

Domestic.

State Rights.—We beg the attention of our readers to the important Protest, which appears in this morning's paper, from Mr. Jefferson's pen. We well recollect the time, at which it was written. Impressed with the "Signs of the times," Mr. Wm. F. Gordon, then a member of the House of Delegates, and now, we presume, a member of the Congress of the U. S. and at all times true to the rights of the States, addressed himself to Mr. Jefferson upon the subject of the alarming encroachments of the Federal Government. It was in the month of December, 1825, which gave rise to the first memorable Message of Mr. Adams, that this appeal was made to Mr. Jefferson. We have the fruits of it in the Papers now submitted to our readers. No man can mistake their purport.

This Protest was transmitted to Mr. Madison for his approbation. What answer was returned by that illustrious man, does not probably appear from Mr. Jefferson's works; but no man, who knows Mr. Madison's opinions and measures, can doubt, for one moment, of his acquiescence to the great principles which it expresses upon Internal Improvement. We know that this paper certainly, was never presented to the General Assembly, but, happily, it still lives in Mr. Jefferson's works. It will serve as an eternal memento of his unalterable principles. It will show to the most distant posterity, that he died, as he lived, true to his faith; and that eight years of power, and more than thirty-five years of experience under the Federal Government had not abated his vigilance in guarding the rights of the States against the encroachments of the Federal Power.—*Richmond Enq.*

PROTEST.

The solemn declaration and protest of the Commonwealth of Virginia, on the principles of the Constitution of the United States of America, and on the violations of them.

WE, the General Assembly of Virginia, on behalf, and in the name of the people thereof, do declare as follows:

The States in North America which confederated to establish their independence on the government of Great Britain, of which Virginia was one, became, on that acquisition, free and independent States, and as such, authorized to constitute governments, each for itself, in such form as it thought best.

They entered into a compact, (which is called the Constitution of the United States of America) by which they agreed to unite in a single government as to their relations with each other, and with foreign nations, and as to certain other articles particularly specified. They retained at the same time, each to itself, the other rights of independent government, comprehending mainly their domestic interests.

For the administration of their federal branch, they agreed to appoint, in conjunction, a distinct set of functionaries, legislative, executive, and judiciary, in the manner settled in that compact; while to each, severally and of course, remained its original right of appointing, each for itself, a separate set of functionaries, legislative, executive, and judiciary, also, for administering the domestic branch of their respective governments.

These two sets of officers, each independent of the other, constitute thus a

whole of government, for each State separately; the powers ascribed to the one, as specifically made federal, exercised over the whole, the residuary powers, retained to the other, exercisable exclusively over its particular State, foreign herein, each to the others, as they were before the original compact.

To this construction of government and distribution of its powers, the Commonwealth of Virginia does religiously and affectionately adhere, opposing, with equal fidelity and firmness, the usurpation of either set of functionaries on the rightful powers of the other.

But the federal branch has assumed in some cases, and claimed in others, a right of enlarging its own powers by constructions, inferences, and indefinite deductions from those directly given, which this Assembly does declare to be usurpations of the powers retained to the independent branches, mere interpolations into the compact, and direct infractions of it.

They claim, for example, and have commenced the exercise of a right to construct roads, open canals, and effect other internal improvements within the territories and jurisdictions exclusively belonging to the several States, which this Assembly does declare has not been given to that branch by the constitutional compact, but remains to each State among its domestic and unalienated powers, exercisable within itself and by its domestic authorities alone.

This Assembly does further disavow, and declare to be most false and unfounded, the doctrine that the compact, in authorising its federal branch to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States, has given them thereby a power to do whatever they may think, or pretend, would promote the general welfare, which construction would make that, of itself, a complete government, without limitation of powers; but that the plain sense and obvious meaning was, that they might levy the taxes necessary to provide for the general welfare, by the various acts of power therein specified and delegated to them, and by no others.

Nor is it admitted, as has been said, that the people of these States, by not investing their federal branch with all the means of bettering their condition, have denied to themselves any which may effect that purpose; since, in the distribution of these means, they have given to that branch those which belong to its departments, and to the States have reserved, separately, the residue which belong to them separately. And thus, by the organization of the two branches taken together, have completely secured the first object of human association, the full improvement of their condition, and reserved to themselves all the faculties of multiplying their own blessings.

Whilst the General Assembly thus declares the rights retained by the State, rights which they have never yielded & which this State will never voluntarily yield, they do not mean to raise the banner of disaffection, or of separation from their sister States, co-parties with themselves to this compact. They know and value too highly the blessings of their Union as to foreign nations and questions arising among themselves, to consider every infraction to be met by actual resistance. They respect too affectionately the opinions of those possessing the same rights under the same instrument, to make every difference of construction a ground of immediate rupture. They would, indeed, consider such a rupture as among the greatest calamities which could befall them; but not the greatest. There is yet one greater—submission to a government of unlimited powers. It is only when the hope of avoiding this shall become absolutely desperate, that further forbearance could not be indulged. Should the majorities of the co-parties, therefore, contrary to the expectation and hope of this Assembly, prefer, at this time, acquiescence in these assumptions of power by the federal member of the government, we will be patient and suffer much under the confidence that time, ere it be too late, will prove to them al-

so the bitter consequences in which this usurpation will involve us all. In the mean while, we will breast with them rather than separate from them, every misfortune, save that only of living under a government of unlimited powers. We owe every other sacrifice to ourselves, to our federal brethren, and to the world at large, to pursue with temper and perseverance the great experiment which shall prove that man is capable of living in society, governing itself by laws self-imposed, and securing to its members the enjoyment of life, liberty, property and peace; further to shew that, even when the government of its choice shall shew a tendency to degeneracy, we are not at once to despair but that the will and the watchfulness of its sounder parts will reform its aberrations, recall it to original and legitimate principles, and restrain it within the rightful limits of self-government. And these are the subjects of this Declaration and Protest.

Supposing then, that it might be for the good of the whole, as some of its co-States seem to think, that the power of making roads and canals, should be added to those directly given to the federal branch, as more likely to be systematically and beneficially directed, than by the independent action of the several States, this Commonwealth, from respect to these opinions, and a desire of conciliation with its co-States, will consent, in concurrence with them, to make this addition, provided it be done regularly by an amendment of the compact, in the way established by that instrument, and provided also, it be sufficiently guarded against abuses, compromises, and corrupt practices, not only of possible but of probable occurrence.

And as a further pledge of the sincere and cordial attachment of this Commonwealth to the union of the whole, so far as has been consented to by the compact called "The Constitution of the United States of America," (construed according to the plain and ordinary meaning of its language, to the common intentment of the time, and of those who framed it) to give also to all parties and authorities, time for reflection and for consideration whether, under a temperate view of the possible consequences, and especially of the constant obstructions which an equivocal majority must ever expect to meet, they will prefer the assumption of this power rather than its acceptance from the free will of their constituents; and to preserve peace in the meanwhile, we proceed to make it the duty of our citizens, until the legislature shall otherwise and ultimately decide, to acquiesce under those acts of the federal branch of our government which we have declared to be usurpations, and against which, in point of right, we do protest as null and void and never to be quoted as precedents, of right.

We, therefore, do enact, and be it enacted by the General Assembly of Virginia, that all citizens of this Commonwealth, and persons and authorities within the same, shall pay full obedience at all times to the acts which may be passed by the Congress of the United States, the object of which shall be the construction of post-roads, making canals of navigation, and maintaining the same, in any part of the United States, in like manner as if the said acts were, *totidem verbis*, passed by the legislature of this Commonwealth.



Tarborough,

FRIDAY, SEPTEMBER 11, 1829.

Internal Improvements.—In the preceding columns will be found an interesting article, principally on the subject of Internal Improvements, from the pen of Mr. Jefferson. It may perhaps be recollected, that the late Gov. Clinton, in his Message to the Legislature of New-York, in Dec. 1826, spoke thus in reference to the question, "Whether the

General Government has power, with or without the consent of the State Governments, to construct canals and roads in their territories, and whether such power, if not already vested, ought not to be granted?"

"I think it due to a sense of duty and a spirit of frankness to say, that my opinion is equally hostile to its possession, or exercise by, or its investment in the national authorities. I can perceive in it nothing less than the harbinger of certain destruction to the State governments, nor can we but see that it at once breaks down the barrier between a government for national or exterior affairs, and local governments for domestic or interior concerns."

We trust that the time has at length arrived, when this long-agitated and distracting question will be brought fully and fairly before Congress, and that in a spirit of compromise such a direction will be given it, as will meet with general approbation.

Mr. John Jackson of North-Carolina.—This gentleman, whose appointment as Consul at Martinique was revoked the day he received his commission, appears to have acquired considerable notoriety, whether advantageously to himself is somewhat questionable. The reason assigned for the recall of Mr. John Jackson's commission was that it was "founded upon misapprehension as to the person intended to be appointed," but this did not satisfy him, and he "requested an explanation," which not being promptly given, Mr. John Jackson addressed a long letter to President Jackson, through the medium of the National Journal, in which he takes it upon himself to say that the recall of his commission can only be "considered to proceed from implacability, uncharitableness, malice, hatred and revenge;" merely "for writing and distributing political matter, and for doing all within my limited sphere to prevent your elevation to the station you ingloriously occupy, well knowing, as I did, your total unfitness for it." It is evident, however, that this was not the only objection to Mr. John Jackson, for in his application to the Secretary of State for the appointment he said: "I deem it due to candor, and fair dealing to state, for the information of the President, that in the late Presidential canvass I advocated the re-election of Mr. Adams." Consequently his political preference must have been known to the President before the commission was given. Mr. John Jackson in his last letter speaks thus to President Jackson:

"Through an erroneous estimate of your character, the destinies of a mighty nation have been consigned into your hands."

"A station for which neither your character, intellect nor education ever designed you, and which, from imbecility and wickedness, you daily disgrace."

What will the reader think of the principles of that man who, entertaining these opinions of another person and acting thus, could yet stoop to solicit an office from him?

But why did Mr. John Jackson make the addition "of North-Carolina," to his name? We understand he is neither a native nor a resident of North-Carolina. He resided a few years at Washington, in this State, but failed to establish himself successfully in the mercantile business, and returned to Alexandria in the District of Columbia, whence he came. We were much gratified to learn this fact, for we could scarcely believe that a native or adopted citizen of North-Carolina would speak and act thus in relation to any individual who had acquired the honorable and respectable office of President of the United States.

President Jackson, accompanied by the Secretary of War and Gen. Gratiot, returned to Washington City in the steamboat Potomac on the 1st inst. We are pleased to learn that the President's health is much improved by his visit to the Rip Raps.

Sheriff and Constable Sales.—A correspondent of the Warrenton Reporter writes thus:

Mr. Verell: I have for some years back, been strongly impres-