

# THE UNION.

DEVOTED TO POLITICS, COMMERCE, LITERATURE, AND MISCELLANY.

"THE UNION—IT MUST BE PRESERVED."

VOL. II.

WASHINGTON, N. C. FRIDAY EVENING, AUGUST 17, 1832.

NO. 27.

**THE UNION**  
Is published every Friday evening, by  
GEORGE HOUSTON, JUN.,  
EDITOR AND PROPRIETOR.

TERMS.—\$3.00 per annum, payable with-  
in six months after the time of subscribing,  
or \$3.50 if a longer time is required.

Advertisements of one square, or under,  
inserted at sixty cents the first insertion,  
and thirty cents for each insertion after.—  
Longer ones in proportion.

All letters and communications must  
be post paid.

*An act supplementary to the Act  
for the relief of certain surviving  
officers and soldiers of the Revolu-  
tion.*

*Be it enacted by the Senate and  
House of Representatives of the Uni-  
ted States of America in Con-  
gress assembled, That each of the  
surviving officers, non-commissioned  
officers, musicians, soldiers, and  
Indian spies, who shall have served  
in the continental line, or State  
troops, volunteers, or militia, at  
one or more terms, a period of  
two years, during the war of the  
revolution, and who are not enti-  
tled to any benefit under the act  
for the relief of certain surviving  
officers and soldiers of the revolu-  
tion,*

*passed the fifteenth day of  
May, eighteen hundred and twenty-  
eight, be authorized to receive,  
out of any money in the Treasury  
not otherwise appropriated, the  
amount of his full pay in the said  
line, according to his rank, but  
not exceeding, in any case, the  
pay of a captain in the said line;*

*such pay to commence from the  
fourth day of March, one thousand  
eight hundred and thirty-one, and  
shall continue during his natural  
life: and that any such officer, non-  
commissioned officer, musician, or  
private as aforesaid, who shall have  
served in the continental line, State  
troops, volunteers, or militia, a  
term or terms, in the whole less  
than the above period, but not less  
than six months, shall be authorized  
to receive, out of any unappropri-  
ated money in the Treasury, during  
his natural life, each, according to  
his term of service, an amount  
bearing such proportion to the  
annuity granted to the same rank  
for the service of two years, as his  
term of service did to the term  
aforesaid; to commence from the  
fourth day of March, one thousand  
eight hundred and thirty-one.*

*Sec. 2. And be it further enact-  
ed, That no person, receiving any  
annuity or pension under any law  
of the United States providing for  
revolutionary officers and soldiers,  
shall be entitled to the benefits of  
this act, unless he shall first relin-  
quish his further claim to such pen-  
sion; and, in all payments under  
this act, the amount which may  
have been received under any o-  
ther act as aforesaid, since the  
date at which the payments under  
this act shall commence, shall first  
be deducted from such payment.*

*Sec. 3. And be it further enact-  
ed, That the pay allowed by this  
act shall, under the direction of  
the Secretary of the Treasury, be  
paid to the officer, non-commissioned  
officer, musician, or private  
entitled thereto, or his or their au-  
thorized attorney, at such places  
as the Secretary of the Treasury  
may direct; and that no foreign  
officer shall be entitled to said pay,  
nor shall any officer, non-commissioned  
officer, musician, or private,  
receive the same until he furnish  
the said Secretary satisfactory evi-  
dence that he is entitled to the same  
in conformity to the provisions of  
this act; and the pay hereby al-  
lowed shall not be in any way  
transferrable, or liable to attach-  
ment, levy, or seizure, by any legal  
process whatever, but shall  
endure wholly to the personal bene-  
fit of the officer, non-commissioned  
officer, musician, or soldier, enti-  
tled to the same.*

*Sec. 4. And be it further enact-  
ed, That so much of the said pay  
as accrued before the approval of  
this act, shall be paid to the per-*

son entitled to the same as soon  
as may be, in the manner and un-  
der the provisions above mention-  
ed; and the pay which shall ac-  
cure thereafter shall be paid, semi-  
annually, in the manner above di-  
rected; and, in case of the death  
of any person embraced by the  
provisions of this act, or of the act  
to which it is supplementary, du-  
ring the period intervening between  
the semi-annual payments directed  
to be made by said acts, the pro-  
portionate amount of pay which  
shall accrue between the last pre-  
ceding semi-annual payment and  
the death of such person, shall be  
paid to his widow, or, if he leave  
no widow to his children

*Sec. 5. And be it further enact-  
ed, That the officers, non-commissioned  
officers, marines, who  
served for a like term in the naval  
service during the revolution-  
ary war, shall be entitled to the  
benefits of this act, in the same  
manner as is provided for the offi-  
cers and soldiers of the army of the  
revolution.*

*Approved, June 7, 1832.*

The following instructions from  
the War Department, are published  
for the information of the widows  
and children of deceased Pensioners.

Under the act of March 2, 1829,  
the following rules have been adop-  
ted:

If the Pensioner has died, and  
left a widow, the balance of his  
pension belongs to her; if he left  
no widow, or she be dead, to the  
children of the pensioner; and if  
no child or children, then to the  
legal representative of the deceased.

A widow claiming a balance  
must prove her relationship to the  
deceased before a Court of Record,  
shew the period of his death, and  
that he was a pensioner of the U-  
nited States.

Children must prove before a  
Court of Record, that the deceased  
was a pensioner of the United States,  
shew the period of his death, that  
he left no widow, or that she be  
dead, that they are his children,  
and the only children, and are of  
age.

A certificate of the facts proved  
must be obtained from the Clerk of  
the Court. It is not necessary for  
the Clerk to give the evidence in  
detail, but only to state the facts  
that have been proved, and certify  
under his seal of office that the tes-  
timony adduced was satisfactory to  
the Court.

Executors and administrators  
must obtain from the officer who  
grants the letters, a certificate un-  
der his seal of office, that it has  
been proved to his satisfaction, that  
there are neither widow nor chil-  
dren of the deceased.

From the Roanoke Advocate.

### NULLIFICATION NO. 2.

It would seem unnecessary to  
multiply authorities to shew that  
the parties to the compact are the  
sole and rightful judges of the  
meaning of that compact. It is a  
proposition which must strike the  
plainest understanding as self-evi-  
dent and axiomatic. It must ever  
be borne in mind that the Govern-  
ment of the United States is one of  
limited powers, expressly defined by  
the Constitution—that the powers  
granted are definite and specific,  
and all other powers not expressly  
delegated are reserved to the States  
and to the People. The General  
Government is a joint agency ap-  
pointed by the States, the measure  
of whose powers is the Constitu-  
tion. It is not a party to the com-  
pact, but a creature of it. It is in  
all respects subordinate and infe-  
rior to the States. By their voice  
was it (the General Government)  
called into existence, by their voice  
can it be altered or annulled. Each individual State can right-  
fully put her veto upon the unauthor-  
ized act of any department of the

Government, whether it be a cor-  
rupt Legislative, Executive or Ju-  
diciary. A State can say to each,  
or all combined, 'keep thy dis-  
tance due'—thus far shalt thou  
go and no farther.' But the ene-  
mies of State interposition oppose  
the principle of Nullification, and  
yet hold the opinion that the Judi-  
ciary can pronounce on the consti-  
tutionality of the laws, and either  
sanction them or declare them 'null  
and of no effect.' They would  
give the Judges the power of judg-  
ing of the Constitution, and yet  
the exercise of a similar right on  
the part of a sovereign State they  
reputate as a 'laminable heresy.'

In a former communication I  
quoted the opinion of Chief Justice  
Marshall to prove that the Judicial  
power should not be regarded as  
the expositor of the constitution.  
To this I might also add the autho-  
rity of Thomas Jefferson and James  
Madison as contained in the cele-  
brated Virginia and Kentucky Res-  
olutions, and the opinions of ma-  
ny of the ablest jurists and states-  
men of our country.

Mr. Madison in his report on  
the Virginia Resolutions says, 'It  
has been objected (to the exercise  
of State interposition) that the Ju-  
dicial authority is to be regarded  
as the sole expositor of the Consti-  
tution; on this subject it might be  
observed, first, there may be in-  
stances of usurped powers which  
the forms of the Constitution could  
never draw within the control of  
the Judicial department, secondly,  
that if the decisions of the Judi-  
ciary be raised above the sovereign  
parties to the Constitution, the de-  
cisions of other departments, not  
carried by the forms of the Consti-  
tution before the Judiciary, must  
be equally authoritative and final  
with the decision of that depart-  
ment. But the proper answer to  
these objections is that the resolu-  
tion of the General Assembly re-  
lates to those great and extraordi-  
nary cases, in which all the forms  
of the Constitution may prove in-  
effectual against infractions dange-  
rous to the essential rights of the  
parties to it. The resolution sup-  
poses that dangerous powers, not  
delegated, may not only be usur-  
ped and exercised by other depart-  
ments, but that the Judicial depart-  
ment may also exercise or sanction  
dangerous powers beyond the  
grant of the Constitution, and con-  
sequently that the ultimate right  
of the parties to the Constitution  
to judge whether the compact has  
been dangerously violated, must  
extend to violations by one delega-  
ted authority as well as by another  
—by the judiciary as well as by  
the Executive or Legislative.' But  
the Consolidationists would not  
only elevate the Judiciary above the  
other departments of the Gen. Gov.  
but above the Constitution itself.

We have also the words of Mr.  
Jefferson. In a letter to a gentle-  
man of Boston he says, 'you seem  
to consider the Judges as the ulti-  
mate arbiters of all constitutional  
questions; a very dangerous doc-  
trine indeed and one which would  
place us under the despotism of an  
oligarchy. Our Judges are as  
honest as other men, and not more  
so. They have with others the  
same passion for power and privi-  
leges of their corps. Their maxi-  
m is, *Bonus judicibus est ampliare  
jurisdictionem*, and their power is  
the more dangerous as they are  
in office for life, and not respon-  
sible as the other functionaries are  
to the elective control.'

Chief Justice McKean, deliver-  
ing the opinion of the Supreme  
Court of Pennsylvania in the case  
of Cobbett, declares, 'There is  
no provision in the Constitution of  
the United States that in such a  
case (a collision between the  
State and Federal Governments)  
the Judges of the Supreme Court  
of the United States shall control  
and be conclusive—neither can

Congress by a law confer that pow-  
er.'

Judge Roan, of Virginia, in  
commenting on this decision, says,  
'It is the solemn and unanimous  
decision and resolution of the Su-  
preme Court of one of the most  
respectable States of the Union.  
It contains no principles which  
every friend to the federative sys-  
tem of Government will not readi-  
ly subscribe to; it exhibits no sen-  
timent alarming to any, but the  
friends of consolidation.'

I will conclude the present ar-  
ticle with the opinions of Mr.  
Calhoun in relation to the jurisdic-  
tion of the Supreme Court. In  
his late address, he says, 'I will  
yield, I trust, to few in my attach-  
ment to the Judiciary department.  
I am fully sensible of its importance  
and would maintain it in the fullest  
extent in its constitutional powers  
and independence; but it is impos-  
sible for me to believe that it was  
ever intended by the Constitution  
that it should ever exercise the  
power in question, or that it is com-  
petent to do so, and if it were, that  
it would be a safe depository of the  
power. Its powers are judiciary  
and not political, and are express-  
ly confined by the Constitution to  
'all cases in law and equity arising  
under the Constitution; the laws  
of the United States and the treat-  
ies made, or which shall be made  
under its authority,' and which, I  
have high authority in stating, ex-  
clude political questions, and com-  
prehend those only where there  
are parties amenable to the process  
of the Court. Nor is this incom-  
petency less clear, than its want of  
constitutional authority. There  
may be many, and the most dange-  
rous infractions on the part of  
Congress, of which it is conceded  
by all, the court as a judicial tribu-  
nal cannot from its nature take  
cognizance.'

I might add to the authorities  
already quoted, those of Judge  
Tilgham, Gen. Jackson, Gov.  
Giles, Hamilton, Hayne, Troup,  
Van Buren and McDuffie, and oth-  
ers equally distinguished to shew  
that the Supreme Court is not the  
final arbiter or the sole expositor of  
the Constitution.

In my next I shall prove to the  
satisfaction of all unprejudiced  
minds that nullification or State in-  
terposition is not only a *rightful  
remedy*, but also a peaceable one,  
and that a recognition of the prin-  
ciple, so far from weakening will  
give strength to the Union. As  
Nullifiers, we are neither agitators  
or disunionists: we claim nothing  
which the Constitution does not  
guarantee. In the language of the  
patriot Foy, we are for 'the Char-  
ter, the whole Charter, and noth-  
ing but the Charter. SIDNEY.

From the Journal of Commerce.

### PLAIN TRUTHS FOR THE PEOPLE.

1. The taxes, now levied on the  
people of the United States, exceed  
by about \$18,000,000 the necessary  
expenditures of the government.

2. The taxes are chiefly exacted  
upon the articles most necessary  
to the comfort and health of the  
poor, (such as cheap wollens, coal,  
iron, sugar, &c.) while the luxuries  
of the rich, (such as wines, spices,  
silks, &c.) are almost exempted  
from taxation.

3. The proposed removal of all  
duties on articles not produced or  
manufactured in this country, with-  
out any reduction on other articles,  
will still leave an accruing surplus  
revenue of about \$10,000,000, and  
will cause that revenue to be whol-  
ly collected by taxes on the neces-  
saries and comforts the poor.

4. The effects of the present,  
and of the proposed American  
System of everlasting taxation,  
therefore is and will be,—that eve-  
ry industrious mechanic does pay,  
and is to be doomed to pay, from  
his hard earned wages, into an o-

verflowing treasury, an annual as-  
sessment on his clothing, food, and  
tools, nearly, if not fully, equal to  
the whole amount paid by the  
wealthiest of his fellow citizens.

Can these plain truths be dis-  
proved or even denied. And are  
the freemen of America to be long  
thus humbugged?

### ONE OF THE PEOPLE.

*The Turtle System.*—An intel-  
ligent acquaintance who is a great  
friend to American industry, has  
made us the following suggestion.  
He has observed, that, at this sea-  
son of the year, a considerable  
quantity of green turtle is impor-  
ted from the Bahama Islands and  
the West Indies, to be conver-  
ted into turtle soup; and as  
the duty upon that commodity is  
but 15 per centum, he thinks that  
a sufficient protection is not affor-  
ded to the growth of snapping tur-  
tles. He thinks it could be de-  
monstrated that snapping turtles  
could be raised in great numbers  
in the ponds and mill dams which  
exist throughout the country, if  
sufficient encouragement were af-  
forded, by the prohibition of green  
turtles. He thinks that it would  
be pretty difficult to smuggle green  
turtles: and that, as the lovers of  
turtle soup would not be content  
with the imitation made of a  
calf's head, but must have turtle of  
some kind, he considers that snap-  
pers might be doubled in price,  
which would give a stimulus to a  
great amount of the American in-  
dustry amongst that class of people  
who would rather catch snapping  
turtles than work.

He is also decidedly opposed  
to the importation, in Philadelphia,  
of terrapins from Jersey and Dela-  
ware. He says that, although the  
best and cheapest, yet that, as  
Pennsylvanians, we ought to en-  
courage the Susquehannah terra-  
pin: for that by so doing, we  
keep all our money in the State—  
whereas when we buy the fore-  
ign terrapins, we get drained of  
our specie.

We confess that the views of our  
friend appear to us to be perfectly  
sound—We see no reason why the  
growth of domestic turtle should  
not be encouraged by duties, as  
well as the growth of raccoons;  
and we can see no reason why the  
growth of coon skins should not  
be encouraged, as well as growth  
of wool. There is no argument,  
that will not apply to the other;  
and, if the constitutional right to  
extend such protection be placed  
upon Mr. Adam's ground of the  
'common defence,' we would a  
thousand times prefer being defeu-  
ded against an evil by snapping  
turtles and raccoons, than by  
sheep. Ban. Con.

### NOTICE.

WHEREAS Thomas W. Patrick ha-  
ving assigned to the subscriber, in  
trust, all the outstanding debts and claims  
due to him, of every nature and kind what-  
soever, for the purpose of liquidating and  
paying debts due and owing by him, and it  
being absolutely necessary that the debts  
due to the said Thomas W. Patrick should  
be collected without delay,

This is therefore to give notice to all  
persons indebted to the said Thomas W.  
Patrick, either by bond note or book ac-  
count, to come forward and settle their  
claims, and pay to the subscriber, or to  
Thomas W. Patrick, who is fully authori-  
zed to settle the same, whatever sums may  
be due; or such claims as remain outstand-  
ing and unpaid at the next Court of Pleas  
and Quarter Sessions for Beaufort county,  
will be placed in the hands of an officer for  
collection. Further indulgence can not  
nor will not be given.

All persons having claims against the said  
Thomas W. Patrick will please present  
them to the subscriber for liquidation.  
NATH'L J. OLIVER, Assignee.  
Washington, June 26th, 1832.

### FOR SALE.

BY virtue of an Assignment to the sub-  
scriber, the entire stock of goods of  
Thomas W. Patrick, consisting of Dry  
Goods, Hardware, Cutlery, &c. will be  
sold at COST for CASH.

Persons wishing to purchase bargains,  
would do well to call and examine the  
goods before they purchase elsewhere.  
NATH'L J. OLIVER, Assignee.  
Washington, June 26th, 1832.