

ROANOKE ADVOCATE.

CONSTITUTIONAL LIBERTY.

VOL. IV.—NO 32. 187.

HALIFAX, N. C.

OCTOBER 4, 1832.



JACKSON RACES, FALL MEETING, 1832.

THE Races over the SILVER HILL Course, near the town of Jackson, Northampton county, North Carolina, will commence on Wednesday, the 17th day of October next, and continue three days.

First Day—A sweep-stakes for three year old colts and fillies which have never won a race—\$100 entrance—half forfeit—mile heats. Also, on the same day, a Match race will take place between two 3 year old Shawanee fillies for \$400—two mile heats.

Second Day—The Proprietors' Purse, \$200, money up—two mile heats—\$20 entrance.

Third Day—The Jockey Club Purse, \$500, subject to the usual discount—three mile heats—\$20 entrance.

All entries to be made with the Proprietor by 8 o'clock, the evening previous to each day's race. The Proprietor flatters himself that this tract is not surpassed by any in the United States—the soil neither too hard nor too soft, and perfectly level—railed inside and out all round—measures one mile and four inches, four feet from the inside railing. The best of stables and litter furnished race horses gratis.

JOHN WHITE, of Jackson, PROPRIETOR.

August 16 1832. 25—9t
The Petersburg Intelligencer and Norfolk Herald will insert the above four times, once a week, and forward their accounts to the Proprietor.

State of North Carolina. MARTIN COUNTY.

Court of Pleas and Quarter Sessions, July Term A. D. 1832.

Warren Andrews } Attachment—Asa Biggs summoned as Edmund Andrews. } Garnishee.

IT appearing to the satisfaction of the Court that Edmund Andrews is not an inhabitant of this State: Ordered therefore that publication be made in the ROANOKE ADVOCATE for three months for defendant to appear and plead, answer or demur, otherwise a judgment will be taken against him at next term.

THOMAS W. WATTS, Clerk. 29—3

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THOMAS W. WATTS, Clerk. 29—3m

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CONTINUE to keep on hand, at very reduced prices, an extensive stock of

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T. & H. assure the public that they will sell Books as low as they are sold at any Book Store.

May 2, 1832. 10—6m

NOTICE.

THE highest CASH PRICE will be given for

15 or 20 LIKELY YOUNG

Negroes between the ages of 9 and 25 years.

WILLIAM H. POPE. 11—1f

WANTED TO HIRE

FOR two months, a good COOK and WASHER. Apply at this Office. September 20, 1832. 30—1f

The following is an extract of a letter, addressed by the Hon. A. S. Clayton, of Georgia, in reply to a communication from Messrs. Cumming, King and Slaughter, a committee appointed at a recent meeting of the citizens of Richmond county.

GENTLEMEN:—I have received from you, as the organ of a meeting of the citizens of Richmond County, a communication accompanied by their resolutions, in which a request is made to know my sentiments in regard to Nullification. This shall be promptly done. But I owe it to a sense of self-respect, as well as of candor to you, to state, that in the face of your third resolution, containing a threat to vote against any candidate who advocates that doctrine, I should certainly have declined a compliance with the wishes of your meeting, but for a consideration much higher than that of appearing a political denunciation, or essaying to conciliate a doubtful favor. It carries no terrors to me. But the crisis has arrived when every man should speak out boldly, and whatever may be the consequences to himself, to meet them like a man, and endeavor to save if possible the constitution of his country. To this end it has been my wish to address the people of Georgia, as well for the purpose of arousing them to a proper sense of their wrongs, as to disabuse their minds of a carefully lodged prejudice intended to impair that hold on their affection, which I had fondly hoped had been well earned on my part. Your address has furnished that opportunity. As your meeting, doubtless, in a spirit of what it conceived to be its rights, has subjected me to a political catechism, under a menace, will it be offended, if I, in my turn without such rigour, seek to know what are their sentiments in regard to Mr. Jefferson, as a statesman? He has merited, and justly received, the title of an Apostle of Freedom. He is the great oracle of southern politics. In his opinions every statesman is safe who has the true and proper veneration for civil liberty. Will any thing he has said be good authority with your meeting? If so, then mark his own words, uttered in opposition to the Seditious Law, one, not more unconstitutional than the tariff act. "When (said this great man) powers are assumed which have not been delegated, a NULLIFICATION of the ACT is the RIGHTFUL REMEDY: That EVERY STATE has a NATURAL RIGHT, in cases not within the compact, to NULLIFY, of their OWN AUTHORITY, all assumptions of power by others, WITHIN THEIR LIMITS: that without this right they would be under the dominion, absolute and unlimited, of whomsoever might exercise this right of judgment for them."

Here, then, you have my opinion in full. Of Mr. Jefferson's political creed I shall never be afraid or ashamed. Whenever his doctrines cease to be considered orthodox, by the southern people, for they never were in odour in the north, I feel entirely confident I am unfit to be their representative, and the execution of the threat of your meeting can never come too soon for my own inclination.

The following is an extract from the letter of Seaborn Jones Esq. to same committee:

I agree with the third Virginia Resolution, which I have long made part of my political text book, and which reads thus:—

"That this assembly" (the Virginia Legislature) "doth explicitly 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 the compact, and as no further valid, than are authorised by the great powers 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 the parties thereto, have the right, and are in duty bound, to interpose, for arresting the progress of the evil, and for maintaining within their respective limits, the authorities, rights and liberties appertaining to them."

I believe, with Mr. Madison, "That when resort can be had to no tribunal superior in authority to the parties, the parties, themselves, must be the rightful judges, in the last resort, whether the bargain made has been pursued or violated." "That the States are the parties to the constitutional compact in their sovereign capacity, and of necessity, that there can be no tribunal above their authority, and consequently that as the parties to it, they must themselves decide, in the last resort, such questions as may be of sufficient magnitude to justify their interposition."

I believe, therefore, that the Supreme

Court of the United States, is not of superior authority to the States; and, with Mr. Jefferson, "that the judges of the same are not the ultimate arbiters of all constitutional questions;" that it would be dangerous to grant them that power, and would lead to the despotism of an Oligarchy;" and with him, I also believe, "that the ultimate arbiter is the people, acting by their deputies in convention."

I am, therefore, brought to the conclusion, that the Legislature of the states cannot, but that the people of each state, acting by their deputies in convention, must, in "all cases which are of sufficient magnitude to justify their interposition," determine upon the proper mode and measure of redress, for every violation of the constitution. And I cannot believe, with the meeting in Augusta, "it would be extremely dangerous" at any time for the PEOPLE to elect DELEGATES to meet in CONVENTION, and invest them with full power to maintain, preserve and defend, the rights and privileges of the free citizens of this State."

For I am clearly of opinion the people are fully competent to act for themselves, & may be safely trusted with their own rights, powers and interests, even in "a moment of excitement like the present;" and have good sense enough to select persons who will honestly and faithfully represent their wishes and feelings.

I believe every unconstitutional law of Congress to be null and void, and has no legal force or obligation and that each state, has a right to treat it as a nullity.

From the Banner of the Constitution

The Coercive Power of the Federal Government.—The extreme ignorance which prevails, North of the Potomac, in reference to the principles of our Constitution, is shown in nothing more palpably than in the common conversations of the day, which relate to the course which the Executive Government could pursue, in fulfilment of that injunction which declares that the President "shall take care that the laws be faithfully executed," in case South Carolina should pronounce the Protective Tariff Laws null and void within her limits. There are some people who suppose that the President could send an army or navy against that State, upon his own responsibility, or call out the militia, without the authority of Congress. But let us hear what the Constitution says on this subject:

"Congress shall have power—To provide for the calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions."

Here it is manifest that Congress alone has power to provide for calling forth the militia to execute the laws of the Union; and that, consequently, the President could not move in the matter, without the authority of that body. It would seem, also, that no species of military force could be employed, to execute the laws, but that of the militia.

In the Convention which formed the Constitution, Mr. Patterson, of New Jersey, offered, on the 15th June, 1787, a set of propositions as to the formation and powers of the new Government, amongst which was one in the following words:

"And if any State, or any body of men in any State, shall oppose or prevent the carrying into execution such acts or treaties, the Federal Executive shall be authorised to call forth the powers of the Confederated States, or so much thereof, as may be necessary to enforce and compel an obedience to such acts, or an observance of such treaties."

These propositions were referred, on the same day, to a Committee of the Whole, the Chairman of which, on the 19th of June, reported—

That the Committee, having spent some time in the consideration of the propositions submitted to the House by the Hon. Mr. Patterson, and of the resolutions heretofore reported from a Committee of the Whole House, both of which had been to them referred, were prepared to report thereon, and had directed him to report to the House, that the Committee do not agree to the propositions offered by the Hon. Mr. Patterson; and that they again submit the resolutions formerly reported to the consideration of the House."

Amongst the resolutions thus reported, there was none recommending the employment of force to carry into execution the laws of the Federal Government; nor does there appear, in the Constitution, any reference whatever to any other military power than that of the militia.

Let us now suppose the case of a calling out the militia to execute the laws in South Carolina. By the Constitution it is declared that to the States respectively is reserved the right of "the appointment of officers." Now if the militia of South Carolina should be ordered out, it is clear that they would not obey. We think it equally clear that the same result would happen if the militia was

called out in any State South of Mason and Dixon's line. There must be, amongst all the State possessing a similar internal organization, a fellowship of feeling, which would compel them *volens volens*, to make a common cause upon such an occasion.

Suppose Pennsylvania were called upon, would she obey? Her paucity interest in a few iron mines would certainly not be worth the sacrifices she would experience by a war.—But suppose she obeyed. Would her militia be permitted to march through Virginia and North Carolina? We apprehend not. They might go by water; but, could they land? Not very easily, we think; but, even if they could, Pennsylvania would not undertake this crusade alone. She would want help. Would the militia of New England obey? Unquestionable not. They found constitutional authority sufficient to satisfy them, during the last war with England, that the Federal Government had no power to order the militia beyond the limits of the State, to repel the invasion of a foreign enemy; and surely they would not risk their fair fame before all the world, by marching against their brethren, for exercising the same right of strictly construing the Constitution, which they on that occasion displayed. Upon the whole there are difficulties in the way proceeding in such a business, which are not easily to be surmounted, and we would, therefore, recommend the Consolidation Party to look well before they leap. One false step may place affairs in such a posture as to render a retrograde movement impossible. That man must have lived to little purpose who does not perceive that a Confederation of States can only be held together by the ties of friendship and mutual interest. An union founded on force is an impossible thing on this side of the Atlantic. To be sure, such a little State as Delaware might be swallowed up at a breakfast, by her overgrown neighbors; but, so long as great interests are common to a number of contiguous States, it need never be expected that they will permit themselves to be kept down as colonies or vassals. It is preposterous to think of it. The grand preservative principle of our Union was the veneration with which it has been so long regarded. It is too palpable to be denied, that that veneration has, of late years, been greatly lessened all through the Southern country; and we are fully of opinion that nothing can restore it, but a return of the Government to the plain and manifest import of the Constitution, which guarantees to every citizen the freedom of employment, as much as it does the freedom of speech.

The following preamble and resolutions were presented and unanimously adopted, at a very large and respectable meeting of the of Kershaw District, held at Camden, S. C. on the 29th ultimo.

The Presidential election is at all times a matter of importance and interests to the free people of this State, and as that election is near at hand, and as many of the friends of State Rights and constitutional liberty have taken no part in that canvass, being unwilling to embarrass the holy cause in which they believed their liberties were involved, and as they think this a fit and proper time to express their sentiments fully and independently.

Be it therefore Resolved, That this meeting will support Andrew Jackson, of Tennessee for President as the most republican candidate presented to their choice.

Be it further Resolved, That this meeting, acting on the same principle, will support Philip Pendleton Barbour, of Virginia, for Vice President, whom we consider as entirely identified with us in principles, interests and feelings, purely southern.

And be it further Resolved, That in no event and under no circumstances, will the people of this meeting support Henry Clay as President, Martin Van Buren, John Sergeant, or Wm. Wilkins, as Vice President, each of whom is to be found only in the ranks of our oppressors, and is identified with that unwholesome system of legislation, which reduces our State to the condition of a province, and makes our people tributary to their fellow-citizens of the North and West.

Phrenology.—A banker, lately deceased in Edinburgh, has left the most of his fortune to be applied to the science or doctrine of phrenology, under the impression in his will, that no great change can be effected in the moral condition of mankind, until the principles of the science are understood throughout the world.

The Comet.—The Comet, says a New York paper, may be seen in the north east quarter of the heavens if the night be not too dark, between ten and eleven o'clock, near the seven stars. It has no hair or tail, but there is something peculiar in its looks, which distinguishes it from the regular celestial family.