

dipped in gall could not indite terms bitter enough to describe our antipathy of a policy which would warm into being swarms of tax-gatherers and excisemen, to prey like harpies upon our property, and to profane our very family altars by prying into our very household effects.

Your memorialists will conclude by simply protesting against the constitutionality of the bill. They decline a discussion of this point. They have not the vanity to presume that they could afford you a single gleam of light upon it. They merely glance at it as one of the strong grounds of remonstrance. They will only say that the power to "lay and collect duties" was granted to Congress for a specific purpose—revenue. This cannot be denied by the friends of the bill. If so, we ask, why does the bill, on its face, purport to be for revenue alone, when it is really intended to destroy it by prohibiting certain imports? Because, say its advocates, if thus enacted it would be pronounced unconstitutional by the federal judiciary. If, then, an object would be unconstitutional if expressed by a law, it follows that it would also be unconstitutional if implied by a law. A law constitutional in its features, but calculated and intended to be unconstitutional in its effects, is as gross a violation of the Constitution as if the purpose to be effected had been expressed. Hence it results that as the proposed bill purports to be for a constitutional object, but is insidiously intended for one not constitutional, it is a violation of the spirit of the Constitution. These views are confirmed by the 216th page of the Journal of the Federal Convention, where it will be seen that a proposition was distinctly made to give Congress the power to "establish rewards and immunities for the promotion of manufactures," and not adopted.

These are some of the reasons which have influenced this remonstrance. We trust they will not be in vain. They appeal to your justice, your liberality, your patriotism, your honor. They are made by citizens of the same Republic and by descendants of the same sires. They flow from bosoms which throb with patriotic devotion for the Government and for the Union. And be it not forgotten that they come from men who profess to be intimately acquainted with their rights, who have a keen sense of injustice, and who foster an immortal horror of oppression. We forbear to indulge our feelings. Could they speak, they would utter "words that burn." As American patriots, we will bury them in our hearts, and address you in the mild but firm tone of respectful remonstrance. Therefore—

1. *Resolved*, That we see in the proposed woolens bill, and the means now using to force its passage, the act of *interest* and *power* against *justice* and the *Constitution*.

2. *Resolved*, That it should be resisted by all *constitutional means*, both in its passage and its injurious operation on us, and that for that purpose a committee of three persons be appointed, whose duty it shall be to correspond with the other districts of this State generally, and that their attention be drawn to the following objects: First, to ascertain and communicate through the medium of the public prints all such modes of investiture of capital as may direct enterprise into other channels; and, second, how far it would be to our advantage to make at home all the articles used by us and in our occupations.

3. *Resolved*, That the only "true American system" is that which leaves to industry and enterprise its own reward, unshackled by restraints of any kind; that which encourages a liberal intercourse with all and gives a preference to none.

4. *Resolved*, That copies of the above memorial and resolutions be forthwith transmitted to the Governors of the several States, to our Senators and Representatives to be laid before Congress, and to the other districts of this State.

A short and animated discussion arose on the constitutionality of the proposed law, but the question was almost unanimously decided in favor of the report of the committee.

The following gentlemen were appointed a committee to carry into effect the objects embraced in the second resolution, viz: Colonel H. G. Nixon, W. W. Lang, Esq., and Colonel J. S. Deas, who was added on motion. The meeting then adjourned *sine die*.

JAMES S. DEAS, *Chairman*.

T. P. EVANS, *Secretary*.

20TH CONGRESS.]

No. 898.

[1ST SESSION.]

AVERAGE ANNUAL AMOUNT OF PUBLIC MONEYS IN THE BANK OF THE UNITED STATES  
AND ITS BRANCHES.

COMMUNICATED TO THE SENATE MARCH 24, 1828.

TREASURY DEPARTMENT, *March 21, 1828.*

SIR: In obedience to a resolution of the Senate of the 12th instant, "directing the Secretary of the Treasury to report to the Senate the average annual amount of public moneys in the Bank of the United States and its branches from the years 1817 to 1827, inclusive," I have the honor to submit a communication of the Treasurer of the United States which contains the information required.

I have the honor to be, very respectfully, your most obedient servant,

RICHARD RUSH.

Hon. the PRESIDENT of the Senate.

TREASURER'S OFFICE, *March 20, 1828.*

SIR: I have the honor, in compliance with your reference to this office of the resolution of the Senate of the 12th instant, to report that the average annual amount of public money in the Bank of the United States and its branches from 1817 to 1827, inclusive, as ascertained by the accounts settled quarterly at the Treasury, was \$3,554,756 50.

I have the honor to be, sir, with great respect, your obedient servant,

MICHAEL NOURSE, *Acting Treasurer of the United States.*

Hon. RICHARD RUSH, *Secretary of the Treasury.*