

for you to indemnify. But with respect to the subject under consideration I could not refrain from declaring my sentiments.

In my opinion, if you subvert the basis of the revolution, if you dispense with principles and substitute expedients, you will extinguish that enthusiasm and energy which have hitherto been the life and soul of the revolution; and you will substitute in its place nothing but a cold indifference and self-interest which will again degenerate into intrigue, cunning, and effeminacy.

But to discard all considerations of a personal and subordinate nature, it is essential to the well-being of the republic that the practical or organic part of the constitution should correspond with its principles; and as this does not appear to be the case in the plan that has been presented to you it is absolutely necessary that it should be submitted to the revision of a committee who should be instructed to compare it with the declaration of rights, in order to ascertain the difference between the two and to make such alterations as shall render them perfectly consistent and compatible with each other.

JOHN RUTLEDGE



JOHN RUTLEDGE, American statesman, and brother of Edward Rutledge, one of the signers of the Declaration of Independence, was born at Charleston, S. C., in 1739, and died there July 23, 1800. He was the son of a prosperous physician of that city and was sent to London to study law at the Middle Temple. Returning to Charleston in 1761, he soon acquired an excellent professional reputation and took an active interest in public affairs. He was a member of the Stamp Act Congress called by Massachusetts in 1765 to meet at New York, in which he defended the expediency of colonial union and incited resistance to England. In the South Carolina convention of 1774 he urged making common cause with Massachusetts and was subsequently a member of the first Continental Congress from his province, at which time Patrick Henry pronounced him "by far the greatest orator in that body." He was chosen governor of South Carolina and commander-in-chief of its military forces in 1779, and at the close of the struggle with England he again sat in Congress and was one of the framers of the Federal Constitution. He was chief-justice of his State in 1795, and was appointed chief-justice of the United States Supreme Court in the same year, but the Senate refused to confirm the appointment. This circumstance hastened the development of a mental disease by which he lost his reason, and, returning to private life, he died in his native city.

SPEECH TO THE GENERAL ASSEMBLY

[Governor Rutledge delivered the following speech to the General Assembly of South Carolina, met at Jacksonburgh, in that State, on Friday, the 18th day of January, 1782. It evinces his unwearied zeal and attention to the interests of the colonies, and presents a vivid picture of the perfidy, rapine, and cruelty which distinguished the British arms in the southern campaign.]

HONORABLE GENTLEMEN OF THE SENATE;
MR. SPEAKER AND GENTLEMEN OF THE
HOUSE OF REPRESENTATIVES,—Since the last meeting of a general assembly the good people of this State have not only felt the common calamities of war, but from the wanton and savage manner in which it has been prosecuted they have experienced such severities as are unpractised and will scarcely be credited by civilized nations.

The enemy unable to make any impression on the northern

States, the number of whose inhabitants and the strength of whose country had baffled their repeated efforts, turned their views towards the southern, which a difference of circumstances afforded some expectation of conquering, or at least of greatly distressing. After a long resistance the reduction of Charleston was effected by the vast superiority of force with which it had been besieged. The loss of that garrison, as it consisted of the Continental troops of Virginia and the Carolinas, and of a number of militia, facilitated the enemy's march into the country and their establishment of strong posts in the upper and interior parts of it, and the unfavorable issue of the action near Camden induced them vainly to imagine that no other army could be collected which they might not easily defeat.

The militia, commanded by the Brigadiers Sumter and Marion, whose enterprising spirit and unremitting perseverance under many difficulties are deserving of great applause, harassed and often defeated large parties; but the numbers of those militia were too few to contend effectually with the collected strength of the enemy.

Regardless, therefore, of the sacred ties of honor, destitute of the feelings of humanity, and determined to extinguish, if possible, every spark of freedom in this country; they, with the insolent pride of conquerors, gave unbounded scope to the exercises of their tyrannical disposition, infringed their public engagements, and violated the most solemn capitulations. Many of our worthiest citizens were, without cause, long and closely confined, some on board of prison ships, and others in the town and castle of St. Augustine, their properties disposed of at the will and caprice of the enemy, and their families sent to different and distant parts of the continent without the means of support. Many who had sur-

rendered as prisoners of war were killed in cold blood; several suffered death in the most ignominious manner, and others were delivered up to savages and put to tortures under which they expired. Thus, the lives, liberties, and properties of the people were dependent solely on the pleasure of British officers, who deprived them of either or all on the most frivolous pretences. Indians, slaves, and a desperate banditti of the most profligate characters were caressed and employed by the enemy to execute their infamous purposes; devastation and ruin marked their progress and that of their adherents, nor were their violences restrained by the charms or influence of beauty and innocence; even the fair sex, whom it is the duty of all, and the pleasure and pride of the brave to protect, they and their tender offspring were victims to the inveterate malice of an unrelenting foe; neither the tears of mothers nor the cries of infants could excite in their breasts pity or compassion; not only the peaceful habitation of the widow, the aged, and the infirm, but the holy temples of the Most High were consumed, in flames kindled by their sacrilegious hands. They have tarnished the glory of the British arms, disgraced the profession of a soldier, and fixed indelible stigmas of rapine, cruelty, perfidy, and profaneness on the British name.

But I can now congratulate you, and I do most cordially on the pleasing change of affairs which, under the blessing of God, the wisdom, prudence, address, and bravery of the great and gallant General Greene, and the intrepidity of the officers and men under his command, have happily effected. A general who is justly entitled from his many signal services to honorable and singular marks of your approbation and gratitude, his successes have been more rapid and complete than the most sanguine could have expected; the enemy,

compelled to surrender or evacuate every post which they held in the country, frequently defeated and driven from place to place, are obliged to seek refuge under the walls of Charleston and on islands in its vicinity. We have now the full and absolute possession of every other part of the State, and the legislative, executive, and judicial powers are in the free exercise of their respective authorities.

I also most heartily congratulate you on the glorious victory obtained by the combined forces of America and France over their common enemy; when the very general who was second in command at the reduction of Charleston, and to whose boasted prowess and highly extolled abilities the conquest of no less than three States had been arrogantly committed, was speedily compelled to accept of the same mortifying terms which had been imposed on that brave but unfortunate garrison; to surrender an army of many thousand regulars, and to abandon his wretched followers, whom he had artfully seduced from their allegiance by specious promises of protection which he could never have hoped to fulfil, to the justice or mercy of their country: on the naval superiority established by the illustrious ally of the United States—a superiority in itself so decided, and in its consequences so extensive, as must inevitably soon oblige the enemy to yield to us the only post which they occupy in this State: and on the reiterated proofs of the sincerest friendship, and on the great support which America has received from that powerful monarch—a monarch whose magnanimity is universally acknowledged and admired, and on whose royal word we may confidently rely for every necessary assistance: on the perfect harmony which subsists between France and America: on the stability which her independence has acquired, and the certainty that it is too deeply rooted ever to be shaken; for, ani-

mated as they are by national honor, and united by one common interest, it must and will be maintained.

What may be the immediate effects on the British nation, of the events which I have mentioned, of their loss of territory in other parts of the world, and of their well-founded apprehensions from the powers of France, Spain, and Holland, it is impossible to foretell. If experience can teach wisdom to a haughty and infatuated people, and if they will now be governed by reason, they will have learnt they can have no solid ground of hope to conquer any State in the Union; for though their armies have obtained temporary advantages over our troops, yet the citizens of these States, firmly resolved as they are never to return to a domination which, near six years ago, they unanimously and justly renounced, cannot be subdued; and they must now be convinced that it is the height of folly and madness to persist in so ruinous a war.

If, however, we judge, as we ought, of their future by their past conduct, we may presume that they will not only endeavor to keep possession of our capital, but make another attempt, howsoever improbable the success of it may appear, to subjugate this country: it is therefore highly incumbent upon us to use our most strenuous efforts to frustrate so fatal a design; and I earnestly conjure you, by the sacred love which you bear to your country, by the constant remembrance of her bitter sufferings, and by the just detestation of British government which you and your posterity must forever possess, to exert your utmost faculties for that purpose by raising and equipping, with all possible expedition, a respectable permanent force, and by making ample provision for their comfortable subsistence.

I am sensible the expense will be great; but a measure so

indispensable to the preservation of our freedom is above every pecuniary consideration.

The organization of our militia is likewise a subject of infinite importance: a clear and concise law, by which the burdens of service will be equally sustained and a competent number of men brought forth and kept in the field when their assistance may be required, is essential to our security, and therefore justly claims your immediate and serious attention: certain it is that some of our militia have, upon several occasions, exhibited symptoms of valor which would have reflected honor on veteran troops. The courage and conduct of the generals whom I have mentioned; the cool and determined bravery displayed by Brigadier Pickens, and, indeed, the behavior of many officers and men in every brigade, are unquestionable testimonies of the truth of this assertion. But such behavior cannot be expected from militia in general, without good order and strict discipline; nor can that order and discipline be established but by a salutary law steadily executed.

Another important matter for your deliberation is the conduct of such of our citizens as, voluntarily avowing their allegiance and even glorifying in their professions of loyalty and attachment to his Britannic Majesty, have offered their congratulations on the success of his arms, prayed to be embodied as loyal militia, accepted commissions in his service, or endeavored to subvert our constitution and establish his power in its stead; of those who have returned to this State, in defiance of law, by which such return was declared to be a capital offence, and have bettered the British interest, and of such whose behavior has been so reprehensible that justice and policy forbid their free re-admission to the rights and privileges of citizens.

The extraordinary lenity of this State has been remarkably

conspicuous. Other States have thought it just and expedient to appropriate the property of British subjects to the public use; but we have forborne even to take the profits of the estates of our most implacable enemies. It is with you to determine whether the forfeiture and appropriation of their property should now take place: if such should be your determination, though many of our warmest friends have been reduced, for their inflexible attachment to the cause of their country, from opulence to inconceivable distress, and, if the enemy's will and power had prevailed, would have been doomed to indigence and beggary, yet it will redound to the reputation of this State to provide a becoming support for the families of those whom you may deprive of their property.

The value of paper currency became of late so much depreciated that it was requisite, under the powers vested in the executive during the recess of the General Assembly, to suspend the laws by which it was made a tender. You will now consider whether it may not be proper to repeal those laws, and fix some equitable mode for the discharge of debts contracted whilst paper money was in circulation.

In the present scarcity of specie it would be difficult, if not impracticable, to levy a tax to any considerable amount, towards sinking the public debt, nor will the creditors of the State expect that such a tax should at this time be imposed; but it is just and reasonable that all unsettled demands should be liquidated, and satisfactory assurances of payment given to the public creditors.

The interest and honor, the safety and happiness of our country depend so much on the result of your deliberations, that I flatter myself you will proceed in the weighty business before you with firmness and temper, with vigor, unanimity, and despatch.