

the tolls by penalties, implies a power to adopt and execute a complete system of Internal Improvement. A right to impose duties, to be paid by all persons passing a certain road, and on horses and carriages, as is done by this bill, involves the right to take the land from the proprietor, on a valuation, and to pass laws for the protection of the road from injuries; and, if it exists as to one road, it exists as to any other, and to as many roads as Congress may think proper to establish. A right to legislate for one of these purposes, is a right to legislate for the others. It is a complete right of jurisdiction and sovereignty, for all the purposes of Internal Improvement, and not merely the right of applying money, under the power vested in Congress to make appropriations; under which power, with the consent of the States through which this (the Cumberland) Road passes, the work was originally commenced, and has been so far executed. I am of opinion, that Congress do not possess this power; that the States, individually, cannot grant it: for, altho' they may assent to the appropriation of money within their limits for such purposes, they can grant no power of jurisdiction or sovereignty, by special contract with the United States. This power can be granted only by an amendment of the Constitution, and in the mode prescribed by it."

This fashionable doctrine of appropriation has been thought something new, but it seems only to be a revival of a doctrine to be found in a certain celebrated Report on Manufactures, by a very and justly celebrated individual, when Secretary of the Treasury. This doctrine, as well as the broad construction of the general welfare, may be seen, page 54, of the Report alluded to.

In regard to this doctrine of the appropriating power, I will only say, that, if Congress has not, under the Constitution, the power to execute a system of Internal Improvement within the States, then, it has not the power to execute any part of such a system. And if it cannot execute such a system, either wholly or in part, then, it cannot do it in any way, or by any means; and, if it cannot accomplish this object by any means, then, surely, it cannot do so by the only means by which it could do so, if the power had been plainly given in the Constitution. How else, I ask, could Congress exercise this power, than by the use and application of money? This is the principal, almost the only means, by which it could do so. This is the subsidiary power, the means by which all the legitimate powers of this Government are carried into effect—a means, without which they could not be executed. And here is the proper limit of this, as it has been considered, unlimited power. It is limited and confined to the fulfilment and execution of delegated legitimate powers, and enumerated in the Constitution. This is the extent of the power of Congress.

of its sphere of action; and every expenditure of a single dollar to any other purpose, is an unconstitutional act—a usurpation of power.

Sir, I rose to make an explanation; having done so, and presented some views in relation to the constitutionality of the bill before the House, I will no longer intrude upon its time.



## Tarborough,

FRIDAY, APRIL 18, 1828.

The Proceedings of the "North-Carolina Temperance Society," at their meeting on the 1st inst. have been received, and will appear in our next.

Congress.—We have extracted from the National Intelligencer, the remarks of our representative Dr. T. H. HALL, on the Internal Improvement bill, which recently passed the House of Representatives. The citizens of this district, no doubt, will be highly gratified in finding that their opinions on this subject have been so ably and so truly represented.

The Select committee on retrenchment have been empowered to send for persons and papers, for the purpose of continuing and completing the examination.

The Tariff bill progresses slowly—it has passed the Committee of the Whole, and is now before the House.

University of Pennsylvania.—At a public commencement held in the city of Philadelphia on the 27th ultimo, the degree of Doctor of Medicine was conferred on 133 graduates, from different parts of the U. States—of these, North-Carolina furnished the following, each of whom wrote a thesis on the subject attached to their names: George S. Bettner, Ulceration of the Intestines.

Edwin E. Slade, Trachitis. Arman J. De Rosset, Cynanche Trachealis.

Harwood P. Perry, Acute Rheumatism. Henry M. Jeter, Mercurial disease. William G. Hill, Erysipelas Facialis. Nathaniel M. Comer, Bilious Continued Fever.

John L. Wright, Cholera. Reading S. Long, (Edgecombe County) Acute Peritonitis.

Raleigh, April 10.—On Friday last, the trial of Lockley, a free man of color, came on. He was arraigned on the charge of disinterring a dead body a few weeks since, to obtain the teeth. He was sentenced to three months' imprisonment.

Enoch Kinchelow, indicted for passing counterfeit money, removed his trial to Franklin Court, held this week.—Star.

A Speck of War.—The New York Gazette of the 4th inst. says:

"It is rumored that an order has been received from Washington, directing the company of the U. States' troops, now at Sacketts Harbor, to remove forthwith to the disputed territory on the north eastern boundary of the U. States, and to take post upon the line. The three companies now at Green Bay are to join the company from Sacketts Harbor, and the whole are to be under the command of Maj. Clark. The necessity and object of this movement are, of course, not made public; but it is not a matter of surprise that these steps should be taken, if the complaints of our fellow citizens of Maine are well founded. Our Government is bound, by a respect to its dignity, to take prompt measures when its citizens complain of being arrested and imprisoned by a foreign power, because they will not acknowledge its jurisdiction. "It is also said that a communication to Congress, is daily expected from the President, which will be received with closed doors. What may be its import, we do not undertake to say. We give these rumors as they reach us, without pretending to vouch for their accuracy."

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### DIED,

On the 10th inst. at his residence in Halifax county, Col. Charles Edmonds, an old and respectable citizen.

### Price Current.

APRIL 11.	per	Peters'g.	N. York
Bacon, - - -	lb	7 8	9 10
Brandy, - - -	gal.	28 30	35 40
Corn, - - -	bu'h	35 40	50
Cotton, - - -	lb	8 94	84 10
Coffee, - - -	-	16 174	13 17
Flour, family, -	bbi	600	475 550
Iron, - - -	ton	\$110 112	\$90 96
Molasses, - - -	gal	35 40	32 36
Rum, New-Eng.	-	42 45	38 39
Sugar, brown, -	lb	84 114	7 10
leaf, - - -	-	18 25	17 19
Tea, Young Hyson,	-	100 125	90 98
Imperial, - - -	-	140 150	120 140
Wheat, - - -	bu'l	80 83	90 94
Whiskey, - - -	gal.	33 36	27 34

### North-Carolina Bank Notes.

At Petersburg, 8 to 10 per cent. discount.  
At New-York, 8 to 12 do.

## Herrings & Shad.

JUST RECEIVED, and for sale by the Subscriber, some prime

### New Herrings & Shad,

Of a superior quality, which can be had on application to

JOS. L. SIMMONS.

Halifax, April 12, 1828.

## Militia Orders.

TO the several Regiments Halifax N. C. Militia—The Captains and Commandants of companies are hereby ordered to parade their respective commands at Crowell's Cross-Roads, on Saturday, the 3d day of May next. The Officers of the said Regiment are ordered to parade on the day previous, properly equipped.

S. WHITAKER,  
Colo. Comdt.

April 10, 1828. 35-3

## \$500 Reward.

A MOST daring and diabolical attempt was made on Thursday night last, to set fire to the premises occupied by the Subscriber. A pile of mixed cotton and cotton seed, lying close under the roof in the upper story of his workshop, was set on fire, but was providentially discovered between 11 and 12 o'clock and extinguished. The fire must have been placed under the cotton, as it burnt the surface of the floor to the extent of about twenty feet in circumference, and also through the floor—had it kindled into flames the whole premises must inevitably have been consumed, as the top of the cotton communicated with the roof. There can be no doubt but that it was the work of some vile incendiary. The above reward will be paid to any person, who will give such information as will lead to a conviction of the offender or offenders.

GEO. McWILLIAMS,  
Coach Maker.

Tarboro', April 14, 1828. 35

## Notice.

THE Subscriber, as Executor of Wm. Drew, dec'd, holds a bond dated the 26th Feb. 1828, payable 26th Feb. 1829, executed by Lewis Layssard for the sum of four hundred and forty dollars, with interest from the date, as security for the payment of that sum for the purchase money for the lots No. 129, 133, in the town of Halifax, in the present possession of Lewis Layssard—until the payment thereof, the lots are held liable to the lien created by law.

A. A. B. STITH, Ex'r.

April, 1828.

35

## Mrs. D. Womble,

HAS just returned from the North, and is opening a most superb and extensive assortment of

### Ladies' Fancy Goods,

Direct from the City of New-York,

Comprising a general assortment in her line of business—Among them are

Leghorn Flats, different numbers, Patent summer Bonnets of the latest N. York fashions,

Straw Bonnets, in great variety, Children's Leghorn, Straw and Silk Bonnets,

Superb head dresses, Plain and figured Silks and Satins, Gros de Naples, &c. assorted colors,

Wreaths and bunches of artificial flowers, a great variety, White and green gauze Veils,

Bobinet do. of different prices, Thule, bobinet and blown Lace,

White, black and patent Crape, Gauze, satin and lutestring Ribands, assorted colors,

Gimps, fancy and silk Cord, &c. &c. Mantua-making, in all its variety,

executed with despatch in a superior style and after the latest N. York fashions.

Halifax, April 14, 1828.

## Drawing on the 30th this Month.

COHEN'S OFFICE—BALTIMORE, }  
April 1, 1828.

## STATE LOTTERY OF MARYLAND,

To be drawn in the city of Baltimore, under the superintendence of the Commissioners appointed by the Governor and Council, on

Wednesday, 30th of April.

### HIGHEST PRIZE,

10,000 Dollars!

### SCHEME.

1 prize of \$10,000 is	\$10,000
1 prize of 2,000 is	2,000
1 prize of 1,000 is	1,000
3 prizes of 500 is	1,500
10 prizes of 100 is	1,000
20 prizes of 50 is	1,000
100 prizes of 10 is	1,000
100 prizes of 5 is	500
5000 prizes of 4 is	20,000

5236 prizes amounting to \$38,000

### More Prizes than Blanks.

This Scheme will be drawn on the ODD AND EVEN SYSTEM, by which the holder of two tickets must obtain at least one prize, and may draw THREE!

Whole Tickets, \$5.00 | Quarters, \$1.25  
Halves, : : 2.50 | Eighths, : 62

To be had in the greatest variety of Numbers, at

## COHEN'S

Lottery and Exchange Office,

114, Market-street, Balt.

Where more Capital Prizes have been sold than at any other office in the United States.

\* \* ORDERS either by mail (post paid) or private conveyance, enclosing the Cash or Prizes, will meet the same prompt and punctual attention as if on personal application. Address to

J. I. COHEN, Jr. & BROTHERS,  
Baltimore, April 1, 1828.