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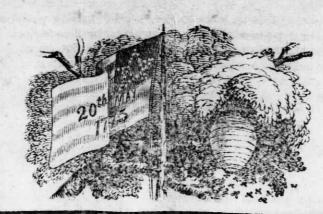
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Mecklenburg



Ieffersonian.

JOS. W. HAMPTON,

"We will cling to the pillars of the Constitution, and if it must fall, we'll perish amidst the ruins."

Editor and Publisher.

VOLUME 1,}

CHARLOTTE, N. C., MARCH 23, 1841.

NUMBER 3.

TERMS:

The "Mecklenburg Jeffersonian" is published weekly, at Two Dollars and Fifty Cents, if paid in advance; or Three Dollars, if not paid before the expiration of THREE MONTHS from the time of subscribing. Any person who will procure six subscribers and become responsible for their subscriptions, shall have a copy of the paper gratis; -or, a club of ten subscribers may have the paper one year for Twenty Dollars in

No paper will be discontinued while the subscriber owes any thing, if he is able to pay; -and a failure to notify the Editor of a wish to discontinue at least one month before the expiration of the time paid for, will be considered a new engagement.

Advertisements will be conspicuously and correctly inserted at One Dollar per square for the first insertion, and Twenty-five Cents for each continuance-except Court and other indicial advertisements, which will be charged twenty-five per cent, higher than the above rates, (owing to the delay, generally, attendant upon collections). A liberal discount will be made to those who advertise by the year. Advertisements sent in for publication, must be marked with the number of insertions desired, or they will be published until forbid and charg-

Letters to the Editor, unless containing money in sums of Fire Dollars, or over, must come free of postage, or the amount paid at the office here will be charged to the writer, the most extensive and complete stock of in every instance, and collected as other accounts.

PROSPECTUS OF THE

Mecklenburg Jeffersonian

THE present is the first effort that has been made to establish an organ at the birth-place of American Independence, through which the doctrines of the Democratic Party could be freely promulgated and defended—in which the great principles of Liberty and Equality for which the ALEXANDERS, the Polks, and their heroic compatriots perilled their all on the 20th May, 1775, could at all times find an unshrinking advocate. Its success rests chiefly with the Republican party of Mecklenburg-and to them, and the Republicans of the surrounding country the appeal is now made for support.

The Jeffersonian will assume as its political creed, those landmarks of the Republican Party, the doctrines set forth in the Kentucky and Virginia Resolutions of 1798—believing, as the undersigned does. that the authors of these papers, who bore a conspicuous part in framing our system of Government, were best qualified to hand down to posterity a correct ex- A. Bencini, who is fully authorized to settle the position of its true spirit—the best judges of what powers were delegated by, and what reserved to,

It will oppose, as dangerous to our free institutions, the spirit of monopoly, which has been stealthily, but steadily increasing in the country from the founda tion of our Government. The most edious feature in this system is, that it robs the MANY, imperceptibly, to enrich the FEW; -It clothes a few wealthy individuals with power not only to control the wages of the laboring man, but also at their pleasure to inflate or depress the commerce and business of the whole country-exciting a spirit of extravagance, which it al degradation of its victims. This system must be thoroughly reformed, before we can hope to see settled prosperity smile alike upon all our citizens. To aid in producing this reform, will be one of the main objects of the Jeffersonian. It will war against exclusive privileges, or partial legislation, under whatever guise granted by our Legislatures: and, therefore, will oppose the chartering of a United States ernment, a revival of the Tariff System, and the new federal scheme of the General Government assuming to pay to foreign money changers two hundred villions of dollars, borrowed by a few States for

As a question of vital importance to the South, nd one which, from various causes, is every day ssuming a more momentous and awful aspect, the feffersonian will not fail to keep its readers regularly and accurately advised of the movements of the Northern Abolitionists. It must be evident to all candid observers, that a portion of the party press of the South have hitherto been too silent on this subject. We shall, therefore, without the fear of being denounced as an alarmist, lend our humble aid to assist in awakening the People of the South to due vigilance and a sense of their real danger.

While a portion of the columns of the Jeffersonian taken for less than a year's publication. will be devoted to political discussion, the great interests of Morals, LITERATURE, AGRICULTURE, and the Mechanic Arts, shall not be neglected. With the first number of the volume is issued; and after the choicest selections on these subjects, and a due his sheet agreeable and profitable to all classes in

Orders for the paper, postage paid, addressed to the "Editor of the Jeffersonian, Chariotte, N. C.," will be promptly complied with.

Postmasters are requested to act as Agents for the paper, in receiving and forwarding the names of before the 31st January, (when No. 1. will be issued) subscribers and their subscriptions.

The Terms of the paper will be found above. JOS. W. HAMPTON.

MUSIC SCHOOL.

NRS. HAMPTON'S School for the tuition of Young Ladies in Music, was opened on the 15th ultimo. She will give lessons at her residence, nearly opposite and very convenient to the Female Academy, on the following terms:

Per Session of five months, in advance \$16 " end of Sess. 20

er pupils, to receive a share of public patronage. Charlotte, March 5, 1841.

Cabinet of Minerals for Salc.

HE undersigned, as Administrator of the late Doct. Austin, offers for sale the valuable CAB-INET of MINERALS belonging to the Estate of he deceased. A considerable portion of the collection was made by Doct. Austin himself, with much care, and principally consists of Gold, Silver, Cop-PER, and LEAD ORES, in their various natural combinations, selected from the mineral regions of this country, besides a number obtained from Europe. Scientific gentlemen, or literary institutions wishing to purchase the whole, or any part of the Cabinet, can have farther information, on application to the undersigned.

C. K. WHEELER, Admr.

OTICE.-All persons indebted to me for Beef,

PLANTERS' HOTEL, (LATE DAVIS'.)

Hague & Gifford

AVING purchased the Hotel formerly Davis' will continue the establishment on the same li beral scale as heretofore, and will exert themselves to make, it a desirable residence for BOARDERS and TRAVELLERS, as their Table will be always supplied with the best the market affords, and their Bar with the best Liquors, and their Stables with attentive Ostlers and abundant provender.

The establishment will be under the exclusive management of Thomas A. Hague, formerly of the Salisbury Hotel, North Carolina, and his long experience will, it is confidently hoped, enable him to give general satisfaction. Camden, S. C., January 29, 1841.

NEW CONCERN.

JOHN B. ROUECHE respectfully announces to the citizens of Charlotte and the public generally, that, having purchased the stock in trade of Mr. John O'Farrell he will, on or about the 1st of May, at the stand now occupied by Mr. O'Farrell, open

GROCERIES.

CONFECTIONARIES, &c.,

ever brought to the Charlotte market. He will make the selection himself, in the Charleston market, of every variety of WINES AND LIQUORS of the very best qualities-together with Cordials, Porter, New Ark Cider, Candies, Raisins, Almonds, Figs, Oranges, Cheese, Crackers, Fish, Fresh Oysters, Sugars, Coffee, Pepper, Spice, and every other artiele pertaining to the grocery business.

As J. B. R. will make his purchases entirely for Cash, he will be enabled to supply his customers on the most accommodating terms for the same article, or at short credit to responsible dealers. He solicits, and hopes to receive a liberal portion

of public patronage. Charlotte, March, 5, 1841.

THE firm of A. Bencini and M. W. Alexander is this day dissolved by mutual consent. All persons having any claims against said company will present them to M. W. ALEXANDER,

Farmers' Register.

the consequent addition to the subscription list of about 1,000 names, will enable the publisher to add eign and domestic, and to support the Government something forthwith to the privileges and advanta- of the United States in all measures warranted by ges before offered to subscribers. These additional the Constitution, are the duties which the Geneis now added below, and in the advertised prices of back volumes annexed:

For the Ninth Volume,

TO BE COMMENCED JANUARY, 1841.

ARTICLE I. The Farmers' Register is published in monthly numbers, of 64 large octavo pages each, at \$5 a year, payable in advance. [See, also, "Premiums" below. I It is now also issued (and consisting of nearly the same matter) weekly, in a single sheet of 16 pages octavo. Price and conditions the alone secure its existence and the public happiness." same for both publications.

II. All mail payments must be made in bank notes, or checks, of PAR VALUE IN VIRGINIA-or otherwise, of a city bank of the State in which the subscriber resides;* and all letters to the publisher (except such as contain articles for publication,) must be post paid; and the publisher assumes the risk of loss by mail-carriage of all letters and remittances conbeen properly committed to the mail, or to the hands of a postmaster.†

III. If a subscription is not directed to be discontinued before the first number of the next volume has been published, it will be taken as a continuance for another year. Subscriptions must commence with the beginning of some one volume, and will not be

IV. The mutual obligations of the publisher and that time, no discontinuance of a subscription will quantity of light reading, the Editor hopes to render be permitted. Nor will a subscription be discontinued for any earlier notice, while any thing thereon remains due, unless at the option of the Editor.

Premiums in extra copies, offered in consideration of either advanced or early payments.-1st. To every subscriber who shall pay for vol. 9, strictly accorlimits, the authorities, rights and liberties apperding to the above conditions, (in articles I. and II.,) taining to them." an extra copy of the same shall be sent; or instead, if preferred by him and so ordered, a copy of either vol. 7, or vol. 8. In like manner, at same rate of deduction, any one person may obtain any number of

2d. To every subscriber, not thus paying in adrance of the publication, but who shall do so, and in all other respects comply with the above conditions before June 30th, an extra copy of either vol. 7 or vol. 8 shall be sent; and the same to every new subscriber, paying as above required (in Art. I. and II.) at the time of his subscription being ordered.

back volumes of the Farmers' Register, and who Mrs. H. hopes, from her experience in teaching, and by unremitting attention to the improvement of and by unremitting attention to the improvement of the framers. Register, and who may be entitled by his payment to either of the foregoing premiums, instead of them may, at his choice, and by his direction, be credited for vol. 10, to be is-

will be directed only to the name of the individual entitled to it as a premium; but sent to any postoffice that may be desired. The sending of every such extra copy will cease with the volume; but the like arrangement may be renewed, and similar advantages obtained by any subscriber hereafter, upon the renewed performance of like conditions.

the Farmers' Register. But any subscriber, post- justified and recommended, on the ground that the master, or other person, may obtain for his own profit the large allowances offered in the foregoing premiums, by procuring the benefits to the publication for which the premiums are offered. Address EDMUND RUFFIN.



MR. MADISON'S REPORT ON THE VIR-GINIA RESOLUTIONS.

House of Delegates, Session of 1799-1800. Report of the Committee to whom were referred the communications of various States, relative to

the Resolutions of the last General Assembly of this State, concerning the Alien and Sedition Government result.

Whatsoever room might be found in the proceedings of some of the States, who have disapproved Commonwealth, passed on the 21st day of December, 1798, for painful remarks on the spirit and manner of those proceedings, it appears to the committee most consistent with the duty as well as dignity of the General Assembly, to hasten an oblivion of every circumstance, which might be construed affection, among the members of the Union.

which have met with this disapprobation; to ex- other powers not granted, must not be valid. amine fully the several objections and arguments which have appeared against them; and to inquire whether there can be any errors of fact, of principle, or of reasoning, which the candor of the General Assembly ought to acknowledge and correct.

" Resolved, That the General Assembly of Virginia doth unequivocally express a firm resolution ties appertaining to them." to maintain and defend the Constitution of the United States, and the Constitution of this State, against ple, founded in common sense, illustrated by com- the possible reach of any rightful remedy, the very

No unfavorable comment can have been made on

CONDITIONS OF THE FARMERS' REGISTER | press their sincere and firm adherence. In their next resolution-" The General Assembly most solemnly declares a warm attachment to the union of the States, to maintain wnich, it pledges all its powers; and that, for this end, it is their duty to watch over and oppose every infraction of those principles, which constitute the only basis of that Union, because a faithful observance of them can

The observation just made is equally applicable to this solem declaration of warm attachment to the Union, and this solemn pledge to maintain it; nor can any question arise among enlightened friends of the Union, as to the duty of watching over and opposing every infraction of those principles which constitute its basis, and a faithful observance of forming to the loregoing conditions, and which have which, can alone secure its existence, and the public happiness thereon depending.

The third resolution is in the words following "That this Assembly doth explicitly and perimptorily declare, that it views the powers of the Federal Government, as resulting from the compact, to which the States are parties, as limited by the plain sense and intention of the instrument constituting that compact—as no further valid than subscriber, for the year, are fully incurred as soon as they are authorised by the grants enumerated in that compact; and that in case of a deliberate, palpable and dangerous exercise of other powers, not granted by the said compact, the States who are parties thereto, have the right, and are in duty bound, to interpose, for arresting the progress of the evil, and for maintaining within their respective

On this resolution, the committee have bestowed all the attention which its importance merits: They have scanned it not merely with a strict, but with a severe eye; and they feel confidence in pronouncing, in its just and fair construction, it is unex-Constitutional and conclusive in its references.

The resolution declares; first, that "it views the owers of the Federal Government, as resulting from the compact to which the States are parties, in other words, that the federal powers are derived 3d. Every subscriber who has received all the from the Constitution; and that the Constitution is a compact to which the States are parties.

Clear as the position must seem, that the Federal powers are derived from the Constitution, and from that alone, the committee are not unapprised of a late REMARKS.—Any extra copy, sent as above stated, doctrine, which opens another source of federal powers, not less extensive and important, than it is new and unexpected. The examination of this doctrine will be most conveniently connected with a review of a succeeding resolution. The committee satisfy themselves here with briefly remarking, that in all the contemporary discussions and comments No agents or general collectors are employed for which the Constitution underwent, it was constantly powers not given to the government, were withheld stitution, it is removed, as far as words could re- and object of the Federal Constitution, shall can- an absolute enlargement of them; because instances move it, by the 12th amendment, now a part of didly and accurately interpret the meaning of the of this sort, however important in their principles the Constitution, which expressly declares, "that General Assembly. If the deliberate exercise of and tendencies, do not appear to fall strictly within * It will be again required, (as formerly), that mail payments shall be made in the notes or checks of specie-paying
banks, should any such banks be in operation in the States in

in a vague sense, and sometimes in different senses, ciple on which our Independence itself was de according to the subject to which it is applied. | clared. Thus, it sometimes means the separate sections of litical societies, in their highest sovereign capacity. ner.

Although it might be wished that the perfection

Constitution was submitted to the "States," in that thoritative and final with the decisions of that de-

The next position is, that the General Assembly views the powers of the Federal Government, "as limited by the plain sense and intention of the inof the resolutions of the General Assembly of this strument constituting that compact," and "as no farther valid than they are authorized by the grants therein enumerated." It does not seem possible, that any just objection can lie against either of these clauses. The first amounts merely to a declaration. that the compact ought to have the interpretation plainly intended by the parties to it; the other to a into a diminution of mutual respect, confidence and declaration, that it ought to have the execution and effect intended by them. If the powers granted be The committee have deemed it a more useful valid, it is solely because they are granted; and if gislature. task to revise, with a critical eye, the resolutions the granted powers are valid, because granted, all

The resolution having taken this view of the Federal compact, proceeds to infer, "That, in case of a deliberate, palpable, and dangerous exercise of other powers, not granted to the said compact, the States, who are parties thereto, have the right and The first of the resolutions is in the words fol- are in duty bound to interpose for arresting the progress of the evil, and for maintaining within their respective limits, the authorities, rights and liber-

It appears to your committe to be a plain princimon practice, and essential to the nature of com- Constitution, which all were instituted to preserve. that they will support the Government of the United pacts, that, where resort can be had to no tribunal The truth declared in the resolution being estab-

as sovereign parties to their Constitutional compact, must ultimately decide whether it has been violated, that such a decision ought to be interposed, either in a hasty manner, or on doubtful and inferior occa- time, perhaps, more necessary than at present sions. Even in the case of ordinary Conventions between different nations, where, by the strict rule of interpretation, a breach of a part may be deemed a condition of every other part, and of the whole every part being deemed a condition of every other part, and of the whole, it is always laid down that the breach must be both wilful and material to justify an application of the rule. But in the case of an intimate and constitutional union, like that of the United Statess, it is evident that the interposition of the parties, in their sovereign capacity, can be called for by occasions only, deeply and essentially affecting the vital principles of their politi-

The resolution has accordingly guarded against any misapprehension of its object, by expressly requiring for such an interposition, "the case of a deliberate, palpable and dangerous breach of the Constitution, by the exercise of powers not granted by it." It must be a case, not of a light and transient nature; but of a nature dangerous to the great purposes for which the constitution was established. It must be a case, moreover, not obscure or doubtful in its construction, but plain and palpable. Lastly, it must be a case not resulting from a partial consideration: or hasty determination; but a case stampt ceptionably true in its several positions, as well as with a final consideration and deliberate adherence. It is not necessary, because the resolution dose not require, that the question should be discussed, how far the exercise of any particular power, ungranted which none would contend ought to fall within that

causes of a deliberate, palpable and dangerous na- also by circumstances in its history having a similar ture. It specifies the object of interposition which tendency. Those instances alone, if resulting from it contemplates to be solely that of arresting the forced construction, and calculated to enlarge the to the States, as parties to the Constitution.

Cither by note or account, are hereby notified by resident my papers are now in the hands of Wm. Means are payment, can do so without cost, otherwise I must not be blamed for the consequences.

March 16, 1841.

The other prosition in the States are parties to the States are parties to the Constitution or compact, is, in the judgment of the Constitutions, and a direct subversion of the rights specified or recognised under all the State Constitutions, and a direct subversion of the fundamental printing of the fundamental printing

But it is objected, that the Judicial authority is to territory occupied by the political societies within be regarded as the sole expositor of the Constitution each; sometimes the particular governments, establin the last resort; and it may be asked for what lished by those societies; sometimes those societies reason, the declaration by the General Assembly, are organized into those particular governments; supposing it to be theoretically true, could be reand lastly, it means the people composing those po- quired at the present day, and in so solemn a man-

On this subject it might be observed, first: that of language admitted less diversity in the signifi- there may be instances of usurped power, which cation of the same words, yet little inconvenience the forms of the Constitution would never draw is produced by it, where the true sense can be col- within the control of the Judicial department: Selected with certainty from the different applications. | condly, that if the decision of the Judiciary be In the present instance, whatever different con- raised above the authority of the sovereign parties struction of the the term "States,' in the resolution to the Constitution, the decisions of the other demay have been entertained, all will at least concur partments, not carried by the forms of the Constiin that last mentioned; because in that sense, the tution before the Judiciary, must be equally ausense the "States" ratified it: and in that sense of the partment. But the proper answer to the objection term "States" they are consequently parties to the is, that the resolution of the General Assembly recompact from which the powers of the Federal lates to those great and extraordinary cases, in which all the forms of the Constitution may prove ineffectual against infractions dangerous to the essential rights of the parties to it. The resolution supposes that dangerous powers not delegated, may not only be usurped and executed by the other departments, but that the Judicial department, also, may exercise or sanction dangerous powers beyond the grant of the Constitution; and, consequently, that the ultimate right of the parties to the Constitution to judge whether the compact has been dangerously violated, must extend to violations by one delegated authority, as well as by another; by the Judiciary, as well as by the Executive, or the Le-

However true, therefore, it may be that the Julicial department is, in all questions submitted to it by the forms of the Constitution, to decide in the ast resort, this resort must necessarily be deemed the last in relation to the authorities of the other departments of the Government; not in relation to the rights of the parties to the Constitutional compact, from which the Judicial as well as the other departments hold their delegated trusts. On any other hypothesis, the delegation of Judicial power would annul the authority delegating it; and the concurrence of this department with the others in

superior to the authority of the parties, the parties, lished, the expediency of making the declaration THE recent Union of the CAROLINA PLANthe sentiments here expressed. To maintain and defend the Constitution of the United States, and of or violated. The Constitution of the U. S. was American public. It will be remembered, that a freeformed by the sanction of the States, given by each quent recurrence to fundamental principles, is in its soverign capacity. It adds to the stability and solemnly enjoined by most of the State Constitutions, dignity, as well as to the authority of the Con- and particularly by our own, as a necessary safestitution, that it rests on this legitimate and solid guard against the danger of degeneracy to which ral Assembly ought always to feel, and to which, foundation. The States then, being the parties to the Republics are liable, as well as other Governments, constitutional compact, and in their sovereign ca- though in a less degree than others. And a fair pacity, it follows of necessity, that there can be no comparison of the political doctrines not unfrequent tribunal above their authority, to decide in the last at the present day, with those that characterized the resort, whether the compact made by them be viola- epoch of our Revolution, and which forms the bated; and, consequently, that, as the parties to it, they sis of our Republican Constitutions, will best determust themselves decide, in the last resort, such mine whether the declaratory recurrence here made questions as may be of sufficient magnitude to require to those principles, ought to be viewed as unreasonable and improper, or as a vigilant discharge of an It does not follow, however, that because the States important duty. The authority of Constitutions over Governments, and of the sovereignty of the people over Constitutions, are truths which are at all times necessary to be kept in mind; and at no

The fourth resolution stands as follows:

"That the General Assemby doth also express its deep regret, that a spirit has in sundry instances, been manifested by the Federal Government, to enlarge its powers by forced constructions of the constitutional charter which defines them; and that indications have appeared of a design to expound certain general phrases (which having been copied from the very limited grant of powers in the former articles of confederation, were the less liable to be misconstrued) so as to destroy the meaning and effect of the peculiar enumeration which necessarily explains, and limits the general phrases; and so as to consolidate the States by degrees, into one sovereignty, the obvious tendency and inevitable result of which would be to transform the present republican system of the United States into an absolute, or at best a mixed monarchy."

The first queston here to be considered is, whether a spirit has in sundry instances been manifested by the Federal Government to enlarge its powers by forced constructions of the constitutional

The General Assembly having declared their opinion, merely by regretting in general terms, that forced constructions for enlarging the Federal powers have taken place, it does not appear to the committee necessary to go into a specification of every instance to which the resolution may allude. The Alien and Sedition Acts being particularly named by the constitution, would justify the interpositon of in a succeeding resolution, are of course to be unthe parties to it. As cases might easily be stated, derstood as included in the allusion. Omitting others which have less occupied public attention, or description: cases, on the other hand, might, with been less extensively regarded as unconstitutional, equal ease, be stated, so flagrant and so fatal, as to the resolution may be presumed to refer particularly mite every opinion in placing them within the de- to the Bank Law, which from the circumstances of its passage, as well as the latitude of construction But the resolution has done more than guard on which it is founded, strikes the attention with against misconstruction, by expressly referring to singular force, and the carriage tax, distinguished progress of the evil of usurpation, and of maintain- powers of the Federal Government, as the commiting the authorities, rights and liberties appertaining tee cannot but conceive to be the case, sufficiently warrant this part of the resolution. The commit-From this view of the resolution, it would seem tee have not thought it incumbent on them to exinconceivable that it can incur any just disapprobate tend their attention to laws which have been objectfrom it; and, that if any doubt could have existed tion from these, who, laying aside all momentary ed to, rather as varying the constitutional distribuon the subject, under the original text of the Con- impressions, and recollecting the genuine source tion of powers in the Federal Government, than as

the Constitution, nor prohibited by it to the States, stitution, could not justify the parties to it, in inter-