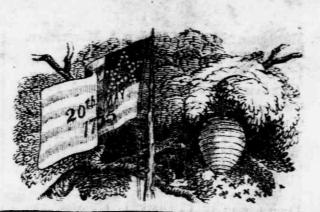
Mecklenburg



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 9, 1841.

Extracts from the Address to the People, which ac-

FELLOW-CITIZENS: Unwilling to shrink from

companied the foregoing Resolutions.

right to supervise our conduct, we invite your seri-

ous attention to the emergency which dictated the

subjoined resolutions.-Whilst we disdain to alarm

you with ill-founded jealousies, we recommend an

NUMBER 1

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 MONTHE 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 insert- Kentucky & Virginia Resolutions. ed at One Dollar per square for the first insertion, and Twenty-five Cente for each continuance-except Court and other judicial advertisements, which will be charged thenty-five per Of 1798, pronouncing the Alien and Sedition Laws cent, higher than the above rates, (owing to the delay, genezally, attendant upon collections). A liberal discount will be made those who advertise by the year.

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, 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 Resothat 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 exposition of its true spirit—the best judges of what powers were delegated by, and what reserved to,

steadily increasing in the country from the founda- rights and liberties appertaining to them. tion of our Government. The most odious feature in this system is, that it robs the MANY, imperceptibly, tled 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 ex-Bank, Internal Improvements by the Federal Government, a revival of the Tariff System, and the new federal scheme of the General Government assuming to pay to foreign money changers the two hundred millions of dollars, borrowed by a few States

As a question of vital importance to the South, and one which, from various causes, is every day assuming a more momentous and awful aspect, the Jeffersonian will not fail to keep its readers regularly and accurately advised of the movements of the Northern Abolitionists. It must be evident to all the South have hitherto been too silent on this subject. We shall, therefore, without the fear of being derounced 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

will be devoted to political discussion, the great interests of Morals, LITERATURE, AGRICULTURE, and the MECHANIC ARTS, shall not be neglected. With the choicest selections on these subjects, and a due quantity of light reading, the Editor hopes to render his sheet agreeable and profitable to all classes in

Orders for the paper, postage paid, addressed to the "Editor of the Jeffersonian, Charlotte, N. C.," will be promptly complied with. Postmasters are requested to act as Agents for

the paper, in receiving and forwarding the names of subscribers and their subscriptions. The Terms of the paper will be found above.

JOS. W. HAMPTON. Charlotte, March 5, 1841.

Music School.

nearly opposite and very convenient to the Female Academy, on the following terms:

Per Session of five months, in advance \$16

Mrs. H. hopes, from her experience in teaching, and by unremitting attention to the improvement of her pupils, to receive a share of public patronage. Charlotte, March 5, 1841.

Cabinet of Minerals for Sale.

THE undersigned, as Administrator of the late Doct. Austin, offers for sale the valuable CAB-INET of MINERALS belonging to the Estate of claring, as it does hereby declare, that the acts aforethe deceased. A considerable portion of the collection was made by Doct. Austin himself, with much and proper measures will be taken by each for cocure, and principally consists of Gold, Silver, Cop-FER, 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. Salisbury, Dec. 4, 1841.

Apprentices Wanted.

TWO smart, active BOYS, from 12 to 16 years of age, will be taken at this Office as Apprentices to the Principal Laken at this Office as Apprentic ces to the Printing business. Boys from the country would be professed usiness. would be preferred;—they will board in the Editor's family, and have every attention paid to their moral and intellectual, as well as mechanical improvement. Jeffersonian Office, Charlotte



VIRGINIA RESOLUTIONS

the States. Drawn by Mr. Madison, and presented and enforced by John Taylor of Caroline.

IN VIRGINIA HOUSE OF DELEGATES, DEC. 21, 1798. Resolved. That the General Assembly of Virginia, doth unequivocally express a firm resolution to maintain and defend the Constitution of the United aggression either foreign or domestic; and that they will support the Government of the United States in to preserve unimpaired the line of partition. ill measures warranted by the former.

tain which, it pledges its powers; and, that for this end, it is their duty to watch over and oppose every public happiness.

That this Assembly doth explicitly and peremptorily 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 lutions of 1798-believing, as the undersigned does, that compact, as no farther valid than they are authorized 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, It will oppose, as dangerous to our free institutions, for arresting the progress of the evil, and for mainthe spirit of monopoly, which has been stealthily, but taining within their respective limits, the authorities,

That the General Assembly doth also express its to enrich the FEW;—It clothes a few wealthy individuals with power not only to control the wages of been manifested by the Federal Government to enor depress the commerce and business of the whole constitutional character which defines them; and, ties were only diminished, by powers specifical misconstrued.) so as to destroy the meaning and effect, of the particular enumeration which necessarily exclusive privileges, or partial legislatures; and, thereever guise granted by our Legislatures; and, thereconsolidate the States by degrees into one sovereignconsolidate the States by degrees, into one sovereignfore, will oppose the chartering of a United States ty, 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.

That the General Assembly doth particularly protest against the palpable and alarming infractions of the Constitution, in the two late cases of the "Alien and Sedition Acts," passed at the last session of Congress; the first of which exercises a power no where delegated to the Federal Government, and which by uniting legislative and judicial powers to those of excandid observers, that a portion of the party press of ecutive, subverts the general principles of free Government, as well as the particular organization and positive provisions of the Federal Constitution; and the other of which acts, exercises in like manner, a power not delegated by the Constitution, but on the contrary, expressly and positively forbidden by one of the amendments thereto; a power, which, more than any other, ought to produce universal alarm, because it is levelled against the rights of freely examining public characters and measures, and of free communication among the people thereon, which has ever been justly deemed, the only effectual guardian of every other right.

That this State having by its Convention, which ratified the Federal Constitution, expressly declared, that among other essential rights, "the liberty of conscience and the press cannot be cancelled, a bridged, restrained, or modified by any authority of the United States," and from its extreme anxiety to guard these rights from every possible attack of sophistry and ambition, having with other States, recommended an amendment for that purpose, which amendment was, in due time, annexed to the Consti-Was Hampton's School for the tuition of Young Ladies in Music, was opened on the now shown, to the most palpable violation of one of never surrendered by the respective States, and which 15th ultimo. She will give lessons at her residence, the rights, thus declared and secured; and to the establishment of a precedent which may be fatal to the

> That the good people of this Commonwealth, having ever felt, and continuing to feel the most sincere affection for their brethren of the other States; the truest anxiety for establishing and perpetuating the union of all; and the most scrupulous fidelity to that Constitution, which is the pledge of mutual friendship, and the instrument of mutual happiness; the General Assembly doth solemnly appeal to the like dispositions in the other States, in confidence that they will concur with this Commonwealth, in deoperation with this State, in maintaining unimpaired the authorities, rights and liberties, reserved to the States respectively, or to the People.

That the Governor be desired to transmit a copy of the foregoing resolutions to the Executive authority of each of the other States, with a request that the same may be communicated to the Legislature thereof; and that a copy may be furnished to each of the Senators and Representatives, representing this State in the Congress of the United States.

JOHN STEWART. 1798, Dec. 24th. Agreed to by the Senate. H. BROOKE.

A true copy from the original, deposited in the office of the General Assembly. JOHN STEWART, Keeper of the Rolls.

a decision bottomed on firmness, but tempered with preventive justice. It would be perfidious in those entrusted with the

Guardianship of the State Sovereignty, and acting under the solemn obligation of the following oath: "I do swear that I will support the Constitution of reason. the United States," not to warn you of encroachto be unconstitutional, and defining the rights of ments, which though clothed with the pretext of necessity, or disguised by arguments of expediency, may yet establish precedents, which may ultimately devote a generous and unsuspicious people to all the consequences of usurped power.

Encroachments springing from a government, whose Organization cannot be maintained without the co-operation of the States, furnish the strongest States, and the Constitution of this State, against every excitements upon the State Legislatures to watchfulness, and impose upon them the strongest obligation,

The acquiesence of the States under infractions of That this Assembly most solemnly declares a the Federal Compact, would either beget a speedy warm attachment to the Union of the States, to mainments into impotency and contempt, or prepare the way for a revolution, by a repetition of these infracinfraction of those principles which constitute the only basis of the Union, because a faithful observance of them, can alone secure its existence and the lamities that we exhibit to the people, the moment- by having defended their country against foreign one of the amendments to the Constitution having alous question, whether the Constitution of the United | aggression. States shall yield to a construction, which defies every restraint, and overwhelms the best hopes of Re-

Exhortations to disregard domestic usurpation. until foreign danger shall have past, is an artifice which may be forever used; because the possessors of power, who are the advocates for its extension, can ever create national embarrassments, to be successively employed to sooth the people into sleep, whilst that power is swelling, silently, secretly, and fatally. Of the same character are insinuations of a foreign influence, which seize upon a laudable enthusiasm against danger from abroad, and distort it by an unnatural application, so as to blind your eyes

The Sedition Act presents a scene which was never expected by the early friends of the Consti- are destined by nature and nature's God. the laboring man, but also at their pleasure to inflate large its powers by forced constructions of the conance, which it that indications have appeared of a design to expound enumerated, or necessary to carry the specified pow terminates in pecuniary rain, and too often the moral degradation of its victims. This system must be
thoroughly reformed before we can hope to see setarticles of confederation were the less liable to be it is inferred, that Congress possesses a similar power of legislation; whence Congress will be endowed with a power of legislation, in all cases whatsoever, and the States will be stript of every right reserved by concurrent claims of a paramount Legislature.

The Sedition Act is the offspring of these tremendous pretensions, which inflict a death-wound on the sovereignty of the States.

For the honor of American understanding, we will not believe, that the people have been allured into the adoption of the Constitution, by an affectation of defining powers, whilst the preamble would admit a construction, which would erect the will of Congress into a power paramount in all cases, and therefore limited in none. On the contrary, it is evident that the objects for which the Constitution was formed were deemed attainable only by a particular enumeration and specification of each power granted to the Federal Government; reserving all others to the people, or to the States. And yet it is in vain we search for any specified power, embracing the right of legislation against the freedom of the

Had the States been despoiled of their sovereignty by the generality of the preamble, and had the Federal Government been endowed with whatever they should judge to be instrumental towards the union, justice, tranquillity, common defence, general welfare, and the preservation of liberty, nothing could have been more frivolous than an enumeration of powers.

All the preceding arguments arising from a deficiency of constitutional power in Congress, apply to the Alien Act, and this act is liable to other obections peculiar to itself. If a suspicion that aliens are dangerous, constitute the justification of that power exercised over them by Congress, then a similar suspicion will justify the exercise of a similar power over natives. Because there is nothing in is rendered dear and valuable to Virginia, because it is assailed through the bosom of the Constitution, and because her peculiar situation renders the easy admission of artizans and laborers an interest of vast

But this bill contains other features, still more larming and dangerous. It dispenses with the trial by jury; it violates the judicial system; it confounds egislative, executive, and judicial powers; it punishes without trial; and it bestows upon the President despotic power over a numerous class of men. Are such measures consistent with our constitutional principles? And will an accumulation of power so extensive, in the hands of the Executive, over aliens, secure to natives the blessings of Republican liberty?

If measures can mould Governments, and if an lover of monarchy, who opens the treasures of corthat it cannot be united, except by consolidation.

lead to these consequences. They consist

tablishing by successive precedents such a mode of the sanctuary which covers the others, and that libels, all restraint upon Federal power.

ence reflect; nay, let the artificers of monarchy be Congress of the U. S. passed on the 14th day of asked, what farther materials they can need for July, 1798, entitled "an act, in addition to the act, building up their favorite system?

we recommend it to you, not to forget the possibility is not law, but is altogether void and of no effect. of danger from without, although danger threatens 4. Resolved, That alien friends are under the juus from within. Usurpation is indeed dreadful; but risdiction and protection of the laws of the State against foreign invasion, if that should happen, let wherein they are; that no power over them has us rise with hearts and hands united, and repel the been delegated to the U.S. nor prohibited to the inattack with the zeal of freemen, who will strengthen dividual States distinct from their power over cititheir title to examine and correct domestic measures, zens; and it being true as a general principle, and

engagements, we yet humbly and fervently implore States, are reserved to the States respectively, or to the Almighty Disposer of events, to avert from our the People," the act of the Congress of the U.S. land war and usurpation, the scourges of mankind, passed on the 22d day of June, 1798, entitled "an to permit our fields to be cultivated in peace; to in- act concerning aliens," which assumes power over stil into nations the love of friendly intercourse; to alien friends not delegated by the Constitution, is suffer our youth to be educated in virtue, and to not law, but is altogether void and of no force. preserve our morality from the pollution, invariably 5. Resolved, That in addition to the general prin

JOHN STEWART, C. H. D. 1798, Jan. 23d. Agreed to by the Senate H. BROOK, C. S. A true copy from the original, deposited in the of-

fice of the General Assembly. JOHN STEWART, Keeper of the Rolls.

KENTUCKY LEGISLATURE. In the House of Representatives, Nov. 10, 1792. The House according to the standing order of the

day, resolved itself into a Committee of the Whole, on the state of the Commonwealth, Mr. Caldwell in And after some time spent therein, the Speaker

resumed the chair, and Mr. Caldwell reported, that the Committee had, according to order, had under twice read and agreed to by the House. 1. Resolved, That the several States composing

the United States of America, are not united on the principle of unlimited submission to their General Government, but that by compact under the style and title of a Constitution for the United States, and of amendments thereto, they constituted a General Government for special purposes, delegated to that Government certain definite powers, reserving each State to itself, the residuary mass of right to their own self-government; and that whensoever the General Government assumes undelegated powers, its acts are unauthoritative, void, and of no force:-That to this compact each State acceded as a State, and is an integral party, its co-States forming as to itself, the other party: That the Government created by this compact was not made the exclusive or final judge of the extent of the powers delegated to not the Constitution, the measure of its powers; but that as in all other cases of compact among parties the mode and measure of redress.

2. Resolved, That the Constitution of the United | qualified negative on all the Legislative powers. States having delegated to Congress a power to pun-Bank of the U. S.," (and all other acts which as- a part so to be taken, as to destroy the whole residue sume to create, define, or punish crimes other than of the instrument: That the proceedings of the void and of no force, and that the-power to create, uncontrolled power of construction, is surrendered define, and punish such other crimes is reserved, correction at a time of greater tranquillity, while to those who administer them, their progress may and of right, appertains solely and exclusively to those specified in the preceding resolutions, call for be easily foreseen and their end easily foretold. A the respective States, each within its own territory. immediate redress.

3. Resolved, That it is true as a general princiruption, by distributing emolument among devoted ple, and is also expressly declared by one of the partizans, may at the same time be approaching his amendments to the Constitution, "that the powers Congress from this Commonwealth, who are hereobject, and deluding the people with professions of not delegated to the U. S. by the Constitution, nor by enjoined to present the same to their respective Republicanism. He may confound Monarchy and prohibited by it to the States, are reserved to the Houses, and to use their best endeavors to procure Republicanism by the art of definition. He may States respectively, or to the People;" and that no at the next session of Congress, a repeal of the varnish over the dexterity which ambition never power over the freedom of religion, freedom of aforesaid unconstitutional and obnoxious acts. fails to display, with the pliancy of language, the speech, or freedom of the press, being delegated to judging how far the licentiousness of speeceh and of those specified in their late Federal compact to be

Measures have already been adopted, which may the press may be abridged without lessening their useful freedom, and how far those abuses which can-In fiscal systems and arrangements, which keep not be separated from their use, should be tolerated our representative responsibilities, conscious of the in host of commercial and wealthy individuals, em- rather than the use be destroyed; and thus also, they purity of our motives, but acknowledging your bodied and obedient to the mandates of the Treasury. guarded against all abridgment by the U.S. of the In armies and navies, which will, on the one freedom of religious opinion and exercises, and rehand, enlist the tendency of man to pay homage to tained to themselves the right of protecting the same, his fellow-creature who can feed or honor him; and as this State by a law passed on the general demand on the other, employ the principle of fear, by punish- of its citizens, had already protected them from all investigation guided by the coolness of wisdom, and ing imaginary insurrections, under the pretext of human restraint or interference: And that in addition to this general principle and express declaration, In swarms of officers, civil and military, who can another and more special provision has been made inculcate political tenets tending to consolidation and by one of the amendments to the Constitution, which monarchy, both by indulgencies and severites, and expressly declares, that "Congress shall make no can act as spies over the free exercise of human law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the In restraining the freedom of the press, and in- freedom of speech, or of the press," thereby guardvesting the Executive with legislative, executive, ing in the same sentence, and under the same words, and judicial powers, over a numerous body of men. the freedom of religion, of speech, and of the press, And, that we may shorten the catalogue, in es- insomuch, that whatever violates either, throws down construing the Constitution, as will rapidly remove falsehoods, and defamation, equally with heresy and false religion, are withheld from the cognizance of Let history be consulted; let the man of experi- Federal tribunals: That therefore the act of the for the punishment of certain crimes against the These are solemn, but painful truths; and yet U. S." which does abridge the freedom of the press,

> so declared, that "the powers not delegated to the Pledged as we are, fellow-citizens, to these sacred U.S. by the Constitution, nor prohibited by it to the

incident to habits of war; to prevent the laborer and ciple as well as the express declaration, that powers husbandman from being harrassed by taxes and im- not delegated are reserved, another and more special posts; to remove from ambition the means of dis- provision inserted in the Constitution from abundant turbing the Commonwealth; to annihilate all pre- caution has declared, "that the migration or importexts for power afforded by war; to maintain the tation of such persons as any of the States now ex-Constitution, and, to bless our nation with tranquilli- isting shall think proper to admit, shall not be proty, under whose benign influence we may reach hibited by the Congress prior to the year 1808." the summit of happiness and glory, to which we That this Commonwealth does admit the migration of alien friends described as the subject of the said act concerning aliens; that a provision against prohibiting their migration, is a provision against ail acts equivalent thereto, or it would be nugatory; that to remove them when migrated, is equivalent to a prohibition of their migration, and is therefore contrary to the said provision of the Constitution, and

6. Resolved, That the imprisonment of a person under the protection of the laws of this Commonwealth on his failure to obey the simple order of the President, to depart out of the United States, as is undertaken by the said act, entitled "an act concerning aliens," is contrary to the Constitution, one amendment to which has provided, that "no person shall be deprived of liberty without due process of law," and that another having provided, "that in consideration the Governor's address, and had come all criminal prosecutions, the accused shall enjoy the to the following resolutions thereupon, which he de. right of a public trial by an impartial jury, to be livered in at the Clerk's table, where they were informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in. his favor, and to have the assistance of counsel for his defence," the same act undertaking to authorise the President to remove a person out of the U. States, who is under the protection of the law, on his own suspicion, without accusation, without jury, without public trial, without confrontation of the witnesses against him, without having witnesses in his favor, without defence, without counsel, is contrary to these provisions also of the Constitution, is therefore not law, but utterly void and of no force.

That transferring the power of judging any person who is under the protection of the laws, from the Courts to the President of the United States, as is undertaken by the same act, concerning aliens, is against the article of the Constitution, which provides, that "the judicial power of the United States, itself; since that would have made its discretion, and shall be vested in Courts, the Judges of which shall hold their offices during good behaviour," and that the said act is void for that reason also; and it is having no common judge, each party has an equal further to be noted, that this transfer of Judiciary right to judge for itself, as well of infractions, as of power is to that magistrate of the General Government who already possesses all the Executive, and a

7. Resolved, That the construction applied by States having delegated to Congress a power to punish treason, counterfeiting the securities and current the General Government, (as is evidenced by sundry coin of the U. S., piracies and felonies committed of their proceedings,) to those parts of the Constion the high seas, and offences against the laws of tution of the United States which delegate to Connations, and no other crimes whatever, and it being gress a power to lay and collect taxes, duties, imtrue as a general principle, and one of the amend. posts, and excise; to pay the debts, and provide for ments to the Constitution having also declared, "that the common defence and general welfare of the U. the powers not delegated to the U.S. by the Consti. States, and to make all laws which shall be necesstution, nor prohibited by it to the States, are reserved ary and proper for carrying into execution the powto the States respectively, or to the people;" there- ers vested by the Constitution in the Government of fore, also the same act of Congress, passed on the United States, or any department thereof, goes 14th day of July, 1798, and entitled "an act, in ad- to the destruction of all the limits prescribed to their dition to the act entitled an act for the punishment power by the Constitution. That words meant by of certain crimes against the U. S.;" as also the act that instrument to be subsidiary only to the execupassed by them on the 27th day of June, 1798, en- tion of the limited powers, ought not to be so contitled "an act, to punish frauds committed on the strued as themselves to give unlimited powers, nor

those enumerated in the Constitution,) are altogether General Government under color of these articles, will be a fit and necessary subject for revisal and

8. Resolved, That the preceding resolutions be transmitted to the Senators and Representatives in

9. Resolved, lastly, That the Governor of this seduction of expediency, or the prejudices of the the U.S. by the Constitution, nor prohibited by it to Commonwealth be, and is hereby authorized and times. And he may come at length to avow, that the States, all lawful powers respecting the same requested to communicate the preceding resolutions so extensive a territory as that of the U.S., can only did of right remain, and were reserved to the States, to the Legislatures of the several States; to assure be governed by the energies of menarchy; that it or to the people: That thus was manifested their them that this Commonwealth considers Union for cannot be defended, except by standing armies; and determination to retain to themselves the right of specified National purposes, and particularly for