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Mecklenburg



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TERMS:

The "Mecklenburg Jeffersonian" is published weekly, at Two Dollars and Fifty Cents, if paid in advance...

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...

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...

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 foundation of our Government...

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...

While a portion of the columns of the Jeffersonian will be devoted to political discussion, the great interests of MORALS, LITERATURE, AGRICULTURE, and the MECHANICAL ARTS, shall not be neglected...

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

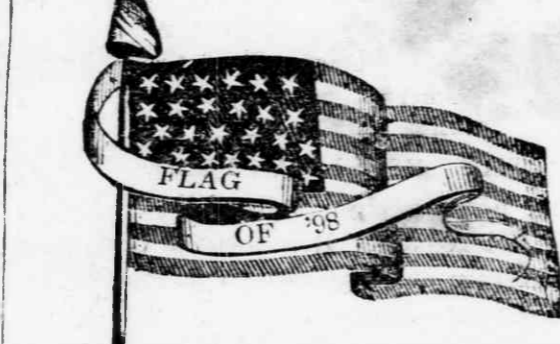
Postmasters are requested to act as Agents for the paper, in receiving and forwarding the names of subscribers and their subscriptions.

Mrs. H. HAMPTON'S School for the tuition of Young Ladies in Music, was opened on the 15th ultimo...

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.

Cabinet of Minerals for Sale. The undersigned, as Administrator of the late Doct. Austin, offers for sale the valuable CABINET OF MINERALS...

Apprentices Wanted. TWO smart, active BOYS, from 12 to 16 years of age, will be taken at this Office as Apprentices to the Printing business...



Kentucky & Virginia Resolutions.

VIRGINIA RESOLUTIONS

OF 1798, pronouncing the Alien and Sedition Laws to be unconstitutional, and defining the rights of 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 States...

That this Assembly most solemnly declares a warm attachment to the Union of the States, to maintain which, it pledges 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 the Union...

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...

That the General Assembly 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 character which defines them...

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...

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, abridged, restrained, or modified by any authority of the United States..."

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...

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.

Attest, 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.

Extracts from the Address to the People, which accompanied the foregoing Resolutions.

FELLOW-CITIZENS: Unwilling to shrink from our representative responsibilities, conscious of the purity of our motives, but acknowledging your right to supervise our conduct, we invite your serious attention to the emergency which dictated the subjoined resolutions...

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 the United States," not to warn you of encroachments, which though clothed with the pretext of necessity, or disguised by arguments of expediency...

The acquiescence of the States under infractions of the Federal Compact, would either beget a speedy consolidation, by precipitating the State Governments into impotency and contempt, or prepare the way for a revolution, by a repetition of these infractions, until the people are aroused to appear in the majesty of their strength...

The Sedition Act presents a scene which was never depicted by the early friends of the Constitution. It was then admitted, that the State sovereignties were only diminished, by powers specifically enumerated, or necessary to carry the specified powers into effect...

For the honor of American understanding, we will not believe, that the people have been allured into the adoption of the Constitution, by an affection 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...

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 objections 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...

But this bill contains other features, still more alarming and dangerous. It dispenses with the trial by jury; it violates the judicial system; it confounds legislative, executive, and judicial powers; it punishes without trial; and it bestows upon the President despotic power over a numerous class of men...

If measures can mould Governments, and if an uncontrolled power of construction, is surrendered to those who administer them, their progress may be easily foreseen and their end easily foretold. A lover of monarchy, who opens the treasuries of corruption, by distributing emolument among devoted partisans, may at the same time be approaching his object, and deluding the people with professions of Republicanism...

Measures have already been adopted, which may lead to these consequences. They consist in fiscal systems and arrangements, which keep in host of commercial and wealthy individuals, embodied and obedient to the mandates of the Treasury.

In armies and navies, which will, on the one hand, enlist the tendency of man to pay homage to his fellow-creature who can feed or honor him; and on the other, employ the principle of fear, by punishing imaginary insurrections, under the pretext of preventive justice...

In swarms of officers, civil and military, who can inculcate political tenets tending to consolidation and monarchy; both by indulgences and severities, and can act as spies over the free exercise of human reason...

Let history be consulted; let the man of experience reflect; ay, let the artificers of monarchy be asked, what further materials they can need for building up their favorite system? These are solemn, but painful truths; and yet we recommend it to you, not to forget the possibility of danger from without, although danger threatens us from within...

Attest, 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 office of the General Assembly. JOHN STEWART, Keeper of the Rolls.

KENTUCKY LEGISLATURE

In the House of Representatives, Nov. 10, 1798. 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 the chair...

And after some time spent therein, the Speaker resumed the chair, and Mr. Caldwell reported, that the Committee had, according to order, had under consideration the Governor's address, and had come to the following resolutions thereupon, which he delivered in at the Clerk's table, where they were twice read and agreed to by the House.

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 whenever the General Government assumes undelegated powers, its acts are unauthorized, void, and of no force...

Resolved, That the Constitution of the United States having delegated to Congress a power to punish treason, counterfeiting the securities and current coin of the U. S., piracy and felonies committed on the high seas, and offences against the laws of nations, and no other crimes whatever, and it being true as a general principle, and one of the amendments to the Constitution having also declared, "that the powers not delegated to the U. S. by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people;" therefore, also the same act of Congress, passed on the 14th day of July, 1798, and entitled "an act, in addition to the act entitled an act for the punishment of certain crimes against the U. S.," as also the act passed by them on the 27th day of June, 1798, entitled "an act, to punish frauds committed on the Bank of the U. S.," (and all other acts which assume to create, define, or punish crimes other than those enumerated in the Constitution,) are altogether void and of no force, and that the power to create, define, and punish such other crimes is reserved, and of right, appertains solely and exclusively to the respective States, each within its own territory.

Resolved, That it is true as a general principle, and is also expressly declared by one of the amendments to the Constitution, "that the powers not delegated to the U. S. by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the People;" and that no power over the freedom of religion, freedom of speech, or freedom of the press, being delegated to the U. S. by the Constitution, nor prohibited by it to the States, all lawful powers respecting the same did of right remain, and were reserved to the States, or to the people: That thus was manifested their determination to retain to themselves the right of judging how far the licentiousness of speech and of

the press may be abridged without lessening their useful freedom, and how far those abuses which cannot be separated from their use, should be tolerated rather than the use be destroyed; and thus also, they guarded against all abridgment by the U. S. of the freedom of religious opinion and exercises, and retained to themselves the right of protecting the same, as this State by a law passed on the general demand of its citizens, had already protected them from all human restraint or interference; And that in addition to this general principle and express declaration, another and more special provision has been made by one of the amendments to the Constitution, which expressly declares, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press;" thereby guarding in the same sentence, and under the same words, the freedom of religion, of speech, and of the press, inasmuch, that whatever violates either, throws down the sanctuary which covers the others, and that libels, falsehoods, and defamations, equally with heresy and false religion, are withheld from the cognizance of Federal tribunals...

Resolved, That all laws, resolutions, or orders, which have been passed by the Congress of the U. S. since the 14th day of July, 1798, and entitled "an act, in addition to the act, for the punishment of certain crimes against the U. S.," which does abridge the freedom of the press, is not law, but is altogether void and of no effect.

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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 all criminal prosecutions, the accused shall enjoy the right of a public trial by an impartial jury, to be 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 authorize the President to remove a person out of the U. S., 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.

Resolved, That 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, shall be vested in the 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 further to be noted, that this transfer of Judiciary power is to that magistrature of the General Government who already possesses all the Executive, and a qualified negative on all the Legislative powers.

Resolved, That the construction applied by the General Government, (as is evidenced by sundry of their proceedings,) to those parts of the Constitution of the United States which delegate to Congress a power to lay and collect taxes, duties, imposts, and excise; to pay the debts, and provide for the common defence and general welfare of the U. S., and to make all laws which shall be necessary and proper for carrying into execution the powers vested by the Constitution in the Government of the United States, or any department thereof, goes to the destruction of all the limits prescribed to their power by the Constitution. That words meant by that instrument to be subsidiary only to the execution of the limited powers, ought not to be construed as themselves to give unlimited powers, nor a part so to be taken, as to destroy the whole residue of the instrument: That the proceedings of the General Government under color of these articles, will be a fit and necessary subject for revision and correction at a time of greater tranquillity, while those specified in the preceding resolutions, call for immediate redress.

Resolved, That the preceding resolutions be transmitted to the Senators and Representatives in Congress from this Commonwealth, who are hereby enjoined to present the same to their respective Houses, and to use their best endeavors to procure at the next session of Congress, a repeal of the aforesaid unconstitutional and obnoxious acts.

Resolved, That the Governor of this Commonwealth be, and is hereby authorized and requested to communicate the preceding resolutions to the Legislatures of the several States, to assure them that this Commonwealth considers Union for specified National purposes, and particularly for those specified in their late Federal compact to be