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BY GEORGE HOWARD,

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DOMESTIC.

Mr. Van Buren.—The following is the letter from Mr. Van Buren, in reply to that addressed to him by the New York Tammany Hall Committee, in relation to his rejection by the U. S. Senate.

London, Feb. 24th, 1832.

Gentlemen—I have been honored with your kind letter of the 1st instant, communicating to me the sentiments of a public meeting of my fellow citizens on the subject of the rejection by the Senate of my nomination as Minister to this country.

Having always observed, on the part of the Republicans of the city of New York, a frank and fearless independence of opinion, and a disinterested regard to truth and justice in their estimate and support of public men, I have looked to their approbation with solicitude as a criterion of conduct, and have received the testimonials of respect with which they have occasionally honored me, with correspondent satisfaction, but never with such deep felt sensibility as in the present instance. Severed for the first time from my country and friends, and placed in a conspicuous situation among strangers, in a foreign land, advantage has been taken of my position to level at me a shaft intended to wound me to the quick, and to humiliate me in the eyes of the Government and nation with whom I was to treat, and to whom I was, as yet, but little known. Thanks to the generous and warm hearted promptness of my fellow citizens of New York, the same moment that brought me the poisoned shaft of my enemies, brought also the missile of my friends "with healing on its wings." When you inform your constituents of this circumstance, they will at once perceive how well timed and effectual has been the assurance of sympathy, esteem and confidence, and how deeply it must have sunk into my heart.

In testifying to my public conduct, they are pleased to speak with eulogium of me, as contributing while in the Cabinet, to the success of the present administration: That signal success, I feel called upon to declare, is pre-eminently due to the political sagacity, unwearied industry, and upright straight forward course of our present venerated chief. All the humble merit I can claim is, that of having exerted myself to the utmost to execute his patriotic and single hearted views, and of having sacrificed all personal considerations to ensure

their success, when threatened with extraneous embarrassments. That my exertions were arduous, painful, and incessant, I may without vanity, assert: whether my sacrifices have not been repaid with unmerited detraction & reproach, I leave to my countrymen to determine. Still I shall ever regard my situation in that Cabinet, as one of the most fortunate events of my life, placing me as it did in close and familiar relation with one who has well been described by Mr. Jefferson as "possessing more of the Roman in his character than any man living," and whose administration will be looked to, in future times, as a golden era in our history. To have served under such a Chief, at such a time, and to have won his confidence and esteem is a sufficient glory, and of that, thank God, my enemies cannot deprive me.

Of the particular act of hostility to which I am happily indebted for the present expression of feelings on the part of my Republican fellow citizens, it is not, perhaps, proper, and I would fain think, not necessary, that I should say much. The courtesy due to the highest of our Legislative bodies obliges us to presume that the reasons assigned by the majority for their decision were sincere; if so, I console myself with the persuasion that public sentiment of which I have an earnest before me, is likely to determine the futility of those reasons, and the injustice of that decision.

Allow me, gentlemen, in conclusion, to thank you heartily for the expression of individual feelings with which you have accompanied the resolutions of your constituents. Enjoying a personal acquaintance with every one of you, and knowing how much of private worth and public respectability you represent, I feel flattered and gratified to receive such sympathy at such hands; and, situated as I am, I cannot but look forward with heart cheering anticipation to the welcome with which you promise to greet my return to my native land.

A few weeks residence here will be required to place the affairs of the legation in a proper train, as well as to settle my own private concerns; after which I propose to avail myself of the only opportunity that will probably ever be afforded me to visit a few of the most interesting points of the Continent. After that I shall make the best of my way home, where I expect to arrive early in the summer. I shall then be able more adequately to express in person, my deep, my affectionate sense of the vigilance and protecting kindness of my fellow citizens, and of the honest zeal with which they have stepped forward to vindicate me from assaults during my absence. In the meantime, with a proud and grateful feeling of sincerity, I leave my character in their keeping.

I remain, gentlemen, with the highest respect, your servant and friend,

M. VAN BUREN.

To Messrs. W. Bowne, &c.

Mr. Senator Moore, of Alabama, has published a Letter, addressed to one of his constituents, vindicating his vote on Mr. Van Buren's nomination; appended to which is a Note as follows:—

"I am authorized to say that, although it was the earnest desire of Judge Bibb, of Kentucky, (a Senator, whose patriotism and sterling character will not be called in question,) to sustain all the nominations of the President, the disclosures on the nomination of Mr. Van Buren were such that, had he been present, he would have voted against its confirmation. It is also known that other Senators voted in favor of the nomination solely upon the ground that he had already gone abroad, and had entered on his duties. A renomination would therefore receive an immediate and decided rejection."

The following is the concluding part of Judge Baldwin's opinion on the Cherokee case, dissenting from the decision of the majority of the Judges of the Supreme Court:—

"The judgment is pronounced, the mandate has gone forth, in words of power which bid a State obey; the act is irrevocable and the deed is done. Come good, come ill, I desire neither praise or censure; my judgment directed me to the plain and narrow path prescribed by law; my duty has guided me in it; I have come to a point where there was a barrier which both forbid me to pass; I have obeyed the impulse; and having taken neither seat or lot of this matter, wash my hands of it now and hereafter. If the fiat of this Court shall be received in Georgia in the beams of peace and carry on its wings the healing of the nation, I shall not rejoice the less at the blessings. But if it shall be the mountain storm which shakes foundations, my voice has not added to the fury of the blast. Whether it shall pass my head unhurt, or lay it low; whether as a self supported oak, riven by the tempest, or rooted the firmer the ruder it blows, I am at peace within, with a mind convinced and judgment fixed, and an approving conscience. The consequences are not mine. They will be met without self reproach.

"In again standing alone on the question of Indian sovereignty, my attitude has not been assumed in the consciousness of my own strength, or the confidence resulting from my own reason and reflections: nor from a wish to adopt, or act on any new opinions, rules, principles or maxims of the law, but in obedience to old and settled ones. If I am wrong, it is because I cannot understand them; if right, it is not by following any light of my own invention, but by tracing the ancient path illuminated by lamps which never flicker and are not yet extinguished. To me it is the path in which it is, has been, and ever will be, my delight to proceed in my judicial labors, impelled by an ambition not easily satisfied or attained to the fulness of desire; not that my opinions should be respected by the authority of my name, but only so far as they may be found to contain the spirit of the

Constitution and the statutes, and the results of the judgments of those who have preceded me here and elsewhere, as the law of the land according to their plain language, legal meaning and just interpretation. As one of the expounders and administrators of the supreme law, I am not without the impulse of high ambition; but its highest aspirations are, as a Judge, to be considered now, and remembered hereafter, only as one "Qui consulta patrum qui leges et juraque servat."

From the Richmond Enquirer.

The last No. of the Globe is devoted to the Georgia Question. It furnishes a communication twelve columns in length—"from the pen of a gentleman eminently qualified, by his intimacy with all that concerns our Indian relations, and by his legal and literary attainments, to do justice to the subject." It is undoubtedly from Gov. Cass, Secretary at War. It is therefore unnecessary to say, that it is an able and eloquent composition. It cuts up by the roots the late decision of the Supreme Court—one of the most extravagant as well as weakest opinions, which has ever emanated from that high tribunal. Gov. Cass has gone into the whole subject—and he establishes upon grounds not to be shaken, the rights and jurisdiction of the State of Georgia."

A correspondent of the Richmond Enquirer has furnished the following remarks, (taken from Elliott's Debates,) made by Ex-President Madison and Chief Justice Marshall, in the Virginia Convention called to consider and adopt the present Constitution of the U. States. Geo. Mason objecting to so much of the Judiciary clause as extends the jurisdiction of the Federal Courts "to controversies between a State, and citizens of another State:"—

James Madison said: "Its jurisdiction in controversies between a State, and citizens of another State, is much objected to, and perhaps without reason. It is not in the power of individuals to call any State into Court. The only operation it can have, is, that if a State should wish to bring suit against a citizen, it must be brought before the Federal Court. This will give satisfaction to individuals, as it will prevent citizens, on whom a State may have a claim, being dissatisfied with the State Courts. It is a case which cannot often happen, and if it should be found improper, it will be altered." * * * "It appears to me, that this, (the clause in question,) can have no operation but this—to give a citizen a right to be heard in the Federal Courts—and if a State should condescend to be a party, this Court may take cognizance of it."

(Patrick Henry, in reply to Mr. Madison, said: "Mr. Chairman: I have already expressed painful sensations at the surrender of our great rights, and I am again driven to the mournful recollection. The purse is gone—the sword is gone—and here is the only thing of any importance that is to remain with us—As I think, this is a more fatal defect, than any we have yet considered, forgive me if I attempt to refute the observations

made by the honorable member in the Chair, and last up. It appears to me, that the powers in the section before you, are either impracticable, or if reducible to practice, dangerous in the extreme." * * * "What says the gentleman?—that the State can only be plaintiff. When the State is debtor, there is no reciprocity. It seems to me that gentlemen may put what construction they please on it. What! Is justice to be done to one party and not to the other? If gentlemen take this liberty now, what will they do when our rights and liberties are in their power?"

John Marsall, in reply to Mr. Henry, said: "With respect to disputes between a State, and the citizens of another State, its jurisdiction has been decried with unusual vehemence. I hope no gentleman will think that a State will be called at the bar of the Federal Court." * * * "Is there no such case at present? Are there not many cases in which the Legislature of Virginia is a party, and yet the State is not sued? It is not rational to suppose that the sovereign power shall be dragged before a Court." * * * "The intent is to enable States to recover claims of individuals residing in other States. I contend this construction is warranted by the words. But, say they, there will be partiality in it, if a State cannot be defendant; if an individual cannot proceed to obtain judgment against a State, though he may be sued by a State. It is necessary to be so, and cannot be avoided—I see a difficulty in making a State defendant, which does not prevent its being plaintiff."

The Tariff.—Mr. Benton, one of the Senators from Missouri, though no orator, is yet a speaker whose "industry leaves nothing unexplored." Recently in the debate on Mr. Clay's resolution, he has, according to a correspondent of the Charleston Mercury, called up a historical reminiscence which has excited much curiosity, and has shown that as far back as 1791, several States, and especially Rhode Island, objected to the exercise by the Congress of the Confederation, of the power to impose duties upon imports, and to regulate commerce, as substantially a tyranny—that a Committee of Congress, consisting of Messrs. Alex. Hamilton, Madison, and Fitzsimmons, were appointed to return an answer to this objection, in which they emphatically stated that those powers were only necessary and would only be used, for the purpose of raising money for the payment of the public debt, and that when the debt ceased, the duties would of course cease also—That it was under this promise, and with this expectation, that the power was afterwards conferred in the Constitution, &c.—*Pct. Times.*

Extract of a letter dated Green Bay, Feb. 8: "The Small Pox is making dreadful ravages among the Indians along the western shore of Lake Michigan. As many as sixty had died of this malady at Milwaukee up to the last accounts."—*Tel.*