

THE ABOLITIONISTS.

REPORT Of the Joint Select Committee on the subject of Abolition.

PREAMBLE.

Whereas, the proceedings of certain persons in the middle and eastern States during the past summer, have furnished clear proof of a determination to promote, by means the most unjustifiable and iniquitous, the abolition of Slavery in the States of the Union in which it now exists;—and whereas, as well from the wealth, number, and assiduity of the persons engaged in this criminal purpose, as from the means they have resorted to, to accomplish their designs, serious fears are entertained that our property, the peace of our country, and the Union of the States, may be endangered thereby;—this General Assembly feel called upon by a just regard for the interests and happiness of the good people of this State, and of the other States similarly situated, as well as by an anxious solicitude for the preservation of the Union, which at present so happily unites all the States into one considered people, to declare the opinions, and set forth the purposes of the people of this State, in language at once firm, clear, decided, and temperate.

When the American Colonies first united for protection from the encroachments upon their rights and privileges, made by the King and Parliament of Great Britain, they assumed the character of sovereign and independent States—they united under an organization which was in strictness, a league—leaving the direct power of operating upon the citizens of each State, with its own constituted authorities; and when the present constitution was adopted, though to all general purposes it constituted the people of the States one people, with one government, having a direct legislative, judicial, and executive authority over the citizens, yet it declared by a specific enumeration, the powers intended to be granted to this government, and expressly declared, out of abundant caution, that the powers not granted belonged to the States respectively, or the people. At the time when this constitution was adopted, as well as the time when the confederation was formed, each of the States recognized the right of its citizens to hold slaves. The constitution contains no grant of a power to any department of the government to control the people of any State in regard to its domestic institutions—certainly not in regard to that now in question. It is clear, therefore, that the whole power of regulating this subject within the State of North Carolina, is vested now in the authorities of the State, as fully as on the day Independence of the States was declared; for though much difference of opinion has existed as to the principle upon which the grants of power in the Constitution are to be interpreted, no one has ever had the temerity to assert, that the General Government may assume a power which is not granted in terms, and is not necessary as an incident to the proper exercise of a granted power.

We have, therefore, an undoubted right to regulate slavery amongst ourselves, according to our own views of justice and expediency—to continue, or abolish—to modify or mitigate it in any form and to any extent, without reference to any earthly authority, and solely responsible to our own consciences and the judgment of the Governor of the universe. No other State, and no other portion of the people of any other State, can claim to interfere in the matter, either by authority, advice, or persuasion; and such attempt, from whatever quarter it may come, must ever be met by us with distrust, and repelled with indignation.

Upon the other States of the Union, our claim is clear and well founded. If they were foreign States, it would be a violation of national law in them, either to set on foot themselves, or permit their own subjects to set on foot, any project the object or tendency of which would be to disturb our peace by arraying one portion of society against another. The constitution which unites us, and by virtue of which we have ceased to be foreign States in regard to each other, and have become bound in the closest Union and the most intimate relations for the promotion of the common defence and general welfare, cannot be supposed to have lessened our mutual obligations, or to have made an act hazardous which would have been gross wrong had we continued in respect to each other as we now are in respect to other nations, in war enemies, and only in peace friends. It is evident on the contrary, that every duty of friendship towards each other which before existed, is by our Union heightened in its obligation, and enforced by motives the most exalted and endearing. Whatever institution or state of society we think proper to establish or permit, is by no other State to be disturbed or questioned. We enter not into the inquiry, whether such institution be deemed by another State just or expedient. It is sufficient that we think proper to allow it. To protect us from attempts to disturb what we allow, and they approve, would be to support not our institutions, but their own opinions,—to exercise a supervising power over our legislation, and to insult us with a claim of superiority in the very effort to discharge the duty which our relations authorize us to require. As our right is independent, to regulate exclusively, according to our own notions, the interior relations of our own people, the duty of preventing every attempt to disturb what we have established, results from the simple fact, that we have established it. And the propriety and impropriety in the view of others of such regulations as we have pleased to make, can never either enhance or lessen the duty of such prevention.

We do full justice to the general sentiment and feelings of our fellow citizens in other States, and are fully aware that the attempts to injure us are made by a small minority,—composed, probably, of many misguided and some wicked men; and that these attempts meet with no favor, but on the other hand with marked disapprobation from the large majority of the communities in which they are made. Still it must be recollected that from the nature of the means employed, the danger to us is the same, whether these means are put in activity by a contemptible minority, or are sanctioned and adopted by the whole body of the people. An incendiary pamphlet performs its office of mischief as effectually when issued under the patronage of twenty, as of twenty thousand persons. Its efficacy depends upon its circulation, the weight of authority which supports it.

While, therefore, we are justly sensible of the sympathy for us, and the indignation against those who seek to disturb our peace, expressed by large and intelligent assemblies of our northern and eastern brethren, we cannot but know, that these ex-

pressions do in no way diminish our danger. While the abolitionists are allowed to pursue their course with no other check than the disapprobation of their fellow-citizens, that disapprobation will little affect them, and bring no support or consolation under the evils that are likely to befall us. We ask not sympathy, for we feel not, from the institutions we possess, that we suffer injury. We ask protection, not to maintain our authority by force of arms, for to that we know ourselves entirely adequate, but we ask protection from the necessity of resorting to such force for that purpose. We ask not assistance, to put down insurrectionary movements among our slaves, for should such occur, we are fully able to put them down ourselves. But we ask, that our slaves and ourselves may be relieved from external interference. Left to themselves, we believe our slaves a labouring class as little dangerous to society as any in the world. But we do ask, and think we have a right to demand, that others shall not teach them evil, of which they think not themselves; that they should not be stimulated by the lase and violent of other lands, to deeds of bloodshed, of which the evils to us will be temporary—to the slaves themselves dreadful and lasting; that we may not be compelled, by a factitious necessity, to adopt measures of rigor, which such necessity only could justify. By some it seems to have been supposed, that the practices of the abolitionists cannot be put down by legislation, consistently with the constitutions of the States in which they live. If this were true, it would furnish no answer to our just complaint, and afford no excuse to those States for permitting such practices to continue. The duty, the performance of which we invoke, is binding upon those States, and they have no right to disable themselves from its performance by an organic law, more than to refuse its performance by an ordinary act of legislation. The obligation being perfect, cannot be dissolved by any arrangement of the party on whom the obligation rests. If therefore, any such difficulty did in reality exist, we should have a right to ask, that the organic law which produced it, should be so altered as to remove it. But does any such difficulty exist? The one supposed is this:—That as the abolitionists seek to accomplish their object by the issue of inflammatory publications, a law to arrest their progress would be a violation of the liberty of the press. This difficulty has its origin in a total misconception of what is meant by the liberty of the press; which means not the right to publish without responsibility, but to publish without previous permission. If it meant the former, the liberty of the press would be the greatest curse which could be inflicted on a nation.—Where every man has a right to publish what he pleases, but is responsible to the law for the nature and tendency of his publication, the press is free. If he has the right to publish without such responsibility, the press is licentious. If the latter right exist, it is the only instance known to our laws, of a right to act without any accountability for the action. Every man has a right to carry arms for his own defence, and that right is as clear and as important as the freedom of the press; yet it was never supposed that he who used arms for violence or bloodshed, was therefore irresponsible, because he had a right to carry them for defence.

But it is unnecessary further to set forth the justice of our claims on our brethren of the north and east, and their capability, if they were desirous, of complying with our just demands. We believe that our property, the lives of our fellow-citizens, and the peace and harmony of our country, are threatened by the measures of these misguided, wicked men; and though we feel the greatest attachment for the Union, and would do all in our power to strengthen and perpetuate it, yet we are not ready to surrender those very rights and blessings which that Union was formed to protect:—And should the means now adopted, prove ineffectual in stopping the progress of these attacks on our peace and happiness, we would invoke the aid of the other slave-holding States, that there may be concert of action in taking such steps as the occasion may demand.

THOMAS G. POLK, Chairman of the Committee of 25. [Here follows the resolutions published in our last.]

EXTRACT From the Message of Governor Paswell to the Legislature of Virginia.

That many of the citizens of the North and Eastern States, aided by a few foreigners sojourning within their limits, have devised a system, in which they still persevere, to produce a direct interference with the slave property of the Southern and South-western States, is now a matter of such notoriety as to need no reference to any particular evidence to establish its truth. To effect this purpose, they have organized numerous societies—have subscribed large sums of money—and have established presses to print and disseminate the disorganizing, seditious, and incendiary doctrines of the members of those associations. All this has been done, and is still doing, for the undisguised purpose of effecting the immediate emancipation of our slaves.—The authors of such schemes abide without our limits, and are so beyond the reach of our municipal laws. They are thus enabled, with impunity to scatter amongst us materials obviously designed and well calculated to lead to insurrection, rapine, and murder. The Post-Offices under the direction and control of the Federal Government, furnish a ready mode of transmitting and spreading their mischievous productions.

These fanatics do not stop here. They assert a right in the Congress of the United States to interfere with our property in various other modes.—They contend, that Congress is endowed by the Federal Constitution with plenary authority to emancipate every slave in the District of Columbia—that it may inhibit the transportation of slaves, as such, from one State to another—that it may emancipate all slaves within the Territories of the United States and interdict the future introduction of any into the same, as a precedent condition to the admission of such Territories into the Union, as component members of the United States—and they boldly announce their purpose of exhibiting these several propositions before the Congress now about to convene, and to claim their decision of the same.

Under this aspect of our affairs, two questions demand your consideration, the prompt decision of which is required not less by the rights of the States than by the security and interest of those you represent. The first of these questions refers to the condition of things now existing; and exacts of you to determine whether such a state shall longer be borne. The second regards the proposed change in our present relations, which relations have so long brought happiness and tranquility to

all. This demands of you to decide upon the course most proper to be pursued in the emergency of the threatened change.

It is vain to turn away our eyes from the state of things that now exists. We have to meet it in some form or other; and it belongs properly to you to decide as to the manner in which this shall be done. It is no time to temporize. Should any thing arrest the progress of the scheme devised, for the present, experience teaches that it will surely be revived hereafter, whenever any circumstance may arise promising to its authors a more favorable result, and in such a government as that of the United States, occasions will often present themselves, even if they are not made, when such projects may be only agitated with some fancied or pretended prospect of success. It behoves you, therefore, to settle at once, upon the course to be pursued in such a contingency; and to inform those whom you represent either to prepare for the occasion as becomes men, determined to peril all in defence of their known rights, or to hold their possessions at the mere courtesy of others, who are unacquainted with their situation and indifferent to their interests. Feeling with the other citizens of this Commonwealth, and honored by the responsible situation conferred upon me, I must be excused for calling your attention to this great subject, in a manner more impressive than I should think myself at liberty to adopt, under any ordinary circumstances.

In regard to the first question, no one can doubt, that under the wise provisions of the public law, intended as this is, to perpetuate the peace and harmony of all States whenever an association exists within the territory of any State, the object of which association is to disturb the repose of another, the State whose tranquility is jeopardized by such means may rightfully demand of the other, the prompt suppression of all such associations. Such demands when sustained by proper proofs, are never refused by any State which wishes to remain a member of the family of civilized communities, or desires to maintain amicable relations with the State making and sustaining the demand. There is no exception to this rule. To doubt it now, would be to replunge the civilized world into that barbarism from which it has emerged, and to justify every nation in the impudent attempt to regulate the affairs of others, by its own notions; which although sometimes encoated beneath the guise of pretended philanthropy, may always be traced to considerations much less pure. Hence, the universal doctrine and practice of modern States, is never to obtrude even their advice, unasked, as to the more internal concerns of others, so long as these do no injury to their neighbors. And what States may not do themselves, can never be tolerated by them as the acts of their citizens or subjects, unless they mean to adopt such acts as their own.

The different States of this Confederacy, are surely entitled to expect from each other, at least the same courtesy and consideration which is always manifested by nations absolutely independent and unconnected. Every clause of the Federal Compact indicates this lesson, which has sunk deep into the heart of almost every native American, that it may be well regarded as constituting the strongest bond of union. Then, the slave-holding States have a perfect right to require of all the others that they should adopt prompt and efficient means to suppress all such associations existing within their respective limits. Nor ought it to be doubted, as I think, that such a demand, if made—will meet from each of the other States a ready compliance on its part. Not doubting this myself, I will not suggest to you now any measures founded upon a contrary supposition. But I will content myself with recommending to you at present the adoption of such measures only as may justify a strong application to each of our co-States, within whose limits any of the associations referred to may exist, to suppress them speedily; and to establish such other regulations as may be effectual to prevent or punish acts designed or calculated to disturb our tranquility.

Although these are my impressions, it is due to the importance of the occasion, that I should say to you that many who have had much better opportunities of forming correct opinions upon the subject than I have had, do not concur with me in this respect. I have had much correspondence in relation to it with persons upon the spot; which a regard to the public good prevents me from exhibiting to you at this time. The prevailing opinion of most of those with whom I have communicated, is that no effectual legislative action need be expected on the part of our co-States, where it is most necessary; but that the Southern and South-western States will have to rely upon themselves only, for the preservation of their own peace and tranquility. Therefore, while making a strong appeal to our co-States, to do their duty towards us, produce will suggest to you the propriety of considering the neglect of such an appeal as at least a possible event.

In regard to the Federal Government, so long as it is agreed by all, that the powers of this government are limited, not merely by the terms in which these powers are granted, but also by the object for the accomplishment of which these powers were given, unless the grant of the power to establish Post Offices can be considered as designed to furnish easy means for the general dissemination of seditious and incendiary publications, well calculated to disturb the peace and union of the States, the employment of such an agency, for such a purpose, must be admitted to be a gross perversion of its intent. Therefore, the States whose tranquility is put in jeopardy by such a practice, have a clear right to demand of their government that it shall adopt the most speedy and effectual means to prevent and punish it; and so to aid in the preservation of their peace and welfare.

There is no reason to doubt, that the officers of the Government of the United States view this subject in the same light in which it is here presented. But being mere Executive Officers, bound to execute existing laws each at his own peril, legislative enactments are required to protect these officers and to cause the laws of the land to conform more exactly to the spirit and objects of the Constitution. An intimation of a wish on your part, that our Senators and Representatives in Congress would call the attention of that body to this subject, and would propose some plan by which the evil complained of may be effectually remedied, will probably accomplish every thing we ought to desire in this respect. But to give more certain effect to the expression of such a wish, I would recommend that communications be opened speedily with all the slave-holding States, to invite their co-operation in any plan that you may think most wise to be adopted, not only in regard to the action of the Federal Government, but to the suggested application to our co-States.

The subject is one of equal interest to them all, and all should be consulted, and co-operate in every measure in reference to it, which it may become either necessary or useful to adopt.

Respecting the threatened application to Congress, to interfere in any way with our rights of property, as it may be unnecessary for you to provide at this time for any such possible contingency, I will only say, that while that body is necessarily the judge of its own constitutional powers in the first instance, the States are made, by the like necessity, the final arbiters of all questions touching the reserved rights, it is much to be desired, that the forbearance of either party, may ever incline each to avoid any near approach to what may be regarded by the other as a limit not precisely defined. Nothing short of the most obvious necessity can ever excuse such a course. But if it is pursued in mere wantonness, without any pretext of necessity for resorting to it, as in the case supposed, it will become your duty as the faithful guardians of the rights of the State, to adopt at once the most effectual means to provide for the occurrence to enable you to do so seasonably, I shall endeavor to obtain the earliest information in regard to this subject; and will promptly communicate to you hereafter any thing that I may learn that may seem to me to require any action on your part.

From the Raleigh Star. THE HON. JOHN BRANCH.

We take pleasure in calling the attention of the Republican party in North Carolina to the following article, copied from an Ohio paper. It pays a just tribute to one who has ever stood by their principles, and has probably done more to sustain them in this State than any other man in it; and nominates him for an office which he is every way qualified to fill. Should the friends of the Constitution and of a plain, economical administration of the Government, agree to run him, we know of no individual who has higher claims to the suffrages of the people of North Carolina especially, and to whom we would more cheerfully contribute our support, for the Vice Presidency, than John Branch.

From the Western (Ohio) Star.

GENTLEMEN: A ticket must soon be made to run against the Baltimore ticket for the Presidency and Vice Presidency. There seems to be a great diversity of opinion among the Whigs as to who shall run for the first office. Probably several will run—many considerations commend the united opposition ticket: But I beg to suggest to the genuine Republican and Whig party throughout the Union the name of John Branch, of North Carolina, for the second office. To all who know him, I flatter myself that Governor Branch will be acceptable. His efficient administration of the navy department, his profound sagacity and firm and dignified deportment as a Senator—his unflinching opposition to usurpation and misrule, in every shape, and from every quarter, and under all circumstances, must command the admiration of all and the gratitude of the friends of Republican institutions.

No man has suffered more from the powers that be than Governor Branch; one of the first to sacrifice every personal consideration for the public good, he was the first to receive the shaft of calumny; and the malignant persecution of him he had hazarded his reputation as a politician to elevate to the chief magistracy. The names of Branch, Berrien, and Ingham should be held up to the world as lasting monuments of the achievements of patriotism over the abhorments of power and the dearest recollections of personal friendship. Such examples would be better worthy the imitation of the rising generation than all the great names with which history is adorned, whose fame has been built upon success rather than merit.

True, these men are now in comparative obscurity, and their calculators basking in the sunshine of glory. But More true joy Marcellus exiled feels, Than Caesar with a Senate at his heels.

The Finances.—The Annual Report of the Secretary of the Treasury is a document of equal length with the President's Message. Of course we despair of being able to publish it in full; but hope next week to give a Synopsis of it. The National Intelligencer gives the following summary of that part of it which relates to the Receipts, Expenditures, and Surplus.—Fayetteville Observer.

The Receipts into the Treasury, ascertained and estimated, during the current year 1835, are computed to be \$28,439,881, of which the actual receipts during the three first quarters of the year are ascertained to be \$23,430,881. Of the actual receipts, \$13,611,489 are from the Customs; and \$9,166,590 from the Public Lands. The balance in the Treasury on the 1st of January last having been \$8,892,858, the aggregate means of the government within the year will, according to the computation of the Secretary, have amounted to \$37,329,739.

The expenditures for the year are estimated at \$18,176,111; thus leaving, by computation, in the Treasury, on the 1st of January next, a balance of money in hand, equal to \$19,147,398, including what has been heretofore often reported as "unavailable funds," now reduced to \$1,100,000. Upon this balance, however, are charged by law various expenditures, amounting altogether to about \$7,595,574, leaving applicable by Congress "to new and other purposes" the sum of about \$10,450,024.

The Report contains many suggestions and some recommendations, in the spirit of the President's Message.

Revolutionary Debers.—There is now residing at South Kingston, R. I., an old man named William Lunt, who has exercised his tonsorial vocation some sixty or seventy years, and shaves with as steady a hand and as keen a touch as the best of his present contemporaries. He is ninety-one years of age, and a letter writer who lately visited his shop, boasts of having been shaved by the same hand that operated upon Washington and other great men some two-thirds of a century ago. The Boston Transcript says there is another ancient shaver in that city—old Mr. William Pearce, also aged 91, and who has worked at his trade seventy-five years, and still shaves for a living.

Expresses, with the President's Message, reached Baltimore in an hour and forty minutes, Philadelphia in seven hours, and New York in twelve and a half hours.

A Luminous Idea.—The editor of the Murfreesborough Monitor, in noticing the Aurora Borealis witnessed at that place a short while before, suggests that the phenomenon was nothing more than Dury Crockett jolting the lights out of the Comet!

CAPTIONS

Of the Laws passed by the General Assembly of North Carolina, at its Session in 1835.

PUBLIC ACTS.

- 3. Allowing further time for registering grants, providing and registering deeds, mesne conveyances, bills of sale, &c. [Allows three years.]
5. To amend the Act of 1822, for the relief of Insolvent Debtors. [Provides that appeals may be taken in the usual way, from the verdict of a Jury empanelled to try a question of fraud, in cases of individuals applying for relief under said act.]
6. Authorizing the entry of unsurveyed lands, acquired by treaty from the Cherokee Indians in 1817 and 1819, in Haywood and Macon counties.
7. To amend an Act passed in 1822, concerning the divisions of Rowan county. [Makes the Yadkin River the dividing line between Rowan and Davidson.]
8. To authorize a subscription upon the part of the State to the Capital Stock of the Oconalufee Turnpike Company. [Transfers to this Company the subscription made in 1824 to the Deep Creek Turnpike Company.]
9. To amend an Act incorporating the Roanoke and Raleigh Rail Road Company. [Gives to the citizens of North-Carolina, the exclusive privilege of subscribing for Stock, for the space of thirty days.]
10. Granting further time for revising and digesting the Public Statute Laws. [Allows the Commissioners, until December 1836, to complete the duties assigned them.]
11. To provide for the payment of the instalments on the shares reserved to the State, in the Capital Stock of the Bank of the State of North-Carolina. [Provides that the Public Treasurer may issue Certificates of Stock, of one thousand dollars each, to the amount of \$400,000, and sell the same at not less than par value; the certificates to bear interest at 5 per cent per annum, to be paid semi-annually, and the faith of the State to be pledged for their redemption, at the expiration of the year 1860.]
12. To amend the Act passed in 1833, to incorporate the Washington and Raleigh Rail Road Company. [Increases the Capital to one million five hundred thousand dollars, and changes the Roads.]
13. To incorporate the Cincinnati and Charleston Rail Road Company.
14. To regulate the practice of Hawking and Peddling in this State. [Imposes a tax of \$20 on all Pedlars, and makes it necessary for them to be recommended to the County Court of each county, for a licence to peddle.]
15. Making an appropriation for carrying on and completing the Capitol. [Appropriates for this purpose \$75,000.]
16. To incorporate the Roanoke, Danville, and Junction Rail Road Company. [Provides for the construction of a Road from Evansham Va., to some point on the Roanoke.]
17. Giving further time for paying in Entry money. [Gives until December next.]
18. To amend an Act, passed in 1830, for the regulation of the Patrol. [Gives to County Courts a discretionary power to impose a tax of 50 cents on each taxable Slave, to raise a fund to pay the Patrol.]
19. Concerning the probate of wills made out of the State, and the registration of deed and powers of Attorney executed in foreign countries. [Authorizes the County Courts of the county where the property willed, may be situated, to appoint Commissioners to examine witnesses touching the due execution of said will, &c.]
20. Concerning Public Jails in certain cases. [Gives Justices of the Peace the power where any Jail is burnt, to order the prisoners to the Jail of some adjacent county.]
21. Making compensation to Sheriffs for holding the Elections in relation to the ratification or rejection of the amendments to the Constitution.
22. To provide for the election of Members of the General Assembly, where vacancies shall occur before the meeting thereof. [Governor to issue a writ of Election.]
23. Prescribing the time and places for comparing the Polls in the different Senatorial districts.
24. Pecuniary of the duties of Entry Takers in certain cases. [Provides where an entry is made in any Entry Taker's office, and he shall resign before a warrant issues, it shall be the duty of his successor to issue it.]
25. To incorporate the Gaston and Raleigh Rail Road Company.
26. To provide for the temporary appointment of Registers. [Gives three Justices the power to appoint, where a vacancy occurs.]
27. To incorporate the Raleigh and Fayetteville Rail Road Company.
28. To suppress more effectually the vice of Gaming in this State. [Subjects to fine and imprisonment all persons keeping Gaming Tables, Billiard Tables not excepted; and persons betting at the same to fine not exceeding \$10.]
PRIVATE ACTS.
7. Making valid certain proceedings of the County Court of Haywood.
11. To repeal so much of the Act incorporating the Charlotte Fire Company, as exempts its members from Military duty.
14. To divorce Elizabeth Parks.
15. To divorce Catherine H. McCaw from her husband William B. McCaw.
16. Repealing in part the 13th section of an Act passed in 1824, authorizing the making of a Turnpike in Buncombe.
24. Giving further time for perfecting titles to entries of vacant lands in Stokes county.
41. To incorporate the Conrad Gold Mining Company.
42. To legitimate Thomas Petit of Surry county.
43. To abolish the offices of County Trustee and Treasurer of Public Buildings in Mecklenburg county.
46. To amend an Act of 1824, for appointing Commissioners for Clemonsville.
47. To incorporate the Lincoln Gold Mining Company.
50. To incorporate the Franklin Turnpike Company.
51. Directing the time of holding the County Courts of Mecklenburg.
52. Authorizing the Governor to issue a grant to James Fruit, for a tract of land in the county of Macon.
53. For the better regulation of the County Courts of Lincoln.
55. To amend an Act to establish the Merchants' Bank of Newbern.
58. To repeal an Act relative to lands working on Roads in Burke and Buncombe.