

If our power over means is so absolute that the Supreme Court will not call in question the constitutionality of an act of Congress, the subject of which is "not prohibited, and is really calculated to effect any of the objects entrusted to the Government," although, as in the case before me, it takes away powers expressly granted to Congress, and rights scrupulously reserved to the States, it becomes us to proceed in our legislation with the utmost caution. Though not directly, our own powers and the rights of the States may be indirectly legislated away in the use of means to execute substantive powers. We may not enact that Congress shall not have the power of exclusive legislation over the District of Columbia, but we may pledge the faith of the United States that, as a means of executing other powers, it shall not be exercised for twenty years or forever. We may not pass an act prohibiting the States to tax the banking business carried on within their limits, but we may, as a means of executing our powers over other objects, place that business in the hands of our agents, and then declare it exempt from State taxation in their hands. Thus may our own powers and the rights of the States, which we cannot directly curtail or invade, be frittered away and extinguished in the use of means employed by us to execute other powers. That a Bank of the United States, competent to all the duties which may be required by the Government, might be so organized as not to infringe on our own delegated powers, or the reserved rights of the States, I do not entertain a doubt. Had the Executive been called upon to furnish the project of such an institution, the duty would have been cheerfully performed. In the absence of such a call, it was obviously proper that he should confine himself to pointing out those prominent features in the act presented, which, in his opinion, make it incompatible with the Constitution and sound policy. A general discussion will now take place, eliciting new light and settling important principles; and a new Congress, elected in the midst of such discussion, and furnishing an equal representation of the people, according to the last census, will bear to the Capital the verdict of public opinion, and I doubt not bring this important question to a satisfactory result.

Under such circumstances, the Bank comes forward and asks a renewal of its charter for a term of fifteen years, upon conditions which not only operate as a gratuity to the stockholders of many millions of dollars, but will sanction any abuses, and legalize any encroachments.

Suspicious are entertained and charges are made of gross abuse and violation of its charter. An investigation unwillingly conceded, and so restricted in time as necessarily to make it incomplete an unsatisfactory, discloses enough to excite suspicion and alarm.

In the practices of the principal Bank partially unveiled, in the absence of important witnesses, and innumerable charges, confidently made, and as yet wholly uninvestigated, there was enough to induce a majority of the committee of investigation, a committee which was selected from the most able and honorable members of the House

of Representatives, to recommend a suspension of further action upon the bill, and a prosecution of the enquiry. As the charter had yet four years to run, and as a renewal now was not necessary to the successful prosecution of its business, it was to have been expected that the Bank itself, conscious of its purity and proud of its character, would have withdrawn its application for the present, and demanded the severest scrutiny into all its transactions. In their declining to do so there seems to be an additional reason why the functionaries of the government should proceed with less haste and more caution in the renewal of their monopoly.

The Bank is professedly established as an agent of the Executive branches of the government and its constitutionality is maintained on that ground. Neither upon the propriety of present action nor upon the provisions of this act was the Executive consulted. It has had no opportunity to say that it neither needs nor wants an agent clothed with such power and favored by such exemptions. There is nothing in its legitimate functions which make it necessary or proper. Whatever interest or influence, whether public or private, has given birth to this act, it cannot be found either in the wishes or necessities of the Executive Department, by which present action is deemed premature, and the powers conferred upon its agent not only unnecessary, but dangerous to the government and country.

It is to be regretted that the rich and powerful too often bend the acts of government to their selfish purposes! Distinctions in society will always exist under every just government. Equality of talents, of education, or of wealth, cannot be produced by human institutions. In the full enjoyment of the gifts of heaven, and the fruits of superior industry, economy and virtue, every man is equally entitled to protection by law. But when the laws undertake to add to these natural and just advantages, artificial distinctions, to grant titles, gratuities and exclusive privileges, to make the rich richer, and the potent more powerful, the humble members of society, the farmers, mechanics, and laborers, who have neither the time nor the means of securing like favors to themselves, have a right to complain of the injustice of their government.

There are no necessary evils in government. Its evils exist only in its abuses. If it would confine itself to equal protection, and, as heaven does its rains, shower its favors alike on the high and the low, the rich and the poor, it would then be an unqualified blessing. In the act before me, there seems to be a wide and unnecessary departure from these just principles. Nor is our government to be maintained, or our Union preserved by invasions of the rights and powers of the several States. In thus attempting to make our General Government strong, we make it weak. Its true strength consists in leaving individuals and States, as much as possible, to themselves—in making itself felt, not in its power but in its beneficence, not in its control but in its protection, not in binding the States more closely to the centre, but leaving each to move unobstructed in its proper orbit.

Experience should teach us wisdom. Most of the difficulties our Government now encounters, and most of the dangers which impend over our Union, have sprung from an abandonment of the legitimate objects of government by our national legislation, and the adoption of such principles as are embodied in this act. Many of our rich men have not been content with equal protection and equal benefits; but have besought us to make them richer by act of Congress. By attempting to gratify their desires, we have in the results of our legislation, arrayed section against section, interest against interest, and man against man, in a fearful commotion which threatens to shake the foundations of our Union. It is time to pause in our career, to review our principles, and if possible, revive that devoted patriotism and spirit of compromise, which distinguish the sages of the revolution, and the fathers of our Union. If we cannot at once, in justice to interests vested under improvident legislation, make our government what it ought to be, we can at least take a stand against all new grants of monopolies, and exclusive privileges against any prostitution of our government, to the advancement of the few, at the expense of the many, and in favor of compromise and gradual reform in our code of laws and system of political economy.

I have now done my duty to my country. If sustained by my fellow citizens, I shall be grateful and happy; if not, I shall find in the motives which impel me, ample grounds for contentment and peace. In the difficulties which surround us, and the dangers which threaten our institutions, there is cause for neither dismay nor alarm. For relief and deliverance, let us firmly rely on that kind Providence, which I am sure, watches with peculiar care over the destinies of our republic, and on the intelligence and wisdom of our countrymen. Through His abundant goodness and their patriotic devotion, our liberty and Union will be preserved.

ANDREW JACKSON.
Washington, July 10, 1832.

Communications.

FOR THE FREE PRESS.

Fire-proof Court Houses.

Mr. Editor: In your last number I read with astonishment a piece over the signature of "A Voter," addressed to the "Freemen of Nash county," relative to the building of an elegant fire-proof Court House. I design to take no part in this labored essay of a voter, as regards that part which embraces the conduct of Mr. Boddie and Mr. Arrington, but I design to notice the prevailing bearing of his address. He goes on to state what every body at all "conversant with the history of our Revolution" knows, viz: that the British taxed the colonies without allowing them to be represented—this act of British injustice, is by no means in point, when compared to the power of the Justices of the County Courts of this State, to levy a tax for the purpose of securing the records of the Court; I think it will be conceded that every individual in any county, is more or less interested in the preservation of the papers which are deposited in the offices of the Clerks of the County and

Superior Courts. The British Parliament in levying a tax on the colonies, intended to benefit themselves and to cripple the increasing power of the colonies. It is not so with the "men in office for life"—that is, the magistrates of the county; they levy a tax for the express purpose of securing to every individual a safe and convenient repository for such papers as grow out of the transactions of county business, records of various kinds, &c.

I hope the day is far distant, when any individual or county shall quietly sink into profound apathy, indifferent about what takes place, either publicly or privately. How would it look in this republic, to see our churches, our hospitals, our State Capitols, our Court Houses, our public and private institutions of all kinds, a parcel of old crank-sided buildings, neither fit to live or die in—inhabited by rats, fleas, and regiments of spiders—the abode of the screech owl, the cat and other vagabond intruders? I say let us have county pride, sufficient at least to protect us from the cobwebs which generally infest our Court Houses. If the good people of any county wish to be found in the ranks of economists, let them cheerfully contribute their quotas for the purpose of erecting good substantial fire-proof Court Houses. Any act which contributes to the safety and preservation of county documents and papers, is economy. There are two kinds of economy, viz: 1st, necessary and prudent economy—2d, miserly and unnecessary economy. The first consist in a proper disbursement of time and money, so as to have every thing snug and safe; and even elegant if you please. Look at creation, view the landscapes of nature, see what beautiful drapery diversify this habitable globe. This is not the work of man, it is the work of Him, who when he spake this splendid world into existence, combined elegance with solidity, simplicity with unrivalled brilliancy of prospect. His works are strictly economical—miserly and unnecessary economy is the act of putting a dollar in the dungeons of a chest, or in the black hole of a bank, where they rust out a miserable existence and seldom ever allowed to see the light of day, much less to pay a friendly visit to distressed citizens. I say let all misers open their vaults and dungeons and let out their prisoners, they would be of great benefit to the public at this crisis—they would help to keep up county pride, and to sustain economy in its pure and unadulterated meaning. Without personal pride, county pride and State pride, we should resolve ourselves and our country into feminine weakness, and become a prey to the worst of all human passions—the passion to put in durance, without trial by jury, the unfortunate "root of all evil."

The Campbells are coming.

FOR THE FREE PRESS.

To Paul Pry.

Jesting apart—Mr. Pry, you are, Sir, a pragmatist fellow—I am forced to tell you so, (hope I don't offend you.) And, Sir, this is not all, you seem to delight in preying upon the feelings of the unfortunate. You, sir, have taken the liberty (very improperly) to indulge your mirth-exciting genius rather too freely at the expense of the U. S. mail

coach and its "squalid attributes," which runs from Plymouth to this place once a week, "the herald of a noisy world, with news from all quarters lumbering at its back." I must confess, Sir, that it is a "squalid" looking establishment, and carries with it the appearance of extreme "poverty," not to say "neglect." The little palfrey I know that draws the uncouth machine is a mere skeleton with a tail of course, but it is a tail which seems to have lately been under the operation of a barber. The vehicle is the semblance of a would-be something I have seen, but cannot for the life of me recollect what it is at the present juncture. The driver, poor fellow, seems to be the sad victim of affliction, which you know he cannot help and therefore it is extremely unwise in you to make him, with the "squalid attributes," an object of sport and ridicule—his misfortune you know is the work of the Almighty, and you know not how soon you may be afflicted in like manner and possibly worse. I do not believe, however, that this establishment, notwithstanding its "terrible comminglement of squalid attributes," is in the least degree afflicted with the Asiatic spasmodic sphynxianic diabolic, or any other kind of scourge, save that of parsimonious economy, from the circumstance of the regularity and despatch which it observes in its arrivals and departures. It arrives in due time and departs in like manner as regular as a tea-pot, bringing and carrying "news from all quarters," far more uniformly I think than those huge and splendidly thundering vehicles, drawn by four pampered steeds, which roll so majestically along from Norfolk to Fayetteville, and from Fayetteville to Norfolk, &c. Under these circumstances, therefore, I think the establishment is perfectly excusable—not only excusable, but praiseworthy, and does not at all merit that contemptuous tribute of ridicule which it has received at your hands. It matters not with you, Sir, (since you have confessed that it is no business of yours,) whether the mail is conveyed in a go-cart or a wheelbarrow, drawn by a goat and driven by a baboon or monkey, so it arrives in due time with your public documents, &c. safe and sound. I say public documents, because I flatter myself with a hope that you are a public man—at any rate I think you ought to be—your profound erudition and unprecedented tact in scribbling for the press, and the like, abundantly qualifying you I think for something rather above the vulgar. If, on the contrary, you fill no station in public affairs, I think it a great oversight in our Chief Magistrate. It is a pity that such splendid talents as yours should be lost to the country—if I don't think so I wish I may be shot, as Davy Crockett said.

Philo Plymouth Mail Coach and Driver.

P. S. Mind your business, Mr. Pry. It is unbecomingly, Sir—oh, fie! Thus to sport with other folks, And make them subjects of your jokes. Therefore, Mr. Pry, begone, And gnaw your individual bone.
P. P. M. C. D.

The Fredericksburg Va. Arena states that Miss Sophia Carter, of Prince William county, who died a few days since, has left a legacy worth about \$20,000, to the Female Charity School of Fredericksburg.