

This print, under the direction of the President, the instant he was apprised they had assumed the shape of a resolution of the Senate of Virginia. The difficulty in the minds of the Editors of the Richmond Enquirer and Petersburg Intelligencer, arises from the same passages in the Proclamation. We have, therefore, we hope, only to refer to them and give the sense in which they were intended by the President, to give perfect satisfaction in relation to the principles he entertains.

The first passage, to which we are referred in the articles we quote from the Richmond Enquirer and Petersburg Intelligencer is as follows:

"The people of the United States formed the Constitution, acting through the State Legislatures in making the compact, to meet and discuss its provisions, and acting in separate conventions when they ratified the provisions; but the terms used in its construction, show it to be a Government in which the people of all the States collectively are represented."

This is not theory, it is simple history—but the phraseology like that of the constitution itself, which it copies verbatim in the leading member of the sentence, has been subjected to various interpretations. But the President, in saying that "the people of the United States formed the Constitution," although he used the very language of the constitution itself, did not leave it open to the construction, which the latitudinarian party have put upon its terms. He followed up the general declaration, by particularizing, that the Constitution originated in a compact—that the compact was the offspring of the several States acting through their respective State Legislatures, and further, that the Constitution or Government, founded in this compact, received its sanction from the people of the several States, acting through independent separate State Conventions, to ratify its provisions. With such precise, definite and positive ascription of the Constitution, in its origin, to a compact among the several States, as the organized agents of several communities of people, and again making the obligatory sanction of the instrument, as derived from the separate act of the same independent communities, depend on its ratification in separate Conventions, it would seem that the idea of its being the work of the whole people in "the aggregate" or "united in one body," was absolutely precluded. Indeed, as we said before, in commenting on Dr. Cocke's Resolution, the simple language of the Constitution, in proclaiming its origin in its first words, "We the people of the United States" "do ordain and establish this Constitution for the United States of America," does, of itself imply, what is so precisely specified in the added explanation of the Proclamation. It excludes, by its terms, the idea of a people embodied in a Consolidated Government, by describing them as composing different "States"—and by speaking of the "States" as "united," it repels the idea that the union intended, is that of "the people in the aggregate," but of the States as forming separate communities. The close of the preamble to the Constitution (which we have quoted above, in connection with its first words,) preserves the same idea. The Constitution is declared to be established, not for an aggregate people, but "for the United States of America."

The interpretation, forced by the resolutions, to which we have referred, on the Proclamation, in spite of its explanations, is precisely that which the friends of a consolidated Government has attempted to force on the Constitution itself. If this were admitted, the conclusion drawn from it, that it would give "to a minority of States, having a majority of the population, a control over the other States," would inevitably follow. But here again the Proclamation comes in and entirely repudiates such inference. So far from recognizing the power which an "aggregate people" would undoubtedly possess of altering their Government according to the will of the majority, the Proclamation refers to the provisions of the Constitution on this subject, and rejects expressly the idea of any power in a Convention, called in any other mode than under its provisions. It says:

"Yet this obvious and constitutional mode of obtaining the sense of the other States on the construction of the federal compact, and amending it, if necessary, has never been attempted by those who have urged the State on to this destructive measure. The State might have proposed the call for a General Convention to the other States; and Congress, if a sufficient number of them concurred, must have called it. But the first Magistrate of South Carolina, when he expressed a hope that, 'on a review by Congress and the functionaries of the General Government of the merits of the controversy,' such a Convention will be accorded to them, must have known that neither Congress nor any functionary of the General Government has authority to call such a Convention, unless it be demanded by two-thirds of the States."

While the Proclamation thus recognizes the Constitution as the creature of the People of the States severally, and as only susceptible of change, through the agency of "two-thirds of the States," in proposing amendments to be effectuated only by the ratification of three-fourths of the States, it is difficult to conceive how any one could infer from its doctrines, that it concedes to "a minority of States having the majority of population," absolute sway over the Constitution and Government.

The only other difficulty to which, we are referred as requiring explanation, by our friends of the Richmond Enquirer and Petersburg Intelligencer, will be found in the close of the following passage, which speaks of "the unity of our political character."

"The unity of our political character, (as has been shown for another purpose) commenced with its very existence. Under the Royal Government we had no separate character—our opposition to its oppressions began as United Colonies. We were the United States under the confederation, and the name by the Federal Constitution. In none of these stages did we consider ourselves in any other light than as forming one nation. Treaties and alliances were made in the name of all. Troops were raised for the joint defence."

It would be sufficient here again to observe, that it is history which speaks in this passage, & not the President. The facts are indubitably as he states them. And it is only by confounding the unity, which is derived from a confederacy among the States, (making them to a certain extent, "one nation,") with the idea of

a consolidation of all power in the Federal Government, that an objection is created.—"The unity of our political character," here spoken of, it is expressly said, is not intended to denote "an undivided sovereignty," or authority in the General Government. On the contrary, the text shows that it only refers to that special delegated authority which the Constitution has carved out of the powers belonging to the several State communities, and united in one common government for the purpose of establishing a national character, and national relations, with the other nations of the world.—And as it was especially the scope of the Constitution, to give unity to our political character in the exterior aspect, and to confer upon the Government all the attributes of nationality, in regard to foreign powers, it is strange that jealousy should be excited by the use of terms pointing out this design, or by references to various periods of our history, to prove that in this respect, a connection has always existed among the independent communities composing the confederacy. That "treaties were made in the names of all and troops raised for joint defence," is certainly proof that unity of political character existed in a greater or less degree, from the planting of the colonies down to the establishment of the present Government. This fact, however, which is given to show that the American people have always been united by political ties of such intimacy, as to give them in reference to foreign powers the character of being "one nation," by no means changes the nature of the Institutions, through which the blended confederate power of the several States, has assumed this character of nationality. We were a nation under the articles of confederation, however feeble the means of the national authority then to bring the energies of the several States to act in unison—and we are surely not less a nation, now that a government has been established to form a more perfect union, endowed with all the faculties which can constitute us a nation in our relations with foreign powers. Even before the articles of confederation were formed, in the first paragraph of the Declaration of Independence, we were proclaimed to be "one people," and the object of the act announced in the face of that instrument itself was, that as "ONE PEOPLE" the United States might "Assume among the powers of the earth the separate and equal STATION to which the laws of nature and of nature's God entitle them."

The Proclamation then, in the passages objected to, has merely spoken the facts of history—the language of the Constitution—and of the Declaration of Independence. There is no speculative opinion advanced no theory proposed. And we have endeavoured to show, that nothing in these generalities tended in the slightest degree to justify the inferences drawn from them, and which have been substituted as the principles of the Proclamation.—But we are authorized to be more explicit, and to say positively, that no part of the proclamation was meant to countenance the consolidating principles which have been ascribed to it. On the contrary, its doctrines, if construed in the sense they were intended, and carried out, inculcate that the Constitution of the United States is founded in compact—that this compact derives its obligation from the agreement, entered into by the people of the States in their political capacity, with the people of the other States—that the Constitution, which is the offspring of this compact, has its sanction in the ratification of the people of the several States, acting in the capacity of separate communities—that the majority of the people of the United States, in the aggregate, have no power to alter the Constitution of the General Government, but that change or amendment, can only be proposed in the mode pointed out in the Constitution, and can never become obligatory unless ratified by the people of three-fourths of the States through their respective Legislatures or State Conventions—that inasmuch as the sovereign power of the people in each State has imparted to the Constitution of the United States, and the laws made in pursuance thereof, paramount obligation over State Legislation or any Constitution or form of State Government, which may be instituted by the people of such State; and inasmuch as the people of each State have bound themselves, by compact with the rest; to abide by this paramount authority, until changed according to the provisions of the Constitution, so declared to be paramount, no constitution, law or ordinance of any one State is valid to defeat the Constitution, and laws of the United States, or to sever the mutual obligation which bind the States together—that in the case of a violation of the Constitution of the United States, and the usurpation of powers not granted by it on the part of the functionaries of the General Government, the State governments have the right to interpose to arrest the evil, upon the principles which were set forth in the Virginia Resolutions of 1798, against the Alien and Sedition Laws—and finally, that in extreme cases of oppression, (every mode of constitutional redress having been sought in vain,) the right resides with the people of the several States to organize resistance against such oppression, confiding in a good cause, the favor of Heaven, and the spirit of freemen, to vindicate the right.

We beg leave here to submit, in aid of our own, an exposition, which touches the points involved in the controverted passages of the Proclamation, and which received the sanction of the President, at the threshold of the controversy that led to the promulgation of that paper. During the progress of the debate on Foot's resolution, the Editor of this print, (who who was then connected with a press in Kentucky, which sustained the principles of the Republican party,) received from the Postmaster General the speech delivered by Mr. Livingston, accompanied by a letter, saying, that the views contained in it, were sanctioned by the President, and might be considered as exhibiting the light in which his administration considered the subject under debate. The following extracts from that speech, will serve, in illustration of the principles on which the President then took his stand, to explain the more condensed view given of them in this Proclamation.

Extracts from Mr. Livingston's Speech.

"In the Federal Constitution, this combination of the two characteristics of Government is more apparent. It was framed by delegates appointed by the States; it was ratified by conventions of the people of each State convened according to the laws of the respective States. It guarantees the existence of the States, which are necessary to its own; the States are represented in one branch by Senators chosen by the legislatures; and in the other, by representatives taken from the people, but chosen by a rule which may be made and varied by the States, not by Congress—the qualification of electors being different in different States. They make amendments to the Constitution. In short, the Government had its inception with them; it depends on their political existence for its operation; and its duration cannot go beyond theirs. The States existed before the Constitution; they parted only with such powers as are specified in that instrument; they continue still to exist, with all the powers they have not ceded, and the present Government would never, itself, have gone into operation, had not the States, in their political capacity, have consented. That consent is a compact of each one with the whole, not, (as has been argued, in order to throw a kind of ridicule on this convincing part of the argument of my friend from South Carolina,) with the government which was made by such compact."

"We know, and it has never been imagined or asserted that the people of the United States collectively, as a whole people, gave their assent or were consulted in that capacity; the people of each State were consulted to know whether that State would form a part of the United States under the articles of the Constitution, and to that they gave their assent, simply as citizens of that State."

"It is a compact by which the people of each State have consented to take from their own Legislatures some of the powers they had conferred upon them, and to transfer them with other enumerated powers, to the Government of the United States, created by that compact; these powers, conferred, are some of those exercised by the sovereign power of the country in which they reside. I do not mean here, the ultimate sovereign power residing under all governments, democratic or despotic, in the people—a sovereignty which must always in theory exist however its exercise may be by foreign or domestic power be repressed—but I mean that power to regulate the affairs of a nation, which resides in its government, whatever the form of that government may be; this may be, and generally is distributed into several hands."

"But if the power contended for on the one side be dangerous, the doctrine by which it is opposed on the other, seems no less so. If this be strictly a popular government, as contended for by the Senator from Mass. (Mr. Webster,) that is to say, a government formed by the people of the U. States, considered in one mass, without any consideration of the relation in which they stand to each other as citizens of different States, then the following important consequences follow. Not a denial of States rights, as has, I think, been incorrectly and unjustly, in and out of the House, charged to the Senator's argument; he expressly, as I understand him, acknowledges that they retain all that are not given to the General Government. But, Sir, although his argument acknowledged the existence of the reserved rights, yet it took away the means of preserving them. If it be a popular Government in the sense I have described, then what a majority of the whole people will, must be executed, and rightfully executed. If this be the true construction of our fundamental compact, then, in any future changes that our situation may call for, the people of a few large States, making a majority of the whole number of voters, must give the law to the greater number of States, and may materially and injuriously alter, or totally destroy the Union, which the argument supposes not to be a compact between the States, but the work of the people, that is to say, the whole people of the nation. It will be no answer to this to say, that alterations cannot be made in the Constitution, but by the assent of the States, because, if there is no compact, there is no injury to the States, any more than there would be by altering the boundaries, or the representation of a county; or giving to, or taking from it, advantages which were enjoyed under a State Constitution. The majority of the people in a State may do this at their pleasure, with regard to a county; so might a majority of the people of the U. S. do, with regard to a State, if the Government has the same popular character in the one instance, that it has in the other. As to the impediments imposed by the Constitution to the power of making alterations, by the clause which designates the mode in which they are to be made, by the assent of a requisite number of States, it affords no insurmountable difficulty. If the government was made by the People, the same people have a right to alter it, and a majority may alter that clause with the same ease and the same right that they change any other in the Constitution. It is plain, therefore, that this argument places three-fourths of the States at the mercy of one fourth of their number. Six States, having on an average a million of inhabitants each, form a majority of the population. In a popular government, the will of a majority must be obeyed in making or altering constitutions, as well as laws; therefore, if this be a popular Government, without any feature of compact in it, there is plainly no security for even the existence of the State Governments under it. It is true, that the argument allows to them certain rights; but if those rights were the result of the will of the People, expressed by their adoption of a popular Government, it is not clear, that, whenever that will changes, and another kind of government is preferred by a majority, the rights are gone, and rightfully gone? In short, the doctrine puts the States precisely in the situation of counties; or any other political division of a consolidated Government.

"It is true, that while the present form of government exists, States are necessary for its

organization; but if it be simply popular—if no compact enters into its composition—the State agency may be easily dispensed with in the new changes that a majority may deem expedient.

"Observe, Sir, that by popular government, the Senator does not mean one adopted or made by the people of each State, acting separately in their State capacity; if he did, there would be no dispute, for it cannot be denied, that the Constitution was adopted by the people of each State, in its separate convention. This would not contravene the idea of a compact, which his argument totally denies. He means, and so I understand him clearly to express, a Government framed by the people of all the States, acting in their aggregate capacity; and this doctrine for the reasons I have stated, I think dangerous in the highest degree. Even if no attempt be made under it, it will, if acknowledged, lessen the dignity and utility of the State Governments; they will be considered as mere tenants of their power at the will of the Federal head; which will be looked to as the source of all honor and all profit. State Rights will be disregarded, when held by so precarious a tenure, encroachments will be submitted to, that would not be otherwise hazarded until gradually, we are prepared for a consolidated government, which on experiment will be found to require more energy for its support over the extensive country which it must embrace; and then the dormant resolution on your Journals will be called up, and His Highness, the President of the U. S. will be invested with dictatorial or protectorate powers for an enlarged term, for life—and at last with reversion to his children. Sir, this is the natural consequence of the doctrine, should it be acquiesced in as correct, but not carried into effect in an immediate attempt against the State sovereignties. Suppose, however, the reverse should take place, and the citizens of a number of States sufficient to constitute a large majority of the inhabitants of the Union, should become converts to the Senator's doctrine, and determine to exercise the lawful right which a majority of every consolidated government has, to change the Constitution. The minority of numbers constituting, perhaps, two thirds of the number of States, are incredulous, and entertain the heretical opinion that there were certain portions of their State sovereignty never surrendered, and which they deem it a duty to defend. Can no case be imagined that may, by a diversity of local interests, produce such a state of things? and can the consequences be calmly considered by any lover of his country?"

NEWBERN PRICES CURRENT.

- BEEWAX, lb. 16 a 18 cents
- BUTTER, do. 20 a 25
- CANDLES, do. 12 a 15
- COFFEE, do. 13 a 13 1/2
- CORDAGE, cwt. \$12 a \$15
- COTTON, do. 13 1/2 a 14
- COTTON BAGGING—20 a 25 cts. 1/2
- FLAX, per lb. 10 a 15 cts.
- FLOUR, bbl. \$6 50 a 7
- Corn Meal, bushel, 60 a 70 cents
- GRAIN, Corn, bbl. \$2 50 a \$2 60
- Wheat, bushel, \$1
- IRON, Bar, American, lb. 5 a 5 1/2 cents
- Russia and Swedes, do. 5 a 6
- LARD, lb. 9 a 10 cents
- LEATHER, Sole, lb. 15 a 25 cents
- Hides do. 10 a 12 cents
- LUMBER, Flooring, M. \$12
- Inch boards, do. 8 a \$9
- Scantling, do. 8 a 9
- Square Timber, do. 20 a 30
- Shingles, Cypress, do. \$2 a \$2 25
- Staves, W. O. hhd. do. 16 a 20
- Do. R. O. do. 8 a 10
- Do. W. O. do. 8
- Heading, hhd. do. 18 a 22
- Do. barrel, do. 8 a 10
- MOLASSES, gallon, 37 a 37 1/2 cents
- NAILS, Cut, all sizes above 4d. lb. 6 1/2 a 6 1/2 cents
- 4d. and 3d. do. 9 cents
- Wrought, do. 15 a 20 cents
- NAVAL STORES, Tar, bbl. \$1 40
- Turpentine do. \$200 a \$207
- Pitch do. 1 40
- Rosin do. 1
- Spirits Surpentine, gallon, 35 cents
- Varnish, gal. 25 cents
- OILS, Sperm, gal. \$1 a 1 20
- Whale & Porpoise do. 35 a 40 cents
- Lined, do. \$1 20 a 1 30
- PAINTS, Red Lead, lb. 15 a 18 cents
- White Lead, ground in oil, cwt. \$10 a 12 1/2
- PEASE, Black eyed, bushel, 75 cents
- Grey eyed, do. 45 a 60
- FROVISIONS, Bacon, lb. 7 a 8 cents
- Beef, lb. 3 1/2 a 4 cents
- Pork, mess, bbl. \$15
- Do. prime, do. 11 12
- Do. cargo, do. 9
- SALT, Turks Island, bushel, 60 cents
- Liverpool, fine do. 60 a 70 cents
- SHOT, cwt. \$8 a 10
- SPIRITS, Brandy, French, gallon, \$1 50 a 2
- Apple do. 50 a 60 Peach do. 80 a 100 cents
- Rum, Jamaica, 120 a 150 cents
- Do. Windward Island, 80 a 90 cents
- Do. New England, 35 a 40 cents
- GIN, Holland, gallon, 150 a 160 cents

NOTICE.

THE subscriber intending to remove from the State, offers for sale all his ANDS in the lower part of Craven county. A credit of one and two years will be given, the purchaser giving notes with approved security.

All persons indebted to me by note, are requested to make immediate payment. All claims in my favour that remain unsettled on the first day of January next, will be placed in the hands of an officer for collection.

The highest cash price will be given for Eight or ten likely Negro Boys, from the age of twelve to fifteen.

GOE: E. CARRAWAY.
Newbern, 27th Sept. 1833.

LOST.

A NOTE of Hand signed by Elizabeth Machen, Sally Banks and Thomas W. Machen, for Twenty-Five Dollars, dated 26th September, 1833, and payable three months after date. The public are cautioned from trading for said Note, as measures have been taken to prevent its payment to any other than the rightful owner.
Newbern, Oct. 4th, 1833.

GEORGE W. DIXON,
MERCHANT TAILOR.

HAS returned from New York with a handsome addition to his Stock. He has the pleasure of informing his customers that the large and fashionable assortment of

FALL AND WINTER CLOTHES & CASSIMERES, which he has just imported is superior to any which he ever before offered to the public, and has never been surpassed in this market.

Among his New Goods, are the following articles:
CLOTHS.

Imperial Blue, Supp. Olive Brown, " Black, " Olive, " Supp. Woaded, " Dahlia, " Invisibile Green, " Mulberry, " Rifle do. " Plum, " Russell Brown, " Steel-Mixed,

CASSIMERES. Black-Ribbed, Polish-Mixed, Drab do. Diagonal striped, Do. plain, Grey do. Black do. Blue do. Striped,

VESTINGS. Tinsel Velvet, Silk, various colors, Figured do. Satin, do. do. Plain do. Silken Kersey, Woolen do. Buff Cassimere, Fig'd. Valencia, White do. Plain do. Plain Black, Tamboured, Nankin colored.

CAMBLETS, &c. Goat's hair, Silk Handkerchiefs, Blue, Gum Elastic Suspenders, &c. Brown, Hoskin Gloves,

Which, together with his former Stock, render his assortment very attractive. G. W. D. is regularly advised of the changes of Fashion, and constantly employs first rate workmen. These advantages, with his experience and attention to business, enable him to promise entire satisfaction to those who favour him with their orders.
Newbern, 4th Oct. 1833

SALT! SALT!! 3000 BUSHELS Salt, just received and for sale by J. C. & M. STEVENSON.
October 4th, 1833.

NEW FALL AND WINTER GOODS.

S. & J. BATTLE HAVE received per schooner Geo. Pollock and are now opening their

Fall and Winter Stock, Consisting of a general assortment of DRY GOODS,

GROCERIES, HARDWARE, &c.

Among which are the following—Cloths, Cassimeres and Satinets, Negro Cloths, Rose and Point Blankets, Twenty-five pieces Cotton Bagging, Twenty-five coil Bale Rope, A good assortment of Shoes and Hats, Leaf, Lump, and Crown Sugars, Blacksmith's and Cooper's Tools, New Flour in bbls. and half bbls., Swedes and English Iron, &c., which they will sell very low.

—ALSO—ON CONSIGNMENT, Ten Kegs first quality Goshen Butter.
Newbern, September 20, 1833.

FRANCIS J. PRENTISS MERCHANT TAILOR.

RESPECTFULLY informs the public that he has commenced business in the Store formerly occupied by Mr. Charles Stewart, on Pollock-street, a few doors west of the State Bank.

F. J. P. has just returned from New York with a choice selection of goods in his line, AMONG WHICH ARE THE FOLLOWING:

CLOTHS. Super Blue, " Black, " Dahlia, " Green, " Adelaide, " Drab, " Rifle Green, " Mulberry, " Invisibile do. " Plum, " Olive, " Stripped, " Mulberry, " Corded, " Steel-mixed, " Dark-mixed, " Petersham, " Light, do.

—ALSO—Hats, Stocks, Suspenders, Cravats, Cravat Stiffeners, Bosoms, Linen Collars, &c. &c., all of which will be sold low for Cash.

Clothing of all descriptions made in the first style, on short notice. Orders from a distance will be thankfully received and promptly attended to.
Newbern, 20th Sept. 1833.

STATE OF NORTH CAROLINA, Jones County—In Equity. Sept. Term, 1833. Emanuel Jarman, Adm'r. of Lewis Morris,

versus Susanna Scott, and others.

IN pursuance of an order made in this cause, at this Term, notice is hereby given to Richard Morris, Durant Hatch, Administrator of John Morris, and James Morris, who do not reside in this State; and also to the other defendants, that depositions to be read at the hearing of the cause on behalf of the defendants who claim as the next of kin of the mother of Lewis Morris, will be taken at the Court-House in Trenton, North Carolina, on the 4th, 5th and 6th days of November next.

WILLIAM DUNCAN, One of the defendants, &c.
September 25th, 1833.

JOB PRINTING, OF EVERY DESCRIPTION, Neatly executed at this Office.