should be withdrawn, that a personal encounter was unnecessary, and that an amicable adjustment would be honorable to both parties. The *Times* and the *Journal* published the formal pronouncement of the friends, and "the incident was closed."

[1] James R. Pringle, collector of the port of Charleston, was put forward by the Union party as candidate for the office of intendant (= mayor) of the city, and was elected in place of Henry L. Pinckney, editor of the *Charleston Mercury*, on September 6.

[2] Pierce M. Butler, Hammond's second, afterward killed at Churubusco.

course have directed myself to him, which long and agreeable acquaintance would have fully justified.

IV. JAMES HAMILTON, JR. TO JAMES H. HAMMOND.

CHARLESTON Jan^{y} 8 1831.[1]

My Dear Sir.

On my arrival in the City a few Days since, I had the pleasure to receive your two favors.

The course which you have indicated of watching closely and exposing fully and boldly the proceedings of Congress in the Times appears to me to be eminently judicious, during the session of Congress. after the 4th March we can then begin to say something of our means of redress,—and what is left for S^{o} Carolina to do for herself.

I hope you have made a final arrangement with Mr. McMonnis and that he agrees to contribute $500 for your editorial compensation. the remaining $500 shall be raised in a manner the most delicate and respectful to your own feelings. Your services are of the last importance to the cause and let nothing separate you from the Times. I hope the Telescope will be merged in it, by M^{r} McMonnis buying the former in, which will be the best mode now of taking it out of the hands of the enemy.

I am exceedingly gratified by your acceptance of the station in my personal Staff as one of my Aids. Do not get your Uniform until you see my general order which will be out next Month, which may make some slight alteration in the uniform. I have to leave the City today for a few Days. on my return we shall move on our State Rights association, and beat to quarters again

With great esteem, Dear Sir,

Very respectfully and truly Yours,

J HAMILTON Jr

To Col. Ja^{s} H. Hammond
Columbia.

P. S. I have deemed it best in order to stop any slanders of Hay's to remit Gen^{l} Hayne another fifty Dollars, to pay him, which compleats the $250 which he was to have received under my contract with Genl Green.

VI. JAMES HAMILTON, JR. TO JAMES H. HAMMOND.

CHARLESTON Jan^{y} 10th 1831.

My Dear Sir

I am just on the eve of my departure from town for a few Days and have only a Moment to observe that I forgot in my last Letter to say that until the adjournment of Congress I think the publication of the Convention Debate may be postponed in the Times for the reasons you very properly indicate.[2] I would by all means bring out at the end of the

[1] Major Hamilton had become governor on December 9.

[2] The legislature of South Carolina, in the session which ended December 19, debated warmly the question of calling a convention, such as was actually convened in 1832. The constitution of the state required for such an act a two-thirds vote of both houses; this was not secured. The debate was printed in a pamphlet, Columbia, 1831.

Debate the names of the *yeas* and *nays* on *every resolution*, that we may know as Mr Webster says "*Who is who.*" My best wishes and esteem attend you

Yours very truly and respect[y]

J Hamilton Jr

Col. J. H. Hammond.

VII. James Hamilton, Jr. to James H. Hammond.

Charleston, Feb[y] 5th 1831.

My dear Sir.

Just as I was on the e've of my departure, indeed just about to get into my carriage, your favor reached me. On my return to town, which will be in ten days, I will answer you fully; in the mean time I think you had better advise Mr McMonnis not to incur any expense in regard to the Convention Debate without the guaranty of a sufficient subscription list. After the adjournment of Congress we shall organize our States Rights Association and I hope be able to do something for the press in the Country.

Things go on well at home and quite bad enough at Washington to justify both our opinions and principles.

The Mercury[1] is still sluggish but when Congress wanes to its end we will put a little fire into its columns.

The Tone of the Times is excellent and it is just where it should be. Keep at the helm, keep cool, and take deliberate aim.

My Charleston review will not be before the 1st April. In ten days I shall issue my order for the uniform of my aids. until then do not procure yours and request the other gentlemen to suspend their preparations. My aids are invited to attend the grand Military Ball on the 3d March. I hope we shall have the pleasure of seeing you.

I send you Judge Huger's Speech, which I have not had time to read.[2] I remain, My Dr Sir, with esteem

Very respectfully and truly

Yours,

J Hamilton Jr

Col. J H Hammond.

VIII. Memorandum by James H. Hammond.[3]

Columbia 18th March, 1831.

I called at 7 Oclock this morning, at Judge DeSaussure's to see Mr. Calhoun, the Vice President of the United States. He is on his way from Washington to his residence in Pendleton. On receiving notice of

[1] The *Charleston Mercury*.

[2] Daniel E. Huger, afterwards a senator of the United States, resigned his position as a judge in 1830 in order to represent St. Philip's and St. Michael's in the General Assembly and speak and act against nullification.

[3] A fragment of a journal, written in a commonplace-book of Mr. Hammond's. Letters of Calhoun to him, dated January 15 and February 16, 1831, are printed in the *Correspondence of John C. Calhoun* (A.H.A. 1899, II.) pp. 280, 289.

his arrival in town, yesterday morning, I paid him a visit of civility, and my call this morning was in consequence of a wish wh. he expressed to have some private conversation with me. He was alone, and immediately entered freely into the discussion of the affairs of the Nation. He said that great changes had taken and were taking place now in the political elements and that the course of a few months would exhibit a situation of parties in the country as extraordinary, as it had been unexpected. Genl. Jackson he said was losing the confidence of the Republican party every where, and even Tennessee had to a man sustained him (Mr. C) in the late rupture wh. had taken place between himself and the General. Kentucky was with him,—so was Pennsylvania, and Virginia with the exception of Stevenson and Archer. In fact three fourths of the members of Congress were with him ag! the President. That he (Gen. J) had deserted all his political positions; he had first intimated he would not be a candidate for re-election, and now was: that he would not appoint members of Congress to office and had done so continually, and in short was as jealous of his military fame, as ever was Othello of his wife and easily played upon with it, by the cunning men by whom he is surrounded. For these reasons he thought confidence of the Republican party in General Jackson very much diminished; and for himself, he had dissolved all ties, political or otherwise, with him and forever. He did not think him as sincere a man, as he once did. With regard to the opposition, Mr. Calhoun thought he could discern a crack in that party also. The Tariff-men were beginning to believe that to push their policy any further would be a desperate movement, that would in all probability destroy the whole of it, and therefore the most reflecting among them were not disposed to support Henry Clay, for fear of his going too far with the system. Mr Webster he thought the only very prominent man thoroughly in favor of Mr Clay. The members from Kentucky had gone home resolved to push the election *against Clay*, tho' not in favor of Jackson. Should they succeed Mr. Clay was gone, and his partizans hating Gen! Jackson and Mr Van Buren as they did, would unite upon any man to put him out. They would even take him (Mr. C.) with nullification on his head. (Judge Martin[1] was in the room and heard this expression also). In this state of affairs he thought best for the South to stand uncommitted on the Presidential question and to rally and concentrate her strength in pushing the principles for which she had been of late contending. He then spoke of the three great interests of the Nation, The North, the South and the West. They had been struggling in a fierce war with each other and he thought the period was approaching that was to determine whether they could be reconciled or not so as to perpetuate the Union. He was of opinion that they could. The interest of the North was a manufacturing and protecting one, that of the South Free Trade, and that of the West was involved in the distribution of the lands and Internal Improvements.

[1] William D. Martin, whose term as member of Congress had just expired.

How were they to be reconciled? The West must have some visible appropriations to counterbalance those for the improvement of the Harbours, fortifications &c of the Atlantic States, of which they were exceedingly jealous. And in the distribution of every acre of the public land they felt a deep solicitude. *He would therefore gratify them with a system of internal Improvements.* And here he spoke fully and freely of his opinions on this subject. He said he had always doubted of the Constitutionality of Internal Improvements and that in all his Reports and Speeches on the subject, he had never once committed himself on the Constitutional ground. That he had refused to do so in his Bonus Bill Report, against the wishes both of Clay and Lowndes, telling them that he had his doubts. That he thought he had made that Report in the strictest conformity with the wishes of the President, and was completely thunderstruck when Mr. Madison placed his Veto on it. He told him that if any the slightest hint had been given that neither he nor the administration would have been embarrassed by it. Mr. Madison did it to please Mr. Jefferson! Mr. Calhoun said he had been immediately transferred from Congress to the War Department and had never had an opportunity of vindicating himself from the various charges made upon him on this score wh. he felt himself prepared to do most triumphantly whenever called upon in such a manner that he could come out with propriety. Mr. Clay, he said, had seized upon In. Im. as a hobby and ridden it to death. Carried it much further than he ever intended to do and made it odious. In fact for the last five years, he said, he had seen that it would not do and had told his friends in Congress that the system, as carried on, must be arrested. Mr. Calhoun proposed to amend the Constitution for the purpose of making these In. Imp. and to make the public lands the great fund to be set apart for that purpose. He did not agree with Mr Hayne in his project of giving those lands away, wh. would at once unsettle the whole landed property of the U. S. Nor did he think as well of Mr. Webster's plan of doling them away by littles to the people, thus constituting them a great gambling fund, for corrupt speculations. The advantages to the South from this system would be very great. By connecting the channels of the West with those to the Atlantic it would bring the trade at once to its point, thro' the Southern States. He spoke of the Union of the Ohio and the Kenhawa wh. would make Virginia one state. Of the trade that would come to Charleston through the Saluda Gap wh. together with a rail-road from that city to Florence on the Tennessee river, and a canal thro' the cape of Florida would make it the great City of the South.[1] The Free Trade System was that of the South and thus would she reap the advantages. He did not dwell upon this latter proposition, but showed that in this manner the interests of the West and South might readily be reconciled. But how was the North to be prevailed on to give up the protecting system? Mr. Calhoun said that he was for direct taxation ulti-

[1] Many letters on the subject are printed in Calhoun's *Correspondence.*

mately, but at present he aimed only at reducing the Tariff down to the Revenue point—about Eleven or Twelve millions per annum, wh. would enable the government to pay the civil list handsomely. He said he was no radical in this and thought the government should be liberal in its constitutional expenditures. The Tariff at this point might be so adjusted as to suit the Northern people better than it did now. The general increase of duty on every article had diminished the profits of each individually by adding to the cost of every thing necessary to the production of each manufacturer. He would propose to single out some of the most important articles and giving them a liberal protection, enhance their profits still further by lowering the duties upon all [or] nearly all the other articles of necessary consumption. He said that the Northern manufacturers, if they took an extended view of things, must look to a foreign market and with that object it would be their desire and their most urgent interest, to cheapen everything in the country but their own peculiar manufactures. Taking this view of it, he thought the Northern people might easily be induced to lower the Tariff to the revenue point and thus reconcile the interests of the North and South. This is a pretty full view of Mr. Calhoun's plan of reconciliation. He thought it practicable—at all events worth trying. If it failed or matters continued going forward as they now did he looked upon disunion as inevitable. And he thought it best, for the system of plunder such as it was now was the most despicable of all possible forms of government. For his part he would not administer the government as it was now operating. He regarded it as a despicable ambition. It would be administering an insolvent estate,—and one, said Judge Martin who had entered the room during our conversation, that would soon have to plead "*plene administravit.*" If things could be fixed upon the basis he proposed the government would be strengthened, and regain the confidence of the people. It would prevent the traffic of interests now carried on. In this game the North could beat us. We being the payer and they the receiver they could outbid us with the West and always w^d^ do it. When I started to come away Mr Calhoun took his hat, and we walked together for some distance. He then hinted pretty strongly that if things went right, he might be placed in nomination for the Presidency next fall. I told him candidly that such a step would be imprudent at this moment both at home and abroad, and should not be thought of at this time. He agreed with me. He said his object was to throw himself entirely upon the South and if possible to be more Southern if possible. In advancing our principles therefore, we should advance him in the only way in wh. he desired to be advanced.

This I believe is a correct outline of the long interesting interview wh. I had with Mr. Calhoun. To many of his projects I could not yield my assent, and his fine theory—if sound and republican—I fear will be found impractible.

—I dined with Mr. Calhoun to-day at Judge D's and took tea with him at Major Taylor's. He is much less disposed to harangue than usual.

There is a listlessness about him wh. shows that his mind is deeply engaged and no doubt that it is on the subject of the Presidency. He is unquestionably quite feverish under the present excitement, and his hopes.

IX. JAMES HAMILTON, JR. TO JAMES H. HAMMOND.

CHARLESTON May 3d 1831.

My Dear Sir.

I have had the pleasure by yesterdays Mail to receive your kind favor, and regret that a pressure of business official and otherwise prevents my doing any thing more at present but to acknowledge its receipt.

I had previously been made acquainted by your Letter addressed to me at Columbia at the happy change of auspices which in all probability will keep you in Carolina for a Career I trust of exceptional prosperity and honor. Let me add my most fervent wishes that *yours* may in *all respects* be realized.

I am just preparing for my review tomorrow, and for my departure from the City to attend on the 6th for the same purpose at Strawberry. On my return to town I hope to meet McDuffie and after a full consultation with our friends here we will write you precisely what tone it is deemed most advisable to give to the press. I am fully aware of the great peril of permitting public feeling to collapse because the inference made is that the cause is not worth supporting or the party unworthy of supporting it. We must have a rally on some firm ground and then stand manfully to our arms. The administration at Washington cannot recover from the retreat *precipitate* of the late Cabinet, and consequently Jackson's reelection is placed in such hazard as scarcely to be a probable event. We had better lay too, as the Sailors say, with our Main top sail aback and see our way well ahead before we make sail. In truth it becomes of vast importance to know the true character to be given to this change, whether it is in fact a countermarch from fear or from a profound spirit of intrigue. I would suggest silence on the subject of the new Cabinet until from Hayne, Mc Duffie, and my own knowledge of the individuals we can give you a true Key to the whole movement. Expect to hear from me soon and be assured in the mean time of the sincere esteem and regard with which I am

faithfully and respectfully
Your friend
J. HAMILTON JR.

X. JAMES HAMILTON, JR. TO JAMES H. HAMMOND.

CHARLESTON May 21st 1831.

My Dear Sir.

I have had the pleasure to receive by last evening's Mail your favor of the 16th inst.

Whilst I deeply regret that we must lose your valuable services at the Head of the Times, I am greatly rejoiced that this retirement from your

Post is the result of such a felicitous Cause; on this event allow me to tender you my heartfelt congratulations. If it were practicable for me to leave Charleston in June, nothing could afford me greater pleasure than to be present at your marriage, but public and private engagements forbid my entertaining such an anticipation.

I trust your retirement however from the Times will be only a short pause in the Career of your public usefulness, and that we shall have you in some even more distinguished and important Station in our party. We shall at least know for any purpose of high service and generous devotion where we have a Man on whom we can rely. You must however as soon after your "Honey Moon" as possible beat to quarters again, as we must make this Summer tell by the efficiency of our efforts in the common cause.

M^c^Duffie received a public dinner on Thursday at the hands of our party, and made a superb and gigantic effort which has struck a damp in the hearts of our opponent[s]. He is staying with me and preparing it carefully and elaborately for publication.[1] We shall have it extensively circulated in a pamphlet form throughout the South. In the excellence of the *tact* which he displayed in adapting his speech to the crisis and the community in which it was delivered, he was almost seemingly inspired. In the course of a fortnight we shall move on our State rights associations and not only attempt to make "Nullification easy" but successful too. I shall be at all times gratified to hear from you and never more than when you tell me that you are prosperous and happy. Believe me, My Dear Sir, ever with esteem

Respect^y^ and faithfully yours,

J. Hamilton Jr.

Col. Hammond.

XI. James Hamilton, Jr. to James H. Hammond.

Charleston June 11^th^ 1831.

My Dear Sir.

I have received your kind favor detailing the particulars of your affair with Daniel. I assure you that they are well understood here, as well as the necessity under which you acted. The truth is that no Man who read Daniel's[2] editorial could have doubted for an instant what course you would have pursued, and I sincerely rejoice that your escape from his pistol has been as signal as the gallantry with which you advanced to its Mouth. I think this incident will put a curb upon him, and that he will see the propriety of maintaining a certain sort of decorum if not justice to our party.

I have seen with great regret the course which Green[3] is pursuing towards us and M^r^. Calhoun. He will ruin the latter if he is not checked.

[1] *Speech at the Public Dinner, May 19*, Charleston, 1831.

[2] Editor of the *Telescope*, Union Organ.

[3] Duff Green, editor of the *United States Telegraph*.

Green has certainly got into his head, I hope without Mr. C.'s sanction, that by compromising with the Manufacturers that he can be elected. Indeed Green has written me a long Epistle on the subject, holding out the most alluring probabilities of Mr. Calhoun's success and of the willingness of the Manufacturers to compromise with us on the principle of his Speech in 1816. I have replied very explicitly to him that in no shape lot or scot would we be included in the arrangement, that we would take no part in the presidential election and that I was quite sure that Mr C.'s prospects were as hopeless as his ruin would be certain if he was brought to give his countenance to such a compact. He also civilly asked if we were all crazy at M^cDuffie's dinner, if we intended to start into open rebellion and insure the empire of the whore of Washington (Mrs E.[1] I suppose). to these civil things my Reply was brief and explicit— That whether we decreed perpetual empire to the W—— of Washington or not, or started into rebellion, we should go on and abate not one jot of our Zeal in the support of our principles, which we would sacrifice to the elevation of no Man on earth. That as for surrendering Nullification, which he kindly recommended, that that this was as impossible as his proposed league between the Nullifiers and the Manufacturers which in itself was as practicable as a confederation between the Poles and the Cossacks. I have no doubt he moves in this matter with Calhouns sanction. Mr. C. has too much sense not to see the essential Weakness of his occupying a double position, Janus faced, with one expression of countenance for one side of the Potomac and another expression for the other.—I am happy to hear that your nuptials are so near at hand. Wishing you all manner of happiness and that I may hear very often from you during your journey I remain, My Dear Sir, very respectfully and faithfully

Yours,

J. Hamilton Jr.

P.S. Pray obtain the best information you can of the State of public sentiment in the interior. Pray say to Dr. Davis and Dr. Cooper that I will write them in the course of the next week.

P.S. I enclosed Mr. Calhoun copies of Green's Letters to me and my Letter in reply, in order that he might see the whole ground. If Green continues this course we shall have to be even more explicit than we have been in the short editorial which Pinckney put forth a few Days since.

XII. Robert Y. Hayne to James H. Hammond.

Dear Sir.

Washington, 29th Dec^r 1831.

I received your letter in due course of mail and have delayed my answer until I could see the Secretary of War. I have just returned from his house, and have got him to make a memorandum of my cordial concurrence in your brother's[2] recommendation for a Cadet's warrant.

[1] Eaton.

[2] Marcus C. M. Hammond, West Point 1836, afterward major-general of Georgia militia.

If my voice can have any weight in the case, the course I have pursued will secure its utmost influence. I cannot say, however, what chance your brother may stand, as this will depend upon a variety of considerations.

The course of our Legislature was on the whole a prudent one, and the nomination question was disposed of admirably. Every thing is in confusion here but all hopes of an adjustment of the tariff on *sound revenue principles* are fast melting away. Both parties are in truth looking only to an arrangement, which shall not impair the *protecting system* and the true game now is to secure the manufacturing interest, while the South is to be beguiled. Let our friends therefore keep their eyes wide open. Denounce all *partial arrangements* as worse than nothing, and if we can do no more, we will maintain our moral strength at home.

I have only time to add that I am

very truly yours

J. H. Hammond Esq. ROB. Y. HAYNE

XIII. JAMES HAMILTON, JR. TO JAMES H. HAMMOND.[1]

RICE HOPE Savannah
River Jan^{y} 16th 1832.

I was exceedingly mortified, my Dear Sir, on my return to my House at dark to find your Note. if it had been earlier received I should have sent my Boat off at once for you under the hope that M^{r}. Hammond could have given you leave to pass the evening with me in my solitary Box in the Swamp. Nothing would have gratified me more than to have had a long conversation with you over a Cup of Coffee and a good fire and nothing I assure you shall prevent my visiting you at Silver Bluff on my return from Pendleton but some overruling or unavoidable accident as I desire much to see you before the meeting of our Convention, which I believe will be one of the most important assemblies in its probable influence on public opinion and public measures that has ever convened in the State.[2] I have no doubt it will sketch the chart which we are to Steer by after the adjournment of Congress. The Committee on Manufactures will report in favor of an excess of Revenue over and above the necessary wants of Government of 5 Millions for internal improvements and Mr. M^{c}Lane's other projects which I trust will arouse poor old dyeing Virginia.

We must push on vigorously towards Spring and have the people prepared not only to detect the fraud of a deceptive adjustment of the tariff

[1] Addressed: "Col. James H. Hammond (of S. C.) At Mrs. Maxwell's, Savannah."

[2] The allusion is to a convention of delegates from all the state rights and free trade associations in the state, which assembled at Charleston, February 22, 1832, and over which Governor Hamilton presided. See Houston, *Nullification in South Carolina*, p. 105.

but to resist it too—which I think with prudence moderation candor and firmness we may accomplish. We must not however now push matters to anything like an extremity.

I shall leave this to morrow Morning for the pilings and shall return in the trip after the next in the John D. Mangin. I shall with this view be at Hamburg on my way back to take the Boat on Thursday the 2^{d} of Feb^{y} and I hope to have the pleasure of being at Silver Bluff on Friday the 3^{d} by noon that I may pass that day with you and on Saturday take the Boat at the Bluff. You need not make any arrangement about sending horses for me to Hamburg, as I shall have my Carriage there having dispatched it from Charleston to meet me on Wednesday at the former place.

I am not surprised at our South Country as M^{r} Macon calls it being infested with the Missionaries of whom you speak. It is nothing to what we shall see if we do not stand manfully at the Safety valve of Nullification, or to use a more euphonious term, State interposition. In conclusion, My Dear Sir, I am almost inclined to quarrel with you for not coming over this afternoon with my servant who was in town and would have shown you the way. Do me the favor to make my best respects to M^{rs}. Hammond and be assured of the invariable regard and esteem with which

I am Faithfully yours,

J. Hamilton, Jr.

P. S. I need scarcely say that I write this on the possible contingency of not meeting you at the Steam Boat to-morrow at the Pilings.

XIV. Circular of the Union Party's Committee of Correspondence for Charleston.

(*Confidential.*)

Charleston, November 2, 1832.[1]

Mr. Joshua Teague,
Milton, Laurens, S. C.

Sir: Besides the reasons publicly given by the central committee of our party here,[2] we are instructed by them to communicate to you less publicly, and through you to our party in your district, some other considerations which have determined their course.

The doubtful character of the Convention about to be organized is a strong reason why we should not permit our leaders to take part in its deliberations. It is certainly doubtful, if nothing more, whether such a Convention will represent the supreme sovereignty of the State; for besides the objections so well urged in our published communication, (that the representation is the same as that of the Legislature, and thus makes our very slaves elements in the composition of the sovereignty of our

[1] The legislature had on October 26 passed (by 31 votes to 13 in the Senate, 96 to 25 in the House) the act for calling a convention of the state. The elections were to be held on November 12 and 13; the convention was to assemble on November 19.

[2] See extracts from their address, in Niles's *Register*, XLIII. 175.

State) this Convention is restricted in its action and limited in its duration, when it is obvious that sovereign power must be above all legislation. Even the body which calls this Convention into existence has had its powers called in question, and the able arguments which have appeared against it have convinced many that that body was not constitutionally the Legislature of our State. Should we not then reserve ourselves for every objection which can be made to the legitimacy of this Convention for the day of reckoning and account, when the people shall have recovered from the intoxication of the present excitement and return to their usual sobriety? But if delegates of our party take their seats in that body will they not commit the party to abide by its decrees and support its character? At all events they will add to it all the weight and influence which those delegates will possess as men high in the confidence and esteem of their own party.

Again, by keeping aloof and avoiding party contests for the present, we withdraw that external pressure which is the only power capable of binding and uniting a party harmoniously together and expose our adversaries inevitably to dissensions and contentions, which have never failed in the history of the world to divide triumphant parties and break them in pieces. While party is arrayed against party, the most aspiring can be controlled by the danger of defeat. But when power and office are entirely within the gift of one party, the ambitious, no longer fearing a common enemy, will certainly contend for them among themselves.

In addition to all this we would urge that if the Nullifiers eventually fail and the Union is preserved, the mere fact of having held a seat in that body will be a reproach always requiring explanation; for then, like the Hartford Convention, it will consign its members to an odious fame.

This much we are instructed to say to you privately, in vindication of the course pursued by our party in the parishes, to be communicated to such as you choose, particularly the influential, but not to be published. We are also instructed to suggest that even if you find it necessary to run a ticket for delegates to the Convention in order to maintain our superiority in your district, whether it would not be best for the delegates when elected to refuse to take their seats and thus keep your district altogether unrepresented. This course would be a sufficient cooperation with us here, without yielding the contest in the districts where we are strongest, and possibly might be best; but should your delegates take their seats in the Convention we fear a fatal breach will be made in the ranks of our party. The Nullifiers are already felicitating themselves upon a division in our ranks. It remains for you to decide whether you will blast their hopes or confirm their anticipations. With respect, gentlemen, we remain your obedient servants,

EDWARD MCCRADY,[1]
RICHARD YEADON, Jr.
JOHN PHILLIPS,
Committee of Correspondence for the Parishes of St. ———.

[1] A nephew of Justice William Johnson of the United States Supreme Court. From 1844 to 1850 he was United States district attorney for the district of South Carolina.

XV. James H. Hammond to Robert Y. Hayne.[1]

Dear Sir. Silver Bluff 20 Dec. 1832.

Gen Jackson's extraordinary proclamation has just reached me. It is the black Cockade Federalism of '98 revived fearfully invigorated by its long sleep, and seems destined to bring about another reign of terror. Based as it is upon the notoriously false assumption that S Carolina intends to resist the laws [and] Congress with the bayonet, the spirit of it, to every intelligent mind, is as ridiculous, as its arguments are absurd. But there is so much ignorance and passion in the country that both are dangerous, at this crisis, and must be met, promptly firmly and *efficiently*. To aid this purpose permit me to tender you my services in any way that you can make them most useful. I do not seek from you any post of distinction, not only because I can have no claims to it, but because at this moment every man must do his duty to his country without reference to himself. I will undertake any service you desire, and repair at an instants warning to any point, and for any purpose you will designate. I shall immediately set about arranging my private affairs for taking the field at an early day, not to quit it until all is settled. In this part of the country the people are very ignorant and have been heretofore rather inclined to the Union party, but if you think I can be best employed in recruiting Volunteers I will set about raising a company as soon as I receive your instructions as to the time and place [you] will want them and whether you can furnish arms &c and will endeavour to have them ready for service in due time. I have however no choice of employment, so far as I am concerned.

It is impossible to estimate the effect of Gen Jackson's proclamation. Upon the timid and ignorant of our party I fear it will have great influence, which it will require much caution to counteract. If I might be permitted respectfully and with great deference to make a suggestion to you, it would be that you should answer it officially. A similar proclamation from you would command the attention of the Union, and a calm exposition of the false and dangerous positions of the President so entirely subversive of every feature of republican government—a dignified rebuke of its prejudice and passion, and a firm defiance of its threats would have a wonderful effect on the American people. I think his rash denunciation and reckless and arbitrary doctrines afford the means of prostrating him if used with skill. If there is any purity left in our people or our institutions they will react under his monstrous usurpations. If there is none the sooner a general crush is effected the better. I can scarcely persuade myself that Gen Jackson yet intends to do any thing he appears to threaten, but that his alleged position of *defence*, and his insinuated want of *vested* power have been cunningly referred to that he may effect a retreat under their cover. And that after all he intends

[1] Hayne had just been chosen governor. The ordinance for nullification had been passed on November 24.

U. of S. C. Library, S. C. Collection

to make congress repeal the law while he to save appearances is making such violent demonstrations of his intention to inforce it. Whether there be any truth in this conjecture or not is not material to our course. I take it for granted that you will concentrate a large force in Charleston to meet this emergency. Permit me again with much humility to suggest that that concentration be effected silently and without parade. We have already done enough to alarm the more timid of our friends and to afford apparent grounds of justification for the mad councils of the President. At the same time care should be taken to have the force strong enough to annihilate instantaneously the first show of resistance to our laws, and give to treason as well as tyranny so signal and severe a rebuke that they will not recover from it soon.

I shall await with impatience your commands wh. will reach me through the Augusta Post office. In the meantime with the deepest interest in the success of all your measures and the highest respect and esteem for yourself

I remain

Your excellency's obedient servant

JAMES H. HAMMOND.

XVI. ROBERT Y. HAYNE TO FRANCIS W. PICKENS.

COLUMBIA 21st Dec. 1832

Sir

I enclose you a Commission as my Aid-de Camp.[1] Full instructions will be hereafter forwarded. In the meantime you will be charged with the duty of raising, inspecting, and granting Commissions to Volunteer Companies, for which purpose General Orders are enclosed, and blank Commissions furnished. Report to me at the earliest day, with full information directed to Charleston.

Respectfully Your Obt Servt

ROB. Y. HAYNE.

P. S. You will take the Oath Yourself and suggest that it is also to be taken by the Officers of the Volunteers to be raised before any superior officer.

Addressed: "Public Service
"Francis W. Pickens Esq., Edgefield C H., S. C."

XVII. ROBERT Y. HAYNE TO FRANCIS W. PICKENS.[2]

Confidential.

CHARLESTON, 26th December, 1832.

Sir,

I forwarded to you, a few days since, your Commission as Aid-de-Camp, with a brief statement of some of the duties which would be imposed upon you. I propose now to enter into further explanations. I

[1] Twenty-eight aides were appointed this day. Niles, XLIII. 318.

[2] From a printed confidential circular.

will begin by stating my entire confidence that, at this crisis in our affairs, *when everything dear to our country is at stake*, you will enter upon the duties I have assigned you with a zeal, and energy, and devotion to the cause, which will incline you without hesitation to sacrifice all private considerations to the public good. Relying on this spirit, I will proceed to unfold to you my views, with the remark that they are intended only for your own guidance, and are to be no further disclosed than may be necessary to enable you to carry them into effect. I propose to secure the services of a Volunteer force, which I hope will not fall short of 10,000 men; no part of which, however, will be called into service until an emergency shall arise which may render this necessary. In that event, I shall take care that an equal portion of duty shall fall upon the militia which may not volunteer. I wish you to exert yourself *personally* and through others, to have volunteer companies formed, and to induce those already existing to volunteer in as large numbers and as promptly as possible. When convenient, you will personally inspect these companies, and in every case transmit to me, directed to "the Assistant Adjutant and Inspector General in Charleston," a list of the Officers and the number of the men, with a general statement of the arms at their command. To these Volunteer Corps, you may say in my name, that measures have been taken to procure an ample supply of Arms of every description, and that so soon as this can be effected, they shall be provided; in the mean time they will be paraded with such as they may be able to command. To the Cavalry you may say, that I am in hopes in a very short time to forward a supply of Sabres and Pistols, and you will inform me of the number wanted, and to whom they shall be forwarded. I wish you to furnish a copy of the "*Circular*" lately sent you, to each Colonel, and to such other Officers as you may think necessary, so as to make all the Militia Officers in your District acquainted with the fact, that you are the appointed Agent of the Executive, charged in that District with the transaction of all military business. Where you want assistance you will call upon the Staff Officers already in Commission, within your District, and should further aid be necessary send me the names of proper persons to be appointed.

Inform every Colonel, in writing, that he will be furnished with fifty copies of the "Abstract for the Manœuvres of Infantry and Riflemen" adopted by the Legislature at their last session; on applying in person or by written order to the Secretary of State in Columbia or Charleston, to be given out *in the first instance to the Volunteer Corps*, and the surplus to the rest of the Militia. A full supply of books will soon be obtained however, and every officer of Infantry, Cavalry and Artillery, will be furnished with them. The Cavalry will in like manner be furnished with "Hoyt's Tactics" on application. All demands for any purpose made through you will be promptly attended to by me, and if you want a supply of Books for *distribution* they will be furnished.

Having made these general explanations of your duties, I now proceed to a matter of THE MOST IMPORTANT NATURE, and if you are able,

by any efforts, *promptly* to carry my views in relation to it into full effect, you will not only secure my approbation, but entitle yourself to the lasting gratitude of the country. The VOLUNTEER CORPS above alluded to are intended to be called out by Companies, Battalions or Regiments, but a sudden emergency may arise when men may be wanted at a given point before such Corps can be prepared and marched to it. I deem it indispensable therefore, that a body of *Mounted Minute Men* should be always prepared to proceed in the shortest time possible to any place which may be designated, to be kept on duty for a few days or a few weeks, until more regularly organized Corps shall be brought into the field. My plan is this. Let a number of men, (every one of whom *keeps a horse*,) agree to repair at a moment's warning to any point which may be designated by the Governor in any emergency. Let them then come prepared with Guns or Rifles, or Arms of any description, with a supply of Powder and Ball, and come in the shortest time possible. If in each District only *one hundred* such men could be secured, we would have the means of throwing 2,500 of the *elite* of the whole State upon a given point in three or four days. And by no other means could this be effected. I wish you, therefore, to prepare a paper to the following effect, viz:

"We the subscribers, pledge ourselves *on honor*, to repair at a minute's warning, and without delay, to any point in the State which may be designated by the Governor, to perform any lawful service, in defence of the State, which may be required of us. For this purpose we will provide our own horses, arms and ammunition, and when assembled, we will arrange ourselves into a company, to be commanded by some officer chosen by ourselves, and to be called the Minute Men of Edgefield[1] District." To persons who may sign such a paper, you may give the assurance that they will be called out only when necessary, that they will only be kept in the field until the regular volunteer Corps can be brought out, and that on their arrival at the point which may be designated, provisions and other supplies, and arms if necessary, will be furnished them. It would be preferred that they should serve without pay, as *partizans*, but this must not be stipulated for. Let it be distinctly understood, however, that a failure to appear at the point required, will be considered as a dereliction of duty, and will be attended by disgrace. To execute this plan, it may be well to select ten influential men in various parts of your District, to be called Leaders; bring them fully into the scheme, and let each of them engage ten men as their quota. When the notice is given to you, that the minute men are wanted, you will instantly inform the Leaders and get them to extend the notice to their respective squads. Each man may then instantly proceed by *himself*, or otherwise to the place designated, with the assurance, that he will there find his comrades. Have one or more expresses always at your command, and bear in mind, that you will be held responsible for the speedy and certain extension and prompt execution of all orders. If you need assistance say so, for no

[1] A blank left in the print is supplied with the word Edgefield in manuscript.

excuse will be received for any failure, when your services are required. Remember that you fill one of the most responsible situations in the State, and it would be better to abandon it at once, than to fail in the slightest degree, to fulfil its vitally important duties.

I wish you to see personally each of the Colonels, and learn every thing relative to the general condition of the militia, within your District —the temper of the men—the state of their arms;—whether those out of order can be repaired in your neighbourhood—and what supplies exist of Field Pieces, Muskets, Rifles, Lead, &c, and generally every thing, which it is important for me to know;—all of which may be embraced in a confidential Report.[1]

Very respectfully y^r ob^t S^r

ROB. Y. HAYNE

Col. F. W. Pickens.

P.S. The uniform of my staff will be the same as my Predecessor's except *under boots* and a *short yellow crane Plume*. Palmetto Buttons of a beautiful pattern may be had at Roche's, Charleston,[2] or of Col. P. M. Butler, Columbia.[3]

XVIII. JAMES H. HAMMOND TO ROBERT Y. HAYNE.

BARNWELL C. H. 8 January 1833

Sir.

I had the honor to receive a commission as your Aid-de-Camp bearing date the 21^st^ Ult. accompanied by several copies of Your General Orders and Circulars, and your letter of instructions charging me with the duty of "raising inspecting and commissioning Volunteer Companies in this District." I had also the honor subsequently to receive another letter of Instructions from you informing me more in detail of the duties you intended me to perform. Immediately on receiving your first communication I qualified myself to act by taking the prescribed oath and proceeded to distribute the circulars and General Orders throughout the district. An arrangement was made to have a general meeting of the citizens of Barnwell at the Court House yesterday and in the mean time I communicated by letter with the most influential men in the District. Yesterday the meeting took place and I am happy to inform you that on no occasion have I seen more enthusiasm and unanimity among the people. You will see in the papers the resolutions that were passed,[4] and I assure you they breathe the true spirit of the occasion. I made every exertion in my power to stimulate the military spirit of the people and found but little difficulty in succeeding to an extent beyond my ex-

[1] What follows is in manuscript.

[2] An amusing tale respecting the palmetto buttons may be found in Niles's *Register*, XLIII. 146, and another in Josiah Quincy's *Figures of the Past*, p. 354; and perhaps they may be said to confirm each other. The former relates to a tailor designated as "R.," presumably the Roche above mentioned.

[3] Col. Pierce M. Butler, a bank president at Columbia, killed at Churubusco in 1847.

[4] See Niles, XLIII. 397.

pectations. I am not yet able to give you a report that will be as full and satisfactory as I hope to present to you ere long, but will proceed to state generally the situation and temper of the District, as I suppose you wish to be put in possession of some data upon which you may calculate as speedily as possible the military strength of the State.

We have two Regiments in Barnwell, the 11th commanded by Col John Aaron, Lower 3 Runs P. O., and the 43 commanded by Col Jesse Rice. In the 11th one battalion is commanded by Lieut Col. Gasper I. Trotti and the other by Major James Furze. In the 43 one Battalion is commanded by Lieut Col Frederick Bamberg, the other at present has no commander, but an election has been ordered and will be held in a few days. These Officers are all warm and zealous supporters of the State, and eager to testify their patriotism by any service you may designate. The Battalion that has no commander has but one Union man in it. The beat companies in their respective Regiments and Battalions are all officered but two in the uncommanded Battalion and one in Col. Bamberg's and for these elections have been or will be immediately ordered. The men generally are as well equipped as the rest of the militia of the State, and from the best information I can collect at least three-fourths of them have guns. Their inferior officers in some cases are intelligent and active men, but most perhaps scarcely competent to command in active service. Neither are the superior officers what you would style Military men, but in case of necessity they will do very well to command unti their places are better supplied. In the two Regiments there [are] at least twelve hundred fighting men independent of the Volunteer Corps. Of these there are four companies: Capt Johnsons Troop on Sav. Riv. [Savannah River] in the unofficered Battalion, composed of about Fifty men and in a flourishing condition. I am informed by the Captain that he is in want of a few swords and pistols which Col Hogg (to whose Regiment he belongs) has promised to procure; Capt Tindrels company of Riflemen in Col Trotti's Battalion, of which I can say nothing certain at present further than that it is regarded as a well appointed and finely disciplined corps and mostly Whigs; Capt Holden's company of Infantry in Col Bamberg's Battalion, not in a flourishing condition at this time and wanting in some equipments of which I will inform you more particularly at a future day; and Capt Touchstone's company of Infantry in the same Battalion of which I only know that they are nearly all Union men. Such is the condition of the militia of Barnwell so far as I have been able to learn it. The whole of the men are generally able bodied, more than two thirds staunch Whigs and to the honor of the District I am happy to state that should the militia be called out a considerable portion of the Union men will cheerfully march under the banners of the State.

In regard to the Volunteer's [movement] for this Crisis I cannot now report as fully as I shall be able to do in a few weeks. A company has been formed at this place, have chosen Officers and appointed a day to be inspected. A rifle company has been formed near Cannons Bridge on Edisto

chosen officers and appointed a day to be inspected. A Company of mounted riflemen has been formed near Matthew's Bluff, will choose officers on the 10th inst. and have appointed a day to be inspected. Cap Holdens Company will volunteer. Capt Johnsons will do the same and probably Capt Tindrells. Of the regular beat companies a number, though I cannot now say how many, will volunteer with their officers. I have requested the beat Captains wherever I have thought they would Volunteer to call their Companies to-gether and ascertain their wishes and report to me between the 20 inst and the 1 of February. I shall myself attend several of their musters. A company is also forming which if it succeeds I shall take the liberty of presenting to your particular attention. It is to be called the Volunteer veterans and to embrace all the revolutionary remains of the district; No one will be admitted who is under Fifty years of age. At the head of this project are Old Col. Tarlton Brown, Genl Walker and Capt Trotti.

If it were not for the Troop and rifle companies I think I could promise to have organized for you by the middle of February an entire Regiment in this District. Excluding them we shall certainly have a Battalion well filled. I should be glad to know from you in what capacity you wish the rifle Corps to act, whether as infantry of the Battalion or as detached Corps, and particularly the mounted Riflemen. On this point please instruct me as early as possible as I have fixed on Saturday the 19th to inspect a rifle Corps and Monday the 21 to inspect the mounted riflemen. In this emergency, unless otherwise instructed, I shall not be rigid as to the uniform and equipments of the Volunteer Corps as it will be impossible for every man to be completely appointed on so short a notice. It is with this understanding that appointments for inspection have been made.

I have pursued your instructions in relation to the minute men and have in every case instructed the Leader of a squad to report to me by the 20 inst. I have every expectation that a company of one hundred men can be raised by that time, of which I will give due notice in my report to the Assistant Adjutant and Inspector General.

According to your directions I have informed the Colonels of the District that they can obtain the "Abstract of Manœuvres" upon application. If I had a dozen copies myself I could make an excellent use of them immediately. Major Dunbar, Commander of the Upper Squadron of Col Hoggs regiment, has requested me to obtain for him twelve copies of "Hoyt's Cavalry." I promised him that they should be here next week and must beg you to direct them to be forwarded to "Major Francis F. Dunbar, Barnwell C. H." by the Stage. I have been applied to for several commissions and as I shall want a number myself I must also beg you to have forwarded to me at this place to the care of the Postmaster about three dozen or more if they can be spared.

If you have any instructions for me, they will reach me until the 17th at Augusta, on the 18th here and after that at Augusta again, and I have to request you, as I have occasionally to lay aside the military part of my

vocation and give the people my opinions of the political aspect of affairs, to be kind enough to drop me such hints as may enable me as far as possible to act in all things in harmony with your views.

With great respect

I am your Excellency's

Ob^{t} Servant

JAMES H. HAMMOND.

To His Excellency

Robert Y. Hayne

P. S. There is not a piece of mounted Ordnance in the District. There is said to be a old Cannon near the levels which was probably left there in the Revolution. I shall have it examined and tried and if worth mounting I will have it brought here.

XIX. ROBERT Y. HAYNE TO FRANCIS W. PICKENS.

CHARLESTON Jan. 11th 1833.

Sir

Some doubts having arisen as to the regulation of the *Mounted Minute Men*, I have to inform you that they will be considered as Volunteer Corps, and that they will be allowed to choose their own officers either when formed or when called into the field as may be preferred. They are to be *independent companies* divided into Squads or Divisions of ten, each squad having its leader, and arrangements must be made to ensure prompt Notice to each Member of the Corps in the event of a call for their services when they must instantly repair to the place appointed.

Respectfully Yours

ROB. Y. HAYNE

Col. Pickens.

P. S.

I have just rec^{d} your letter of the 9th The Sabres and Pistols shall be granted you, but I can spare no more for the present. How shall they be sent? As to a Depot at Hamburgh, on a small scale I should not object to it. Enquire on what terms it can be effected. Can you store powder and Arms and to what extent, and will it be *safe* from a sudden invasion? Can't Shultz mount a piece or two of Cannon at Hamburgh? We have nothing very new here. We have had an Express from W.[1] but for what purpose no one out of the secret can conjecture. As to Volunteers from other States, I do not feel authorized to enroll them, but you may say if Carolina is compelled to fight in self defence, her brethren from other States would be hailed with delight.

In haste yrs truly

ROB. Y. HAYNE.

[1] Washington. The relations of the federal administration with the Union party in South Carolina are shown in Dr. Stillé's article on Joel R. Poinsett in the *Pennsylvania Magazine of History*, Vol. XII.

P. S.

Could you not *in time* make an arrangement with Col. Wardlaw *for keeping* a part of the 200 kegs of Powder which have been forwarded to J. P. and B. Benson at Hamburgh at that place?

XX. James H. Hammond to Robert Y. Hayne.

Sir. Silver Bluff 14th January 1833

Your Orders in explanation of your Orders to recruit a Company of Mounted Minute Men reached me to-day. I am one of those who misapprehended your former orders and all of my subscription papers have been given out with erroneous explanations of your views. I thought, as it would be almost impossible to collect a body of men so scattered over the district, at the distance of thirty, forty, and even sixty miles apart, unless under the urgent circumstances of a call for immediate action, that you merely intended they should remain in their unorganized state until that call was made. I thought too that as you stated they were to be kept in the field only until the militia could come up, your object was to have in them nothing more than an advanced guard composed of the *élite* of the Volunteers who would fall back into their places as soon as their respective companies arrived; and I was further confirmed in this view by the reflection that you scarcely intended to establish on a permanent footing mounted corps of ununiformed men, promiscuously armed and without training. In giving out subscription papers therefore I stated that a person might be a minute man and also a member of a Volunteer Corps. The effort to form a Company of minute men upon any other system than this in so large a District as Barnwell will be attended with great difficulty; but I will endeavour to do it, though it will occasion much loss of time and in some places where the people are divided, prevent the formation of Volunteer companies. If it be not too inconsistent with your general plan I should be glad to be allowed to pursue the course I have marked out: as best suited to this District. I take the liberty of making this suggestion to your Excellency and in the mean time shall proceed to obey your Orders unless otherwise instructed at Barnwell where any communication will reach me on the 18th.

I have received your Orders to establish depots for provision. I have written to Col. Pickens to know his arrangements that I might make mine accordingly. Without waiting on him longer than I remain at home I shall while in the lower part of the district make one depot and soon after another above, of which you shall be duly advised. Your other instructions will be promptly obeyed.

With great respect

I am, your Excellency's

most Obedient Servant

James H. Hammond

XXI. WM. E. HAYNE TO JAMES H. HAMMOND.

CHARLESTON Jan^{y} 14. 1833

COL^{o} JAMES H. HAMMOND,

Dear Sir

By the order of the Governor I have sent by the Stage, a Package addressed to yourself, to the care of Angus Patterson Esquire, Barnwell Court House, containing twelve Copies of the "Abstract of Military Tactics." Hoyt's Cavalry Tactics have already been furnished to Major Dunbar.

Very Respectfully
Your mo. ob. Serv^{t}
WM. ED. HAYNE
Aso^{t}. Adj. and Inspr. Gen^{l}.

XXII. ROBERT Y. HAYNE TO JAMES H. HAMMOND.

CHARLESTON 18th Jan^{y} 1833.

Sir.

My last letter on the subject of Minute men was induced by information that in some of the districts they had been so organized as to take *all the officers* and most of the efficient men of certain *Volunteer corps*, so as to leave the latter without the moral or physical force necessary to their efficiency. My scheme was in the main that which you have indicated,—the preparation of a select corps, composed of the elite of the several Districts who would on an emergency be thrown instantly on any given point,—the use to be made of them to depend upon circumstances. I was aware that such troops would not be the most efficient for long continued service, and therefore designed that the *number should be limitted*, say to about 100 in each District, say 2800 in the whole State, which in an emergency would give us from 2000 to 2500 men, that could be instantly thrown upon a given point. I do not think this number of such troops would be too great. But it is upon the regularly organized volunteer corps that we would have to rely in any protracted warfare, and the object of my last letter was to impress upon you that these were not to be suffered to *be broken up*. The arrangements in the different districts, however, must be made in some degree to bend to local circumstances, and therefore you will consider yourself at liberty to pursue a sound discretion in this matter, provided only you secure not only the prompt attendance of 100 Minute men from Barnwell Dist. whenever called for, but take care that the efficiency of the other Volunteer Companies be not impaired. What I should desire would be as far as may be practicable to have 100 minute men composed of Gentlemen who keep horses, who would not in general probably be members of other Volunteer Infantry or Rifle Corps. As to Cavalry, they are or ought to be minute men from the nature of their employment. All the rest of the Militia I should be glad to see organized into Volunteer Corps. Should I want *instantly* 1000

men here, I would call on the Minute men,—if I wanted them *two weeks hence*, I should look principally to the other Volunteer Corps. I trust I have now explained my views, and must leave to your discretion the execution of them as far as may be expedient and practicable in your District. I shall be glad to have full Reports as soon as your organization is effected.

In haste respectfully yours,

ROB. Y. HAYNE.

Col. J. H. Hammond.

XXIII. JAMES H. HAMMOND TO ROBERT Y. HAYNE.

SILVER BLUFF 23rd January 1833.

Dear Sir.

On my return yesterday from an excursion through the lower part of the District I rec^{d} your last letter and some copies of your proclamation which I have distributed. I intended to write to you that it was impossible to make up my company of minute men without taking them from the Volunteer Corps. I am glad you have permitted me to adopt that plan; In anticipation of your objection to it I had from the first ordered that no Captain or 1st Lieu^{t} of a volunteer Company should join the minute men. I am sorry to say that I have not succeeded so well as I expected in that Corps. My first appointment of leaders have given me but about fifty men and a third of them are troopers. I hope to do better and *will* have them all by the time they will be required. The people of Barnwell are generally very poor, and though staunch yeomanry, not generally so public spirited I find as some of our neighbours. If drafted there is not a nullifier in the district and few Union men who would not cheerfully take up arms; and they would make soldiers that might be depended on; but as to volunteering they do not understand it and are not inclined to put themselves to unnecessary trouble. The fact is that there are not intelligent men enough sprinkled about to stir them up, and that they have gone right heretofore I attribute to mere instinct. Whenever they can be collected to-gether I have never failed to produce some ardour among them, but in so large a district, so sparsely populated it is difficult to get them together, and they know so little of the matter that one exhortation does not last long. I mention these things to show you why there has not been as spontaneous a burst of patriotism here as elsewhere. We shall however form a Regim^{t}. Major Collins Battalion (a new and zealous Officer) will parade in a week or two and will I think unanimously volunteer. Two of the beats have already been absorbed by Volunteer Corps and the Cavalry. Besides this Batallion, three other Companies have been formed and two or three more will be. I have made it a point in this district to address the Union men whenever I find them and explain to them the true character of the *present question*. It opens the eyes of many who appear never to have had any light before on the subject. Few papers are taken and there have been few public discussions here.

In relation to the Depots, I have selected White Ponds for one and Buford's Bridge for another. But I take the liberty of suggesting to you that it would be better to have a depot near the rail road and take the troops down on it. If you think so, I will make a depot there instead of the one I contemplate at Buford's Bridge. I think I shall meet no difficulty in making the Conditional Contracts, provided I promise to give a week or ten-day's notice. I am expecting an answer from Mr Fatim at White Ponds to whom I have written on the subject. In regard to rifle-factories, there are none in Barnwell, but several in Lexington; but all on a very small scale. Mr. John Quateleburn near Leesville, Lexington, is one of the best rifle manufacturers in the Union, but he will charge $11 for every barrel and it will cost $5 more to have it stocked and locked in the [correct manner?] and if I am not mistaken it takes one workman a week to make a barrel—perhaps if pressed he might do it in half the time. The only plan I see for manufacturing rifles, if there is any, will be to establish a factory in Charleston, purchase iron &c and give so much for making each barrel. Twenty or thirty workmen might be collected in the State.

I have not had any regiments ordered out here, because I thought you might review them here this Spring and it would be a great inconvenience to the people to be called out twice. Besides there was no prospect of getting a regiment to Volunteer as a whole.

I have seen Gen. Erwin. He is decided, but not very warm. If you were to write him a letter it would flatter him very much, but he has little influence I think. I send you the Roster you desired as complete as I can make it now. Please note the changes in the address of the Colonels. I have just made a report to the Ass. Adj. and insp. Gen. to which I refer you for a statement of arms &c.

The message of Gen. Jackson reached me this afternoon. I have not had an opportunity to test its effect on public opinion, but presume it will have none. He appears to recede a little from his coercive doctrine, but he is not to be trusted a moment. It is evident that he will do every [thing] in his power. It is reported here that *he has* removed the Custom house to Castle Pinckney. Is not this a sweeping blow at the laws, treaties and Constitution? He is very *modest* in his request of powers from Congress. I wonder he did not recommend them to burn the Constitution and clothe him with supreme Authority at once.

Very respectfully
Your Excellency's
Mo: Ob. Ser[t].
JAMES H HAMMOND

XXIV. JAMES H. HAMMOND TO WM. E. HAYNE.

Sir. SILVER BLUFF 23[d] January 1833

In Conformity with the instructions of the Commander-in-Chief I have the honor to report to you the state of military Organization in

Barnwell District so far as it has progressed under the General Orders of the 25 of December last.

On Friday last I inspected at Barnwell Court House Capt' Schmidts company of Jefferson Volunteers. I inclose you a list of the names of the Officers and privates. You will perceive that there are forty eight of the latter and the non commissioned Officers who will require muskets, and I must request you to forward them to me by the rail road to the care of C. Dewitt Esq. near Edisto river. As there will probably be many names yet added to the list, if you forward any it would be as well to send seventy five stand. They will be wanted any how. This Company will have a fine uniform and is intended to be permanent. On Saturday I attended a muster of Cap' M'Tyiere's rifle corps at Ford's Meadow on little Salt Catcher. Owing to accidental circumstances, the Company were not all warned and did not turn out in numbers sufficient to undergo inspection. There will be about sixty privates in this Corps and if you have arms to furnish I beg you to forward that many rifles to me at the same place as I shall inspect and Commission them in a few days. This Company will be well uniformed and permanent also. On Monday I inspected Cap' Laffittes company of Riflemen near M'Coy's bluff on Savannah River. I send you a list of their names and request you to forward arms for them, say sixty stand, to Matthew's Bluff, care of S. R. Cannon Esq. This company will be handsomely uniformed and probably permanent. There are other Volunteer Corps forming in the District of which I shall give you notice so soon as I inspect and commission them. I send you a list of Capt Johnson's Troop who Volunteered at their last muster. Col. Hogg was present and inspected them and will furnish you all necessary information respecting them.

Cap'. Tindrells company of Riflemen mustered last Saturday and he was ordered to forward to me a full report of the state of their arms &c. wh. I am now expecting to receive. Cap' Holden's Company also mustered at Buford's Bridge on Saturday. Of those present only four muskets were found out of repair. I think I shall be able to have them repaired here. The Company did not volunteer as a whole, but every individual signed a list which will be filled up in a few days. I ordered the muskets of the Old Company, sixty in number, to be collected at Buford's Bridge and will arm the new company with them. They are however of a very inferior quality. Of the General State of the arms in Barnwell I can inform you in few words. Besides the sixty muskets alluded to, Cap'. Touchstone's Company have sixty more which I have not yet inspected and Cap' Tindrell's sixty rifles of very inferior quality. These comprise all the public arms. Of the private I can only say, that as in every other part of the state, there is scarcely a man in Barnwell district who has not a rifle or Shotgun. The latter is in most common use here and little to be depended on in regular warfare. I have promised arms to all the Volunteers as soon as they can be procured and beg you will inform me as early as possible whether they can be obtained or not by letter to Barnwell C. H. I rec' twelve copies of the "Abstract &c,"

but no commissions of which I am very much in want. Please send a copy of the bond which I must require upon delivery of the arms.

Very Respectfully
Your Ob^{t} Serv^{t}
JAMES H. HAMMOND

Col. W. E. Hayne
Ass. Adj. and insp. Gen.

XXV. WM. E. HAYNE TO JAMES H. HAMMOND.

ADJ. AND INSP. GENERAL'S OFFICE
CHARLESTON JAN. 28th 1833.

Sir

I herewith inclose you Twenty blank Commissions. Arms will be forwarded as soon as arrangements can be made for that purpose. Bonds required upon the delivery of Arms are now in press and you will be furnished with a supply as soon as printed.

Very Respectfully
Your ob. Serv^{t}
WM : ED : HAYNE
Ass^{t} Adj. and Insp. General.

Colonel James H. Hammond.

XXVI. ROBERT Y. HAYNE TO FRANCIS W. PICKENS.

CHARLESTON 31st Jan^{y} '33

Dear Sir,

Your *truly gratifying Report* has been rec^{d}. If you think you can keep them safely you may remove 300 muskets from the Abbeville arsenal to Edgefield C. H. also 3000 lbs. Lead. You may also have 100 kegs of Powder, which you may draw from the same place unless an advantageous purchase of that quantity can be made through some merchant in Hamburgh from Augusta. If 100 kegs of 25 lbs. each can be had at from $5. to $6, you may purchase that amount—if not draw them from Abbeville. I do not know that we can spare you a 9 Pounder for Hamburgh, but a piece of some sort can be furnished, and will be if you require it, and think it would be useful. As to the Armory, if a few workmen can be employed on reasonable terms to clean and repair arms, you may employ them, but you had better engage them by the month, and let me know the expense. The necessary repairs must be made, and a suitable person be employed to take charge of the Arms, but let our expenses be as small as possible. Any number of men who may meet at the Court House for drill may be furnished with arms, to be returned to the Arsenal when the drill is over. As to calling in Arms I do not *for the present* wish to do more than to get possession of those not in use, or which may need repair. *Private arms* we have nothing to do with, unless their owners choose to give them to us. I will enquire about the Standards for you, and will send you some copies of Hoyt as soon as I have an opportunity. If you know of any

person coming to town send him to me. As to funds,—orders may either be drawn on the Quarter Master General here, or if you prefer it, I will send you any amount you may require in an order on the Agent at Hamburgh, for which you may render an account hereafter. On this point let me know your wishes. May it not be worthy of enquiry whether Arms of some sort could not be picked up in Augusta. Get some Merchant to enquire. I annex the orders you require.

In haste y.r truly

ROB. Y. HAYNE.

P. S. There is no objection at all to your taking com.d of the Reg.t. As to the encampment, it must not be *ordered*, and if by gen.l consent I think it had better not exceed one or two companies at a time.

(*To be continued.*)

DOCUMENTS

Letters on the Nullification Movement in South Carolina, 1830–1834.

(*Second and concluding installment.*)

XXVII. JAMES H. HAMMOND TO WM. E. HAYNE.

SILVER BLUFF, 7th February 1833.

Sir,

Your Circular dated the 30th January, reached me a few days ago at Barnwell court House. My engagements have rendered it impossible to reply to it before this time. I now submit as full a statement of my progress thus far in Organising this district, as it is in my power to make, and also furnish the estimates that you desire.

I have inspected, recieved and commissioned the following companies.

Capt. Lafittes company — 65 men.
Capt Schmidst's Do — 67 "
Capt McTyeire's Do — 60 "
Capt Walker's Do — 77 "

The names of the officers and men in these companies have heretofore been forwarded to you, or will accompany this report. Capt McTyeire's list was to have been presented to me on Monday last at Barnwell, but for some reason that I have not yet learned his First Sergeant did not come to the Village. I have ordered his list to be forwarded with his bond for arms and it is probable you will find it larger than I have stated. To Capt Walker's list I have added the ages of the men as being very remarkable. With *very few* exceptions they are as capable of doing duty as any men in the district, and have specially requested to be the first ordered into service. I will not make a statement of all the volunteers that I have recieved, and an estimate of the number, that will probably be enrolled in the district. Except those already mentioned, I have not inspected any. Capt Johnston's Troop has, however, been inspected by Col. Hogg.

	Men	And will probably increase to
Capt. Lafittes company now number	65	70
Capt. Schmidst's Do " "	67	75
Capt. McTyeire's Do " "	60	60
Capt. Walker's Do " "	77	90
Capt. Lancaster's Do " "	66	80
Capt. Allen's Do " "	55	55

Capt. Johnston's company now number		52	65
Capt. Willis	Do " "	40	60
Capt. Butlers	Do " "	35	60
Capt. Killingsworth's	Do " "	35	60
	Total.	552	675
Add probable number of Vol. from Beats not yet mustered.			175
Whole number.			850
Number of Minute men enrolled		75	100

These however must not be added to the number of Volunteers, as nearly all of them are already members of Volunteer corps, or included in the last line of estimated Volunteers. As soon as I inspect and commission the above companies, I will forward to you the names of the officers and men. In regard to the *general condition* of arms I have previously reported. I have ordered out both regiments for inspection and review and will report more particularly hereafter. I have before mentioned that there were three Corps in the District in possession of public Arms. Of one of these I am still unable to report any thing. Capt. Touchstone's company have Thirty four muskets, all in pretty good order. The arms belonging to the late Capt. Holden's company, now dissolved, I have collected at Buford's Bridge, to the number of 47. Of these 36 require only to be cleaned and some of the pans hardened. 8 are broken, but can be repaired, and 3 bursted, not worth repairing. These repairs I can have done here, at from $1 to 1.50 a gun, and unless otherwise ordered will make a contract for that purpose [in] a few days. I yet hope to collect more guns belonging to the State. If called into actual service all of them at once, the volunteers of Barnwell would require an addition to their present Arms, at least 500 stand to act effectually. In addition however to the issues which I shall herewith request, I think 200 stand with a few dozen swords and pistols will be as many as I can ask for in the present state of the Armory. These, I can deposit very securely in a room in our court House, which however is a wooden building. For the present I must beg you to furnish arms to Capt. Schmidt's, Capt. Lafitte's and Capt M[c]Tyeire's companies. These will be necessary to keep them in heart, and induce them to uniform drill. I have furnished each of them with a copy of the bond which they are to sign and forward to you. The arms can be directed to the *Captains respectively* at the points mentioned in my report to *you* No. 1. The 200 stand had better be directed to *me* and sent by the railroad with Capt. Schmidts. Capt. Johnston desires 30 brace of pistols, and about 25 swords. For these he will forward you his bond, and they can be directed to him at Johnston's landing on Savannah River. We are very much in want of powder and lead. There is perhaps no district in the State of the same size so deficient. A few dozen of the one, and a few hundred of the other are almost indispensable. If it be deemed unsafe to forward them

by the railroad let them be sent to Johnston's landing. As to the deposit of Arms &c at Columbia and Edgefield, I have only to say, that this district can be furnished more conveniently from Charleston than either, except a small portion of it, which will be nearer Edgefield until the rail-road is opened to the Levels.

In regard to provisions I shall be prepared. I can furnish a *few men* in the manner you require that might be depended on. Say 25.

I wish you to forward me by the middle of next week 3 dozen commissions more.—direct to Barnwell, as I shall be on Buford's Bridge on the 15 and 16th reviewing the 43d Regiment. Between this and the 1st of May or June very little corn will be sold. It is abundant on the Savannah River, but not so in other parts of the district.

Very Respectfully

Your obediant servant

JAMES H. HAMMOND

Col. Wm E. Hayne.

XXVIII. ROBERT Y. HAYNE TO FRANCIS W. PICKENS.

CHARLESTON 7th Feb. 1833.

Dear Sir

You will doubtless be curious to learn something about the Mission of Mr Leigh.[1] It is desired by Mr L. that until he communicates with the Legislature of Virginia nothing sh'd be published here. I give you the following therefore for your own information and that of our friends. The object of this Mission is *first* to prevent an immediate "appeal to force," *second* to get a suspension of our Ordinance until the end of the next session of Congress. On the first point we shall inform him that public opinion has already suspended the Ordinance until the 4th March next, and that no "appeal to force" is designed on our part unless to *repel* unlawful violence. On the second point he will be informed that the Convention will be reassembled early in March,[2] when the propositions from Virginia will be submitted, and will doubtless receive the most respectful consideration. No one is authorized to say what the Convention will do. It would be useless to convene the Convention before March as its proceedings would not be known in time to influence the decisions of Congress, and besides we ought to have our members at home and know what has been done.

This course will be satisfactory to Mr Leigh and Virginia and is one which we should in almost any event have found it necessary to pursue. Mr Leigh will probably remain in South Carolina until the Convention meets.[3]

[1] By resolutions of the general assembly of Virginia, January 26, it was resolved that mediation between South Carolina and the executive government of the United States should be undertaken; and Benjamin Watkins Leigh was sent as a commissioner for that purpose. *State Papers on Nullification*, pp. 328–331.

[2] Governor Hamilton, as its president, by proclamation of February 13, summoned it for March 11.

[3] He did so, and was invited within the bar of the Convent on and treated with much consideration.

The tone of the public mind here is firm and excellent and things are on the whole going on as well as could be expected. The accounts from all parts of the State are most gratifying. I have just rec^{d} your letter of the 4th ins^{t} and send you a check on the Agent at Hamburgh for $1000. On receiving it you will forward me a general acknowledgment for the same, and finally when the fund is exhausted forward the vouchers for the several accounts paid. The strictest economy must be observed in all your expenditures. In relation to the legal question which you have put I would say, that *my first impression* is, 1st, that 8 companies associating *may* be rec^{d} as a Reg^{t} but if convenient two others must be secured of Light Infantry or Riflemen, 2^{d} that an existing Reg^{t} volunteering as a whole *may* be rec^{d} *as they are* with their present officers, tho' consisting of only 8 companies &c., 3^{d} I think the old Law should be the rule as to Squadrons and Regiments of Cavalry. As to Schultz's account it is inadmissible. The State cannot afford such expences. Your own contracts must of course be complied with, and perhaps something more may be done to *compromise* the affair, but to expend $40. for *Music*, when we want every cent for *Arms* is out of the question. I expect a supply of Arms to be shortly rec^{d} at Hamburgh. I shall direct them to you, you will take them to Edgefield and wait further orders.

In haste yrs truly

ROB Y. HAYNE

P. S. It is true that Vessels have been stopped by the Cutters, and after some detention they have been allowed to come up. This proceeding wants *explanation*.

XXIX. JAMES H. HAMMOND TO ROBERT Y. HAYNE.

SILVER BLUFF 7th February 1833

My Dear Sir

I returned last night from a tour of duty. I have to day drawn up a report for the Assistant Adjutant and Inspector General which contains a full account of the military Organization of the District so far as it has progressed. I think the tone of feeling and state of the Volunteer roll as well as organization will now make it politic to call out the Regiments and have accordingly done so for the 16th and 23rd of this month as you will perceive by copies of orders which I have inclosed to Col Hayne. At these reviews the strength of our cause will be pretty well exhibited. I have set down the number at 850, about two thirds of the fighting men. I hope there will be more. But these you may depend upon as staunch. The late movements in Congress have excited the people very much and if Wilkin's[1] bill becomes a law they will be prepared for anything. The decided impression now is that there will be a war and the idea appears to excite the people. The shock that was felt upon the first indications of settling our controversy with the sword

[1] The Force Bill, introduced into the Senate on January 21 by William Wilkins of Pennsylvania.

is wearing off and there is every prospect of as much unanimity among the people on this question as any of a political character whether of war or peace that was ever proposed to them. On Saturday last I attended a muster in a neighbourhood where they have hitherto been nearly equally divided. After descanting to them freely on Wilkin's bill and Irby's Letter every individual present—the Union men among the first, volunteered. On Monday we had quite a spirited meeting at Barnwell. The Volunteer Veterans were inspected and commissioned. There are 77 on the list nearly all of whom were present. The average of their ages is within a fraction of 61 years. Five of them are 80. The majority of them are very stout and athletic and all full of spirit. They have made it a special request to be first ordered into service and they are really earnest in it. A few excepted there is not a company of the same number in the state that will be more efficient. Many of them fought through the Revolution, most of them were in service during the last war. The spectacle they exhibited was really solemn and effecting. The parade being over they were marched into the Court House followed by a great crowd and were addressed by Judge Harper, Col Preston and Col Butler. These addresses have given a new impulse to the spirit of Barnwell. Every one seemed ready to fight and all appear animated by a most thorough conviction that we are unconquerable. I am sure the difficulty with us will not be the want of men but officers and means. It will take one year at least to make our army efficient in point of discipline. The United States have greatly the advantage in this respect and no human power can remedy the defect at once. We should by all means have a military department in the college. In regard to money it is important to be looking out even now. We shall certainly have to borrow money and the moment a blow is struck negociations should be set on foot for straining our credit to the utmost, at once when it will be best. In the mean time the private resources of the Whigs should be taken into consideration. On this point I will speak for myself at once. I hold my property all of it as much at the service of the state as my life: but to calculate on something short of extremities I think I can furnish you next year with the proceeds of an hundred bales of cotton. I did think of making a large provision crop but reflecting that I was on the frontier of Georgia and flanked on all sides with Union men I thought perhaps it would be safer to plant cotton and furnish the State with the proceeds. If the seasons are ordinary I can afford to give at least one hundred bales without depriving myself of the means of meeting the contingent expenses of my official situation. For this I will take the States certificate or no certificate if the times require it. If it should be preferred I would cheerfully turn over to the service of the State from the time the first movement is made all my efficient male force to be employed in ditching, fortifying, building as pioneers &c. Of course not to bear arms which would be dangerous policy not to be justified only by the greatest extremities. But as I said before the difficulty will not be want of men for any service. I feel very

uneasy about the state of our finances and although I would not hesitate in our course one moment if there were not a dollar in the treasury still it is prudent [to husband?] and if possible augment our resources to meet the crisis. I trust no resort will be made now at least to increase taxation the people would not bear it whatever our descendants may have to do.

I know you are too much occupied to write to your aids fully of your views of the state of affairs, but I feel the importance of not being wholly ignorant of them. The private opinions and purposes of the Whigs of Charleston are anxiously sought for by the people of the interior of all classes. Yet so far as I know they are a profound mystery to every one. How would it do to have short hand bill address[es] struck off at every new [turn] of affairs explaining succinctly and [clearly] the current state [of] events to be circulated through the medium of the old associations? I can say for Barnwell that such a thing would have the happiest effect. The people have a rabid appetite for information and it should be afforded in some way that they can confide in. All that is wanting to make them precisely what they should be is light, and in these times every spark has its effect.

XXX. Robert Y. Hayne to Francis W. Pickens.

private.

Executive Department
Charleston February 12, 1833

Sir

Your Reports and Requisitions for Arms have been received. I am truly sorry to say that the demand for Arms exceeds *five times over* the number in possession of the State. To answer these calls is therefore impossible. Our supplies come in slowly—we have no manufactories, and indeed the finances of the State would be exhausted in procuring half the number of arms that have been called for. You will see at once therefore that *a strong appeal* must be made to *the Patriotism* of the people to furnish themselves with arms and equipments so far as may be practicable and that nothing must be drawn from the Arsenals that can possibly be spared. In *the Depots* we must keep on hand the *means* of *supplying* all *defficiencies* in Arms &c. when Troops are called into the field. If 500 fire Arms were issued to day and in three months a call were made for 500 Men, 100 at least of these arms would be wanting or unfit for use. The Returns shew that there are not now ready for service in the hands of the men one half of the Arms issued within *the last two years*. Economy and sound policy both conspire therefore in requiring that we should make no issues that can possibly be avoided, but must *husband our resources* for a time of need. You must therefore *turn out*, and induce the Volunteers in your District to brush up such arms as they have got, and to supply themselves as far as they can. At all events when a call is made let them repair to their place of rendezvous with *the best they can bring* and inform them that every effort on my part will be made to have those who may be called out well supplied. In the mean

time it may be necessary that some small issues should be made to keep the Volunteers in heart. Estimating our present means I will divide among the Districts such number of Muskets, Rifles, Pistols and swords as can be spared and of these you will make the best use in your power. No man should have more than one Pistol, the other may be furnished when he is called out. Of Cartouch boxes and belts we have so few and they are procured with such difficulty that your men must try and supply themselves or provide some substitute. Having made these explanations I annex a Statement of what has been done or can be done now for your District and I confidently rely on your making the best of it.[1]

I am very Respectfully

Your ob. Serv!

ROB. Y. HAYNE

N. B. If you have not yet bought powder, do not. I can send you a supply from Savannah. The "Palmetto Standards" can be painted here for $60 each. Can you afford to *buy* them at that rate? The State cannot furnish.

The following articles have been ordered to be forwarded to Hamburgh to the Messrs Walker for you. You will take charge of them when they arrive, and in consultation with Col Wardlaw determine how they can best be disposed of in Abbeville and Edgefield so as to encourage the volunteers and at the same time enable us to count on them when called for.

The articles are

100 Artillery Swords	Report what number (if any) of these articles you have already recd.
100 Cavalry Sabres	
100 Prs Pistols	
52 Prs Holsters	
* 369 Muskets	
80 Rifles	
80 Powder Flasks	
10 Reams Cartridge Paper	(Let Cartridges be made).

300 Waist Cartouch Boxes. These [will] be sent as soon as belts can be fixed to them. I propose to send considerable additional supplies of Arms to Hamburgh as soon as they can be procured—not to be issued but *to be kept in the Depots*—distributed say between Edgefield, Abbeville, Columbia and perhaps Barnwell, as Hammond, Wardlaw, Butler and yourself shall advise. For any emergency 100 firearms at a Depot are worth 130 in the hands of the men, because the men who come first into the field get them, and every one counts. Remember this in your distributions.

* *Give out* no more of these than may be indispensible.

R. Y. H.

Col. F. W. Pickens.

[1] To this point the manuscript is in a clerk's handwriting and apparently constitutes a uniform circular to aides-de-camp.

XXXI. ROBERT Y. HAYNE TO JAMES H. HAMMOND.

CHARLESTON, Feb 12, 1833

I have ordered 360 Muskets and 300 Cartouch boxes (such as we have) to be forwarded to Col Pickens at Hamburgh, care of A. and G. Walker. Of these you may have 100 for the use of Barnwell Dist. Go and see Pickens and arrange the matter with him, and let him get down a supply of Lead and Powder from Abbeville and let you have what you may want. I shall order also to be sent from this place for your use

60 Rifles and Flasks,
30 Pair Pistols,
25 Swords

to Hamburgh which you will have disposed of in the best manner. Captains Schmidt, Lafitte and McTeir must be supplied out of them as far as they will go. The Com^ns[1] shall be forwarded. These should always be sent for by some private hand.

R. Y. H.

XXXII. ROBERT Y. HAYNE TO FRANCIS W. PICKENS.

CHARLESTON 20th Feb. 1833.

Dr Sir.

I have just rec^d yours of the 10th and in reply would say that I would not at present wish you to purchase more powder; the 50 kegs will be enough. As to the Arms, I should be very glad that an arrangement should be made to get some through the house in Augusta of which you speak. Say to them that it is probable that the State will want large supplies, and ask them to import on their own account say 100 Muskets, and thus ascertain what they can offer them at and what further supplies can be had and at what periods. You may agree to buy there 100 provided they shall not cost more than $8 a piece, which is the highest price we have yet paid for those manufactured for the U. S. Some we have purchased as low as $3\frac{50}{100}$ and from that up to $8.—freight and mercantile profit might be added,—and the contract might be extended to a *few specimen Rifles*, Pistols, Swords and Military equipments of all kinds. It would be very advantageous to us to have a channel through which we should obtain military supplies, and it might be made an object to the merchant to have a good customer. While on these matters let the enquiries extend to Mortars say 12½ and 18 inch, shells &c. and also Cannon Powder.

In haste yrs truly

ROB Y. HAYNE

Col. F. W. Pickens

[1] Commissions.

XXXIII. Bolling Hall to Nathaniel Macon.[1]

Ellerslie [Ga] 22 Feby 1833

My Respected friend

I have not had the pleasure to hear from you since you retired from public business; since we parted, the signs of the times are indeed portentious; by the events which have taken place, I am often reminded of your predictions of the encroachment of the general, on the State Governments. It is true I had fearful apprehensions of the prospect before us, but I relied on the intelligence and patriotism of our citizens to preserve us from the curse of a consolidated government. This reliance I cannot yet abandon, tho I must confess the signs are unpropitious. When [we] see Congress assume the right to regulate the labor of the country, to equalize the benefits of soil and climate, to tax one portion of the Community for the benefit of an other, and the people too, sanctioning those acts, and the President declare war against one of the States because she refuses to pay more taxes than sufficient to defray the constitutional expenditures of government, and her Sister States stand al of, I begin to fear that liberty and patriotism have taken their flight. When I saw the President's message at the opening of Congress, I hailed it as the harbinger of better times, but when I arrived at the recommendation of protective duties on articles *necessary in time of war*, I had my misgivings, and which were more than realized when I saw his Proclamation. This high behest sweeps from under us the protection which we anticipated, from the provisions of a federative limited government, and on its ruins is reared the hideous monster, Consolidation, restricted only by its own will. Will the high minded, intelligent patriotic Citizens of the United States submit to such usurpation and such a government? If they do, then may we exclaim in the language of the Prophet: "The Ox knoweth his owner, and the ass his master's crib, but my people will not consider!" By ambition, intrigue, and party, the old Republican party have been divided and subdivided, untill we are shorn of our strength as Sampson was of his hair, by his faithless Delilah. Our eyes have not yet been put out, tho ambition and self-interest has blinded many, who are groping in the dark, and have become the sport and scoff of their surrounding enemies. The bill reported by the judiciary Committee (which I received after commencing this letter)[2] caps the climax—that bill has the sanction of the President and will pass! Comments on this subject, addressed to you, even were I capable to do so, would be unnecessary. for years you have viewed the approach of the present crisis, and faithfully warned your fellow citizens of the dangers which awaited them. It has arrived—and we are called on to support a federative government of limited powers, or submit to an unlimited consolidated government dependent on the will of a bear majority in Congress.

[1] From the Nathaniel Macon Papers now in possession of a descendant of his, Mrs. Walter K. Martin, of Richmond, Va. Bolling Hall was a member of Congress from Georgia from 1811 to 1817.

[2] The Force Bill.

The President and Secretary of the Treasury has told us the revenue will produce six millions of dollars more than sufficient to pay the constitutional expences of the government; thus are taxes levied, equal to 50 cents on every man, woman and child, in the U. States, for the benefit of manufactures, and to enable a majority in Congress to riot in the expenditure of the people's money. SoCarolina one of the Old Thirteen United States whose Soil has been consecrated by the blood of her revolutionary patriots, has raised the Standard of opposition to this system of injustice, oppression, and tyranny; for which the bayonets of the federal army, and the thunder of the Cannon of the Navy are to be directed against her! If the President had been as sincere, and urgent, to restore peace and harmony to a distracted discontented peopl[e], by having the taxes reduced to the legitimate wants of the government, as he is to humble SoCarolina no person doubts but his influence was Sufficient to have done so. But I will drop a further discussion on [these] subjects untill I hear from you, and I ask as a favor a full expression of your opinion on passing events.

With respect and friendship
I am yours &c

BOLLING HALL

Honble N. Macon

forward your letter to Montgomery Alabama.

XXXIV. JAMES H. HAMMOND TO WM. E. HAYNE.

SILVER BLUFF 24 Feb. 1833

Sir,

Since my last I have received from Governor Hayne his favour of the 12 inst. I had promised no arms to the Volunteers of Barnwell, except to the companies of Schmidt, Lafitte and McTyiere. These I did hope your means would have enabled me to equip completely, as they are very spirited corps, handsomely uniformed and likely to be permanent. The 100 muskets which I am authorized to get from Col. Pickens will more than supply Capt. Schmidt, while the 60 rifles will not half supply the others. Is it not possible to give me 130 rifles and flasks, and 70 muskets? In forwarding the arms to Hamburg you have sent them to the most inconvenient place possible upon the river. Those for Capt. M[c]Tyiere will have to be transported back precisely half way to Charleston, and those to Capt. Lafitte I shall send down the river just half way to Savannah. The Steamboats are constantly in the habit of landing articles along the river and it would have saved 20 miles nearly of land carriage to have had them set down even here at Silver Bluff. Lafitte lives at Matthews Bluff and M[c]Tyieres first Lieutenant at Midway. Let me request of you never to forward any thing for this district to Hamburg wh. is 5 miles further off than Augusta unless you cross the river twice. It would be more convenient for me to receive them at the door of the Arsenal in Charleston, and less expensive to the State.

It is in vain to make an appeal to the patriotism of more than one man in fifty for the purchase of arms. Such as they have, the people of Barnwell will use and use well, but they are too poor to buy. Whenever they are called into regular service the State must expect to arm them, if they are to act efficiently. They may skirmish in the woods and harrass invaders with their shotguns, but they cannot stand a moment in the field before a regular force properly equipped.

I have now the honour to submit something like a full report of the Volunteers of Barnwell. I ordered a review of the 43 Regiment at Buford's Bridge on Saturday the 16. There was a pretty good turn out. Gen^{l} Erwin reviewed and addressed them. The whole regiment volunteered, but about 70. Of these all pledged themselves to defend the State when invaded by *any foe*, except 19. I estimate the Volunteers of this Regiment at 550. I ordered a review of the 11 Regiment at Ashley's Yesterday. About 150 refused to Volunteer. All of these however pledged themselves to defend the state against *any foe*, except 15. I estimate the Volunteers of this Regiment at 375. In all Barnwell has volunteered 925 men. I think I may now safely say that she will furnish a thousand in the event of war. I am happy also to state that on the 4th of March we shall be thoroughly Organized. You will see by the copy of an order enclosed that an election for Col., L^{t} Col. and Major will take place next Saturday and that I have divided the district into Battalions. On the same day two companies will elect officers, including wh. I shall then have organized and officered—one company of Calvalry, Two of riflemen, and nine of infantry. I have inspected most of them and so soon as I am furnished with commissions to commission them will send you the Officers names.

I collected at Beauford's Bridge 51 stand of public arms in wretched order and wanting repairs. I contracted with Mr Jacob R. Mayer to put them in complete order for $60. To carry them to his shop and back will cost $8 more. As soon as repaired I will distribute them or send them to the Court House if you wish. Capt. Tindall's company was probably dissolved last Saturday. I ordered him to have his arms boxed up and sent to Charleston to you, if the expected dissolution took place. As soon as repaired I shall expect them sent back. You have rec^{d} several bonds for arms—will you send them back to me or how?

Your most Obedient Serv^{t}

JAMES H HAMMOND

XXXV. GENERAL ORDERS.

Head-Quarters,

CHARLESTON, 27th February, 1833

It having been represented to the Commander in Chief, that Companies to which Public Arms have at various periods been delivered, have in many cases been dissolved, and that many of the Public Arms

are now in the hands of persons who have become possessed of them, without lawful authority, or have given no acknowledgments for the same: It is hereby Ordered that all such Arms be forthwith returned to such Officers as may be appointed to receive them. No person can be permitted to receive or retain Public Arms, but members of regularly commissioned Troops or Companies who may have givem, or shall give when required, *acknowledgments* for the same in proper form. Should any person who may be liable under this order to return Public Arms refuse or neglect so to do, such neglect or refusal, with the name of the party, will be forthwith reported to the Commander in Chief, that such measures may be taken as the law directs.

By order of the Commander in Chief.

WM: ED: HAYNE.

Ass^{t} Adj. and Insp. General.

[To this printed circular is added in manuscript, in the copy sent to Col. Hammond, the following note.]

I am directed to transmit the above with extra Copies to be signed by you, which you will so extend as to effect the object in view. A Fresh supply of Books having been received you can now be furnished from Columbia or Charleston. The Bonds for Arms which have been not been supplied will be retained until you come here when they will be delivered up to you.

XXXVI. ROBERT Y. HAYNE TO JAMES H. HAMMOND.

CHARLESTON March 6th 1833

Dear Sir

I shall leave Charleston tomorrow for Columbia where I shall remain during the sitting of the Convention[1] and probably longer. All official communications must be addressed to me at that place.

The passage of Clay's Bill according to the general opinion here will settle our controversy with the General Government for the present. Still we must not relax our efforts until we see what course the Convention will take.

I am very respectfully

Y^{r} Ob^{t} Sv^{t}

ROB. Y. HAYNE

Col. J. H. Hammond.

P. S. If you do not propose to be in Columbia at an earlier day, I should be glad to see you there on Monday, the 18th inst.

XXXVII. JAMES H. HAMMOND TO WM. E. HAYNE.

SILVER BLUFF 7th March 1833

Sir

I received yours of the 27th ult enclosing orders which I have executed already. There were but two volunteer companies in Barnwell that

[1] The second session of the convention was to begin on March 11.

have been dissolved. The arms of one of them as already stated are at the shop of M^r^ J. R. Maher. Those of the other have been all collected except one which was stolen by a runaway negro as you will see by an affidavit that will be forwarded. The arms you will receive soon. A bond was given for them by Capt John M^c^Tyeire to the Abbeville Arsenal Keeper some years ago which he requests you will have returned to him as soon as you receive the arms. This is but just and I trust you will not forget it. I went to Hamburg a week or ten days ago and found everything ordered for this district except the muskets. I directed Messrs Walker to send them all down to the Bluff by a Steam Boat from whence I intended to transport them to the Court House. I have heard nothing of them since and have delayed giving the arsenal Keeper a receipt for them until they arrive here. I have seen Col Pickens who says that he expects to receive a supply of powder and lead from Charleston and that I had better get what I want from you. Thus you refer me to Pickens and he refers me to you. I want about a dozen Kegs of powder and 1000 lb of lead from some quarter or other.

On Saturday last we had an Election for officers to command our Regiment. Sampson H. Butler was elected Colonel and G. I. Trotti and G. A. Sweat Majors. Upon casting lots the Leut Colonelcy fell to the former. There are Thirteen large companies in the Regiment. Address the Col and Leut Col at Barnwell, The Majors at Lower 3 Runs P. O. Address Capt M^c^Tyeire at ——

Very respectfully
Yours.

P. S. Be good enough to forward to me Care of Col Butler at Barnwell about 30 Books which I think will supply the Volunteer Regiment.

XXXVIII. Robert Y. Hayne to James H. Hammond.

Executive Office
Charleston 29 Mar 1833

Dear Sir

The arsenal Keeper has been directed to forward to you through Mess^rs^ Boyce and Henry 12 Kegs of Gunpowder and 500 Pounds of Lead, which when rec^d^ you will duly acknowledge.

Respectfully your obt Serv^t^
Rob. Y. Hayne

Col: J. H. Hammond
Barnwell C. H.

XXXIX. Wm. E. Hayne to James H. Hammond.

Charleston April 1^st^ 1833

Sir,

It being desirable that the whole number of Volunteers shall be known and the Rolls completed you will as soon as possible after the receipt of this order Report to the Ass^t^ Adj. and Insp. Gen. in this place:

1st. The whole Number of Volunteers in your District organized and unorganized.

2d. The Number of Regiments, Battalions, Squadrons and Companies duly organized and the Names of such Officers as have not been *already* reported.

3d. How soon the Organization of the remainder will be compleated and what number and description of Corps they will form.

4th. How many and what description of Arms if *any* have been distributed among the Volunteers.

5th. Any general Remarks or information you may think proper to furnish.

By Order of the Commander in Chief.

WM: ED: HAYNE,

Ass^{t} Adj. and Insp. General.

N. B. Should there be any contracts or accounts against the State in your District they must be promptly brought to a close and the accounts rendered.

XL. JAMES H. HAMMOND TO ROBERT Y. HAYNE.

SILVER BLUFF 3^{d} April 1833

Dear Sir,

I returned last night from Barnwell where I rec^{d} your letter informing me that you had placed 12 Kegs powder and 500 lbs. lead with Boyce, H.[1] and Walter for me. I got from Col Pickens 89 lbs. musket balls. Can you supply me with a set of bullet moulds for muskets? The Troop that I spoke to you about has been formed. There are 40 regular members and they will get 12 honorary ones to meet the requisition of the law. Can you give them any thing besides spurs? A troop is not a troop without equipments, and you know that suitable swords and pistols cannot be procured by individuals. If you can spare 40 sabres I think they would be well disposed of to this company and would probably satisfy them for the present. They are a very spirited set of men and a little encouragement will make them staunch forever. The Company is formed in a part of the country where the Union Party has preponderated and this furnishes an additional reason for giving them some encouragement.

Upon consulting with the Officers of the Regiment we have come to the conclusion to have our Review in May say the 11 or 18 whichever will suit you best. It has been postponed so long in consequence of the resignation of Col Butler our Colonel. I have ordered a new election for the 13 inst. and a month will probably be requisite for equipping the Colonel and his staff. Be good enough to drop me a line as soon as convenient on this point, and in reference to the arms of the troop.

I have nothing of general importance to communicate. The spirit of our people I do not think flags a great deal, and I believe there will not be any difficulty in keeping them alive to the importance of Military

[1] Henry.

preparation as well as political energy until a more thorough revolution in our favour is effected. The press must keep up its tone and a few well written essays suitable to the times are called for. The effect of them abroad however should be considered as well as that at home.

Your General Orders have been rec^{d} and forwarded. I had not enough copies and should like to have a dozen more if you could send them by a private hand.

Very respectfully

Your Obt Serv^{t}

JAMES H. HAMMOND

P. S.

I wish you would order the Rifles sent from this District to be mended to be sent back again with flasks, as soon as they are finished, either to Capt John M^{c}Tyeire at Medway or myself at Silver Bluff.

XLI. ROBERT Y. HAYNE TO JAMES H. HAMMOND.

CHARLESTON 4th April 1833

Dear Sir

You will see by the Papers that the Volunteers here have been reviewed and a Standard presented to them in behalf of *The State*. Whenever the Volunteers may be disposed to assemble in Numbers not less than a Regiment, I should be disposed to pay them the same Compliment. But you must not understand that they will be ordered out for this purpose. My desire would be to conform to their wishes on this subject, if made known to me.

Very Respectfully,

Yours

ROB^{t}. Y. HAYNE

Col J. H. Hammond

XLII. ROBERT Y. HAYNE TO JAMES H. HAMMOND.

CHARLESTON 8th April 1833.

Dear Sir.

I rec^{d} yours of the 3^{d} yesterday and have this day issued orders to have 40 Sabres and Belts (and the Bullet Moulds if on hand) forwarded to you through M^{r} Boyce. If Pistols are found *indispensable*, I may send you 20 Pair, and also the Spurs. If I am to Review in Barnwell this Spring, the earlier in May the better. You must consult Pickens, and let me have your joint views. Gun Rifles shall be sent back with Flasks as you request — but they have not yet come to hand.

In haste yours truly

ROB. Y. HAYNE

Col. J. H. Hammond.

XLIII. JAMES H. HAMMOND TO ROBERT Y. HAYNE.

SILVER BLUFF 22 April 1833

Dear Sir

Having been elected on the 13 inst. Colonel of the Barnwell Volunteer Regiment I beg leave to tender you my Commission of Aid de Camp which you did me the honor to confer upon me. It has not been my wish to withdraw from your Military family, but the Volunteers having chosen me for their Commander without my solicitation and under the circumstances which I detailed to you in Columbia it is out of my power to refuse their appointment. It will afford me the greatest pleasure in the situation to which I have been transferred to co-operate with you in effecting any Military purpose in this District or else where and you may rest assured of my prompt and zealous attention to your commands.

According to the directions contained in yours of the 8 ins[t] I wrote to Col. Pickens. he informs me that he cannot be prepared for a Review before the 19 or 20 May, and requests me to put off mine until the 17 or 18. To suit his convenience and what I suppose will be yours I have accordingly ordered a review as Colonel of the Regiment and not as Aid for the 18 of May. I have informed the men that you will be up and present them with a standard. I trust we shall have a large turn out. At the review I will present you with such papers relating to my past duties in the District as may be necessary for you to have or will be useful to my successor.

P. S. I have promised Cap[t] Graham his Sabres at the Review. They have not yet arrived here.

XLIV. JAMES H. HAMMOND TO WM. E. HAYNE.

SILVER BLUFF 22 April 1833

Sir

In answer to your question contained in your letter of 11[th] April inst I report

1. That according to my first estimate there were Nine Hundred and Twenty five Volunteers in Barnwell District. There may have been a few added to the lists since. Of these about Eight Hundred and seventy five or nine hundred are Organised. The remainder are in squads too far distant from points of concentration to be organized.

2. We have one Regiment, two Battalion, ten Infantry Companies, two Horse and two Rifle Co. The names of the Regimental officers are as following. James H. Hammond Colonel, G. I. Trotti Leut-Col, G. B. Sweat Major, William Duncan Adjutant, Infantry Captains J. F. Schmidt, S. H. Butler, Leroy Allen, Jeremiah Minor, Jesse Lancaster, Robert Willis Jr., John Walker, Ulmer, Miller and B. O'Bannon. Rifle —John M[c]Tyiere and D. M. Laffitte. Calvalry Richard Johnson and L. C. Graham. The names of the Subaltern officers I cannot give. At a

review which is to take place on the 18 of May I can if it is desired obtain the names of all the officers and men.

3. Already answered.

4. I have delivered and taken bonds for seventy five Muskets, Catouch boxes bayonets and bayonet belts, Thirty Rifles and Flasks, Thirty pair of pistols, Twenty five Sabres and 3000 percussion caps. I have on hand Thirty Rifles and flasks, Fifty one Muskets and forty eight bayonets. I am informed by the Governor that Twelve Kegs of powder, 500 lb of lead and forty Sabres and belts have been left for me in the hands of my factor in Charleston. My Factor writes me that he believes they were forwarded to me by the Governors private Secretary. The Boat in which they were to come left articles for me at my landing but none of those nor do I know any thing more of them.

5. I have no remarks to make of any consequence. I have some little accounts against the State for expressing arms and hauling them which I will present to the Governor at the Review. They will not exceed $100.

Respectfully
Your

XLV. Robert Y. Hayne to James H. Hammond.

Charleston 24th April 1833.

Dr. Sir.

I learn from Col. Pickens that you cannot have your Volunteers ready for Review before the 18th. As the weather will then be very warm and oppressive to the troops I should prefer a postponement of the Review to the fall. Pray give the proper notice.

In haste yr truly,

Rob. Y. Hayne

Col Hammond

XLVI. James H. Hammond to Robert Y. Hayne.

Silver Bluff 4th May 1833

Dear Sir

I received your letter of the 24 ult desiring a postponement of our Review until the fall. I forwarded it to my Adjutant at Barnwell with orders to countermand accordingly. I have just received a letter from him stating that it is the earnest desire of all the officers whom he has seen to have a regimental muster at all events and that he has delayed countermanding the first orders to hear from me again. I shall immediately write him that if it is the general wish to have the Regiment out even if you do not attend, that I shall not object, but will attend myself. I make these explanations that when you learn there has been a Review you may understand how it was. You will not be expected up, but if it will suit your convenience we would esteem your presence a high compliment. I am sorry there should have been any difficulty about the matter

any way. I put off the review from the 11th [to] the 18th purely to oblige Col Pickens and would have had it a week sooner if I had thought it material to you. we could have paraded to day very well.

Some time ago you informed that the 4 sashes and Belt were ordered for Capt. Graham. I immediately wrote to him and promised to have them at the Review. I have heard nothing of them since. I will be much obliged to you to direct them to be forwarded immediately to me at this place or to be delivered to Boyce and Co. without delay.

Very respectfully

Your obt. servt

JAMES H HAMMOND

XLVII. ROBERT Y. HAYNE TO JAMES H. HAMMOND.

CHARLESTON 7th May 1833.

Dr. Sir.

I have just recd yours of the 4th inst. I leave here tomorrow to Review the Beaufort Volunteers on the 10th My business will not permit me to lose so much time as to remain in the country between the 10th and 18th and tho' very anxious to see the Barnwell Volunteers I must forego that pleasure. I have a Standard, however, ready for you. Mr Wm Ed. Hayne is instructed to forward it to you by the Rail Road or other safe conveyance of which he will give you due notice. Present it to the Brave Volunteers of Barnwell in my name as Chief Magistrate of the State, and say, that I have the fullest confidence that if called upon to unfurl it in defence of our rights—they will bear it in triumph or be buried beneath its folds. Return them my thanks and make this gift acceptable to those who I well know are worthy of it.

Very truly yours,

ROB. Y. HAYNE.

P. S. Capt Graham's Sabres have been ordered and I presume sent. I shall direct the proper inquiries to be made and if practicable they shall be forwarded by the day of Review.

May 7 1833

The above were sent by the Steamer Augusta to the care of A and G Walker, Hamburgh, and no doubt have been received before this. I have concluded to send the Flag by the Stage to Barnwell C. H. I cannot have it properly packed before tomorrow. As soon as it [is] sent I will drop you a line.

WM: ED: HAYNE

May 8. 1833.

XLVIII. WM. E. HAYNE TO JAMES H. HAMMOND.

CHARLESTON May 10th 1833

Dear Sir,

The Flag neatly packed in a Box and the Staff were this morning sent by the Stage directed to yourself to the Care of Col. S. H. But-

ler, Barnwell Court House. I directed the Fare to be paid and gave particular Charges to Mr Lumpkin, one of the Contractors, respecting it. I have written to Colo Butler, upon receiving it, to open the box and unfurl the Flag so as to air it, for having been lately painted it may not be perfectly dry. It requires nothing but being attached to the Staff which can be done in five minutes. I trust there will be no disappointment respecting it.

Very Respectfully
Your friend and ob Servt.
WM: ED: HAYNE
Ass' Adj. and Insp. Gen'

XLIX. JAMES H. HAMMOND TO WM. E. HAYNE.

SILVER BLUFF 30th May 1833

Dear Sir

Having resigned my commission as Aid de Camp to the commander in Chief, I inclose you the Bonds of Captains M Tyeire, Schmidt, Laffitte and Johnson for arms delivered to them by me. I have had a room fitted up in the Court House, where I have now, undistributed Fifty two muskets, forty eight bayonets, which I reserved from the Beaufort Bridge Company and had repaired and transported to the Court House. The powder and lead is probably on the way from Hamburg to Barnwell and with them Captain Grahams Swords. By this time you have received the Rifles sent down by Capt M Tyeire to be repaired. When repaired the Governor has promised that they shall be returned and it is absolutely necessary they should and that as early as possible. I wish you to divide them and send one half to Capt John M Tyeire, Midway, and the other half to Capt D. M. Laffitte, Mathews Bluff. There cannot be the slightest difficulty in doing this as private persons are every day receiving supplies at both places. It will save a world of trouble to all concerned here and at least three fourths of the expense. I will get the bonds. Be good enough to forward the Bond given by Capt M Tyeire originally for these arms to him at Duncansville and also all the bonds lately transmitted to Charleston from this District to be filled up for the arms for which the inclosed were given. I send you also a receipt for all the money I have expended in this District for which I consider the state properly accountable. You will perceive that the items for transportation from Hamburg are large. Of this you will recollect I gave you the proper intimation beforehand. You will oblige me by calling on my factors Boyce Henry and Walton and settling the amount of the receipts.

I will want both books and commissions for my Regiment. I will thank you to forward me a dozen of each addressed to William M. Duncan my adjutant at Barnwell C. H. as soon as convenient.

The flag was received and presented.

Yours

Col Wm. Hayne

L. Wm. E. Hayne to James H. Hammond.

Charleston June 22d 1833

Dear Sir

A few days since I sent by the Stage addressed to you to the Care of Wm. M. Duncan, Barnwell Court House, a Package containing Four Copies of Hoyts Cavalry Tactics, Twelve Copies of Infantry Tactics, Twelve Blank Military Commissions and the several Bonds that had been sent here and the Arms not delivered. The Arsenal Keeper reports that he has not yet received the Rifles which you say Capt M Tyeire has forwarded to be repaired. whenever received and repaired they will be attended to. The Arsenal Keeper says he cannot find among his papers any Bond given by Capt M Tyeire for the above Rifles.

The amount of the accounts forwarded has been paid to your agents Boyce, Henry and Walter.

Very respectfully

Wm: Ed: Hayne.

Ass[t] Adj. and Insp. Gen

I presume that Isaac[1] has informed you that I am a Candidate for Treasurer of the lower Division at the next Session and has requested your influence and particularly with the Members of [the] District.

LI. Andrew Jackson to Nathaniel Macon.[2]

Washington Sept. 2[d] 1833

Dear Sir

I am glad to find, by your letter of August 26[th] that the position taken by me, against secession, is the only point of my proclamation, which you condemn. Others have assumed, without specifying in what particulars, that the principles of that paper are in opposition to those which distinguished the republican party during the era of Mr. Jefferson's administration. You have been frank spirited, but the grounds of objection pointed out in your letter to me so far from making a departure from the recognized doctrines of the republican party of that period, is a practical illustration of them. You do not hesitate to admit that the measures recommended by Mr. Jefferson to enforce the embargo in the contemplated case of resistance by Massachusetts, and for which you voted, were the same in principle, with those recently adopted to give effect to the revenue laws in South Carolina: but you tell me that "Mr. Jefferson and yourself may have done wrong, in the very hot times in which you acted." Allow me to say, my dear Sir, that I think you do great injustice to the motives, which actuated yourself and Mr. Jefferson and the Republican party of those times to which you allude. you doubtless consider

[1] Isaac Hayne. South Carolina still had two treasurers, one for the upper country and one for the lower country.

[2] From the Nathaniel Macon Papers now in possession of a descendant, Mrs. Walter K. Martin, of Richmond, Va.

the Union worthless, unless the laws could be enforced; and after great forbearance and due consideration, the deliberate but reluctant resolution was taken "*to provide for calling forth the militia to execute the laws of the Union*," if a case of obstruction should arise within the contemplation of this clause of the constitution. Under circumstances of still greater emergency than those under which Mr. Jefferson acted (when the ordinance had actually passed nullifying the revenue laws), I felt it my duty to act with still greater moderation, than his pacific character had dictated on the former occasion. I first warned and appealed to the affections, to the patriotism of my fellow citizens of the South. I exerted my influence to remove the causes employed to excite discontent among them. When troops were enrolled and actually paraded and trained, with the avowed design to prevent the collection of the revenue after a given day, I still sought to avoid the unhappy collision, by recommending the removal of the Custom houses beyond the jurisdiction of each of the States threatening to oppose by force the collection of the revenue, and in the last and worst event, proposed the use of force only to defend the public officers from actual violence, when engaged in the discharge of their official duties. The measures of expostulation and concession in the first instance, of preparation and discussion in the last, which the wisdom of Congress instanced, I am happy to believe have had the best effects in securing peace and stability to the Union.

I think you state too broadly your maxim, that "*the government of the United States and of the States are governments of opinion and not of power*," or I should rather say, you apply it improperly, as taking all sanction from the laws. I consider all free Governments, governments of opinion, but should hold ours no government at all, if there were no laws to give effect to the public opinion. We live under a government of laws—laws emanating from the public will, but if there were no means of enforcing public opinion, when embodied in a public law, it would be neither *a government of opinion or force*. .

You tell me that a state cannot commit treason. This is true but it does not follow that all the citizens of a state may not commit treason against the United States. "Treason against the United States shall consist in levying war against them, etc." The State authorities of no one State have a right to repeal this clause of the constitution, which all the people in each state *severally*, concurred in establishing. If, therefore, South Carolina had authorised byenactments of a convention, or of her State Legislature, the citizens of the state to levy war upon the United States it would have been nevertheless *treason*, in all who should have acted under such authority. The authority itself would have been in violation of "the supreme law of the land," which the people of South Carolina, with their own consent have bound themselves to obey "*anything in the constitution or laws of any State to the contrary notwithstanding.*" Your remark that force applied to a State Government "*is not hinted at in the Constitution of the United States, because a state cannot commit treason*" and that "*it goes on the ground*, that every state will

perform its duty" is I think met by the passage of the constitution to which I have pointed, as well as its whole tenor. "The constitution of the United States and the laws made in pursuance of it" would never have been declared "the supreme law of the land" with direct and immediate power over individual citizens in every state, "the laws and constitution of any state to the contrary notwithstanding," if the experience under the articles of confederation had not shown that *every state* would not perform its duty.

If however as you imagine none of the States gave up the right to secede, then indeed, the establishment of a general Government, *a* "*supreme* law of the land," by a solemn compact among the people of the several States respectively, was entirely a nugatory act. There would, then, be no obligation in the constitution or the laws of the United States, but what is still made dependent upon the mere pleasure of the state authorities; and our system would present the absurdity of establishing a general government, with the consent of the people in each of the states, having a paramount power, "the constitution and laws of any state to the contrary notwithstanding" and nevertheless ensuring to each and every one of the States, the right to overthrow by a state law, or a clause in a state constitution, the supreme law of the land!! or in other words to set it aside by secession!!

In my opinion, the admission of the right of secession is a virtual dissolution of the Union. If it were [an] established principle in any community, that laws are only to have such obligation as each individual might choose in his good pleasure to allow, such society (if society were possible in this state of the case) would be without laws or government. So of the States. If the Federal Government and its laws are to be deprived of all authority in a state by its mere declaration *that it secedes*, the Union and all its attributes depend upon the breath of every faction, which may obtain a momentary ascendency in any one state of the Confederacy. To insist, that secession is a reserved right, is to insist, that each state reserves the right to put an end to the Government established for the benefit of all and that there are no common obligations among the States. I hold the states expressly gave up the right to secede, when they entered into the compact binding them in articles of "perpetual union," and more especially when the present constitution was adopted to establish "a more perfect union" equally binding as to duration. That more perfect union consists in the "supreme law of the land" which the Government of the United States is empowered to maintain *within its proper sphere* independently of the States Government, and whether they pass a law or constitutional provision of secession or not, because it is still to be the supreme law of the land "*anything in the constitution or law of any state to the contrary notwithstanding.*" The only right of secession from a government and more particularly from a government founded upon mutual concessions, and obligations among the members forming it, is the revolutionary right—secession can never take place without revolution; and I trust, if it ever should happen that one

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section of the union is subjected to *intolerable oppression* or *injustice* by another, and *no relief* can be obtained through the operation of public opinion upon the constituted authorities, that the right may be as successfully conducted by the wronged and oppressed against our present government, as it was against that which we threw off by the revolution which established it.

I send you herewith the proclamation, the report from the Department by which it was seconded, and the law passed consummating them. I hope you will receive them as an earnest of the high respect I bear you; and if on comparing them, you find the principles I have advanced and the measures I have recommended, the same in effect, with those which were proclaimed and carried out by Mr. Jefferson, yourself and other fathers of the school of 1798, I hope you will do me the justice to believe, that we follow precedents of such high authority and which have been sanctioned by almost universal approbation of the country from that time to this. I was altogether unconscious, that they were fraught with the dangerous tendencies, imputed in your published letter to Mr. Corson.

I beg you to believe that nothing but a wish to vindicate my conduct and consistency to one whose character I so highly esteem—whose probity and pure patriotism gives weight to his most casual opinion—could have induced me to intrude on your retirement [*mutilated*], which the publication of your letter invited.

With the kindest feelings and best wishes for your contentment and happiness in your last days,

I am Dr Sir
Yours respectfully
ANDREW JACKSON.

The Hon^ble^
Nathaniel Macon.

LII. WM. E. HAYNE TO JAMES H. HAMMOND.

CHARLESTON Oct. 5th 1833

Dear Sir,

I have never yet received a full Return of the Number of Volunteers in Barnwell District nor the Manner in which they are organized. I have received the names of the Field Officers of the Regiment of Volunteers, but I have no information of the number of Companies of which it is composed, the number of men in each Company or even the number of men in the Regiment. What companies of Volunteers within the District are not attached to the Regiment? if any what numbers are they composed of? The Governor wishes to make a Report upon the Subject to the Legislature; to enable him to do so, will you furnish me with the necessary information respecting the Volunteers of your District. I have from you several *Estimates* of the whole number but you have never made a regular return. The Governor is now absent on the Re-

view of the Volunteers in some of the upper District and will return about the 20th of next Mo.

Very Respectfully, Yr Mo obt
WM: ED: HAYNE,
Ass[t] Adj. and Insp. Gen[l]

LIII. JAMES H. HAMMOND TO WM. E. HAYNE.[1]

SILVERTON 25 Oct 1833

Dear Sir

I am sorry that it is not in my power to furnish the Governor with any accurate statement of the volunteers of this district. I forwarded to you all the lists I could obtain. This District is so large and heretofore there has been so little system in military matters that I never could get complete lists. I should have done so in a few weeks had not peace been declared, after which it was impossible. from what I have seen of them, and [I] have seen nearly all and counted, though many were added after my personal inspection, I think the following as near a correct statement as can be now obtained.

1st Battalion.		Capt. O Bannon	35	Capt. Ulmer	100
Capt. Schmidt	70	Capt Walker	80	Miller	30
" Butler	60		270		115
" Lancaster	90		385		245
" Willis	45	*2d Battalion*		*Rifle Corps*	
	270	Capt Allen	65	Capt McTyiere	65
		Miner	50	Lafitte	70
Calvary			115		135
Capt. Johnson	70				
" Grahams	45	First Batt.	385	In all organized	880
	115	Second Do.	245	Unorganized	70
		Riflemen	135	Total—950	
		Cavalry	115		
			880		

This is as nearly as correct as any thing that can possibly be obtained. The companies below the legal number were the remains of the old beat companies who chose to volunteer as beats and I accepted them as such. In the hope that this statement, which is the best I can make, will prove sufficient for the Governor's purpose ——

LIV. ROBERT Y. HAYNE TO JAMES H. HAMMOND.

CHARLESTON 31st March 1834.

Dear Sir.

I have rec[d] your letter; but my absence from the City has prevented me from answering it. Indeed, the developments which are

[1] From a draft in a clerk's hand.

daily taking place, leaves our proper course so uncertain that it is difficult to decide upon it at present.[1] Do the Union leaders really mean to create a civil War? or what do they mean? When we see clearly what they intend to do, our course will be plain. In the mean time, I think all our proceedings should be marked with moderation and forbearance. No taunting, no abuse, and when we speak of their misdeeds let it be "more in sorrow than in anger." The case *made up* between Col. Hunt, and Lieut. M^c^Credie, is going on here before the appeal Court. If the decision is against them (as I think it will be) I believe no doubt they will appeal to the Supreme Court at Washington and try to involve the State in a new contest with the Fed! Gov! under whose wings they seem determined to take refuge. If the true object of all the excitement, is to organize and rally the Union party for the October elections, as soon as that purpose shall be indicated, our Bugle call must be sounded, and the State Rights party be rallied for the contest, and no effort omitted to secure such a triumph as shall put an end to the contest forever. Should this take place, I think some plan must be devised to prevent a struggle between Elmore[2] and yourself, and in the mean time, let the contest be conducted in good temper and with mutual forbearance. I saw Elmore here, and impressed the necessity of this upon him.

I have only time to add that I am
respectfully and truly yours,

Col. J. H. Hammond

ROB. Y. HAYNE

[1] The legal case to which allusion is made in this letter is that of The State *ex relatione* Edward McCrady *vs.* B. F. Hunt, Col. 16th Regt. S. C. Militia, followed soon after by the similar case of The State *ex relatione* James M'Daniel *vs.* Thomas M'Meekin, Brig. Gen. 6th Brigade S. C. Militia. Both are fully reported in *The Book of Allegiance; or a Report of the Arguments of Counsel and Opinions of the Court of Appeals of South Carolina, on the Oath of Allegiance*, Columbia, 1834, and also in II. Hill. The Legislature, in December, 1833, had passed a new militia law, in which it was provided that every officer of the militia should, before entering on the duties of his office, take and subscribe an oath that he would "be faithful, and true allegiance bear, to the State of South Carolina." Edward McCrady (See No. XIV. of these papers, pp. 749–751 of Vol. VI.) was a prominent member of the Union party. On February 28, 1834, he was elected lieutenant of the Washington Light Infantry of Charleston, and applied for his commission. Col. Hunt, the commanding officer of the regiment, tendered him the oath. This he refused, and applied to Justice Bay for a rule, to show cause why a writ of mandamus should not issue, commanding Col. Hunt to deliver him his commission. Justice Bay dismissed the motion. The relator appealed. His case, and that of M'Daniel, were argued before the Court of Appeals, which rendered its decision on May 24, 1834. The two judges who belonged to the Union party, John Belton O'Neall and David Johnson, declared the section of the Militia Act relating to oaths unconstitutional and void, chiefly on the ground of inconsistency with the Federal Constitution. Judge William Harper dissented. The results were, first, violent popular dissatisfaction with the court; second, the passage of an amendment to the constitution of 1790, requiring of all officers an oath of allegiance to South Carolina; thirdly, in December, 1835, the abolition of the court. See O'Neall's *Bench and Bar of South Carolina*, I. 273, 275, 281.

[2] Franklin H. Elmore. Hammond was elected to Congress, and served from December, 1835, to February, 1836. He then resigned, and Elmore was elected in his place.

LV. ROBERT Y. HAYNE TO FRANCIS W. PICKENS.

CHARLESTON 4th April 1834.

My Dr Sir

My friend I. W. Hayne tells me there is a Report in the Country that I have written to Gen Thompson[1] "that the execution of the Militia Law should be suspended till the meeting of the Legislature—as experience had proved that it was unwise" &c. I trust you know me too well to suppose I could have written such a letter. On the contrary I have given instructions to Gen. Thompson and others *to proceed regularly in the organization*, until he shall be *actually obstructed* in doing so, and then to report the nature and character of the *obstruction*, and so far from reporting that he has been obstructed his last report states that he is progressing regularly, nor have I any reason to believe that either Shelton or himself will have any difficulty in the organization, tho' I think it probable the Union officers elected will refuse to take the oath. I have enjoined on Thompson, *as on all others*, a *forbearing course*, so as to give *no excuse* to our opponents for any violent conduct on their part, and thus to deprive them of all public sympathy. This I have no doubt is our true policy. The decision of the Court will be against them, and how then can they stand up in the face of an intelligent and patriotic community and deny their duty to the Country which protects their persons and their property. Their leaders may mean to create a civil War, but if we pursue a wise, firm and prudent course and have our usual good fortune they will not be able to carry their party with them.

I am my D. Sir sincerely Yours

ROB. Y. HAYNE

Col Pickens

LVI. ROBERT Y. HAYNE TO JAMES H. HAMMOND.

(Private) CHARLESTON 20th May 1834

Dear Sir

I have just received a letter from a highly respectable Gentleman in Abbeville District inclosing the following document which he states was obtained by Messrs Tullis and Cobb, Gentlemen in whose intelligence and veracity full reliance may be placed, from the person charged with the delivery of it to Capt Teague. My object in sending you this document is, that you may cause diligent enquiry to be made within the limits of your command on the subject to which it relates and give me the result at an early day.

I am very Respectfully

Your obt Svt

ROB. Y. HAYNE

Col. Hammond

[1] Waddy Thompson, afterward Member of Congress and minister to Mexico.

[ENCLOSURE].

CAPT TEAGUE ABBEVILLE 17 Ap^{l} 1834.

Dear Sir

The committee of Five have assigned the Five Divisions of this State. this District is included in the Division assigned to Col Rob^{t} Cunningham,[1] who has written to me to urge an immediate and active organization of the Regiments of this District. You will please therefore make the return for the company you command and send to me without the least delay. You and your subaltern officers constitute the company committee. I have drawn a form for your guide.

Respectfully

THO^{s} P. SPIERIN.

N. B. Confine your report to the Union men alone.

LVII. ROBERT Y. HAYNE TO FRANCIS W. PICKENS.

CHARLESTON 10th June 1834.

Dear Sir

I have maturely considered the question of a call of the Legislature, —and have received the counsel of our friends from all parts of the State, and of a portion of our Members of Congress. The question is one of great delicacy and difficulty, and concerning which I find there exists much difference of opinion. On the one hand the outrage[2] is so monstrous, that the failure to meet it promptly and decisively, may have a depressing effect; but on the other hand there is much danger of rash action under the impulse of popular excitement. We should ask ourselves, "if the Legislature is now called what *can* they do?—what ought they to do? what will they do, or attempt to do"? They *cannot* call a Convention, amend the Constitution, impeach or remove the Judges, nor do any act which requires a vote of 2/3rds.[3] This I have *ascertained* beyond a reasonable doubt. If any of these things should be attempted therefore, (as would probably be the case) the attempt would fail, which might be fatal to us. The Legislature then could do nothing more than *express* opinions, and *amend the Militia Law* in conformity with the decision, unless they should remodel the Court so as to have the decision reversed. This last act would, I think, be extremely hazardous, while the amendment of the Constitution was pending before the people,—and I know it would produce a scism in the party. Yet any thing short of this would be doing nothing, for it would be worse than useless to attempt to legislate with a partizan Court ready to arrest your Laws. As the

[1] A prominent member of the Union party, for whom see O'Neall's *Bench and Bar of South Carolina*, II. 395–401.

[2] *Viz.*, the decision of the Court of Appeals.

[3] Under the constitution of 1790, amendments to the constitution required a two-thirds vote of both houses in two successive legislatures.

Legislature can do nothing effectual at present, except what it would not be expedient to do, or even to attempt, I think there is nothing to be gained by an extra call, while it would be attended with some risk of dissentions among ourselves, and injury to our cause from rash measures. The delay of a few months, if we can in the mean time secure the amendment of the Constitution, will give us invincible strength. The moderation thus displayed, the decisive expression of public opinion at the polls, followed up by the adoption of the Constitutional amendment settling in South Carolina the question of Allegiance forever, will give us a moral power against which the Judges can not stand up. You may do in December with a new Legislature, what it would be fatal to attempt in July with the old one. On reading the decision I think we can get along with the Militia until the Legislature meets. The only risk in the course I have marked out is its falling short of public expectation, and thereby paralyzing the energies of the party. This must be avoided by public meetings and addresses, a revival of the Associations and all the means heretofore found so successful. Besides I cannot think that the party will be found wanting when the crowning victory is to be won. If the Governor shall be considered as having erred in not giving vent to the indignant feelings of the party, by an immediate call of the Legislature, the blame can be thrown upon him, without impairing the spirit of the party, who will know that he goes out of office in December next, and even if he were so disposed could present no further obstacles in their way. On the whole, not to dwell on minor considerations, tho' I am aware that my course will to some extent disappoint the party, and may expose my popularity and influence to hazard, yet I am fully convinced, that it is our true policy, not to have an extra session of the Legislature at this time, but to make up our final issue with our opponents at the polls in October, and to leave to a new Legislature coming fresh from the people, and supported as I trust they will be, by an amendment of the Constitution, to adopt the proper measures for a reform of the Judiciary and for establishing the Sovereignty of the State on the surest foundations; and when all this shall be done if there should be any portion of our Citizens, mad enough to raise their voices against their country, I trust we shall know how to deal with them.

I am Dear Sir with great
respect and esteem yours truly
ROB. Y. HAYNE.

P. S. Calhoun, Preston, Hamilton, McDuffie, and most of our leading friends with whom I have consulted concur, generally in these views.
R. Y. H.

Col. Pickens.