The Constitutionalist, peoples' advocate and state gazette.

"THE LIBERTY OF THE PRESS-THE SHIELD OF FREEDOM-THE SCOURGE OF TYRAN'S"

BY CHARLES R. RAMSAY.

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The Constitutionalist

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112 BROADWAY BETWEEN PINS & CEDAR STRETS. THE subsent returns grateful acknowledgements Hotel. Its central location being near the principal Because, our obj es and business part of the Town, renders it a most desirable resort for any gentlencen engaged in commercial and other pursuits. The experience, which the subscriber has acquired as proprietor for many years of that extensive establishment the "Exchange Hotel." he trusts prove a sufficient guarantee to all who may

JOHN NIBLO. 3-tf. New YorkDecember 4, 1832.

COMMUNICATIONS.

FEDERAL & STATE GOVERNMENT. [CONCLUDED.]

with those who passed them.

more populous than hersel? Let it be remembered too, unconstitutional laws, and leave them to be judged and if three fourths of them shall denounce the article, it that this portion may have afforded the strength neces-sary to pass the law, deemed to be unconstitutional; and ized on the principles of balances and checks. There are Still the dodge is very adroit; for she thus evades by two in doing so, they may have acted faithfully, on their oath several expressions in the constitution which are obvi-to support the constitution. What there is Shall that has a several expressions in the constitution which are obvi-to support the constitution. What there is Shall that has a several expressions in the constitution which are obvi-Who then shall decide? In the discussion of this agi- to support the constitution. What then? Shall they be ously inserted out of abundance of caution. The 9th & opinion of the Supreme Court, and carries her point by Who then shall decide? In the discussion of this agi-tating question. I hope that one all important truth, which I think has been too clearly demonstrated to ad-bigh and solvern doubled priviledge, and performed a character. In the article now before us, if the words "in the herself, composing a part of that minority. I have mit of doubt, will be kept, constantly, in mind, that the nerfectly constitutional minimidall. But supreme thereof' had been omitted, the powers of Constantly in mind, that the All letters addressed to the Entron on businers con-All letters addressed to the Entron on businers, must be post poid,

deral government, are not the same people deep were before that connexion, beinghow but a part of the whole people: As far as they are not thus connected, they are one people, and not a part. In the Congress of the Uni-ty its deliberation, though all their representatives dis-sent. We must discard the idea, so familiar to the speeches of rash and impetuous men, that people are not represented when they can't have their own way.— If such were the fact, New England was not represented when were the fact, New England was not represented when

separtment of that

were the fact, New England was not represented when the question is one of pointcal power, that between the former which the President and senate could distip a power convened in their soverence, and the soverence of the President, Senate and House of Representation, that a state constitution shall be void, she opposed the tariff; nor the southern people when has invaded the reserved rights of the latter, he holds, lives could not. Many of the powers of the Federal Go-so far as it may be at variance with the constitution, the maxim hey have opposed it. This results from the maxim, that questions of this kind do not belong to judicial cog- vernment may be exercised, whether by legislation, or laws and treaties of the United States . The people, in the very set of The subject reaction active general active descent Having found, however, that the name of ins flow, which he originally adopted, "Congress Hall," subjects which he originally adopted, "Congress Hall," subjects in consequence of the proprietor of a public establishment in his immediate being assumed the same title; and being "Why are the many chosen? Men are fallible beings, and therefore will differ honestly. Of necessity, there must be some peace-ation are fallible beings, and therefore will differ honestly. Of necessity, there must be some peace-ation arbitrary where they have laid aside the decision of the same title; and being "they must affirm it to be past my comprehension, how a court proprietor of a public establishment in his immediate proprietor of a public establishment in his immediate the source." Why are the many chosen? Why are the many chosen? Because, our object being truth, "two heads are bet-in order to ascertain whether the act is constitutional, sively the supreme law of the land? Can any State nul.

neighbor as well as himself, he ter than one"—"In a multitude of counsel there is he court must necessarily decide, whether Congress pos-

alety." Because, our object being happiness, it will be secured because our object being interest, the most numerous Because our object being interest, the most numerous Because our object being interest, the most numerous cal powers, and are as inseparably connected as shadow nited States, constituted for that express purpose, would, state, the judges of every State are "bound thereby." and substance. It is therefore, a solcism to say, that bind no one-could operate on no one, they the govern. If the constitution of a state cannot release the judges portion of the citizens will be accommodated. Because, our object being justice, that tribunal, subject to the fewest chances of corruption, should be se-ject to the fewest chances of corruption, should be se-ject to the fewest chances of corruption be that tribunal, till of that extensive establishment the "Exchange Hotel." Petersburg, Virginia, and subsequent as an associate with the people, as a whole, become dishonest and destitute with Mr. Heiskill of the "City Hotel" Philadelphia, will be bound by an authority superior to her own, but if framers of it were truly a serpentine race of men. There, the historian and poet have woven their garlands, of integrity. f integrity. Because, obedience to laws depends, essentially, on he moral force of their justice, and this moral force is honor him with their patronage, that nothing shall be wanting on his part, or by those in his employ, to con-wanting on his part, or by those in his employ, to con-the opinion of the majority of the people. Lastly, wanting it: he is easily understood, and force becomes

wanting on his part, or by those in his employ, to con-tribute in every respect to their acommodation and tribute in every respect to their acommodation and necessary to execute them, the physical force resides possesses the right of revising the judgment of the court, Carthage, jan. with those who passed them. Such are some of the reasons which fix the arbitration of differences on the majority of the people; and it has become a corner stone in the foundation of republics, the constitution of republics, the constitution of republics,

1235 acres of Land for sale.

pleasure in showing the land at any time, while I am in lease will depend solely on the faci, that their compact State.

Nov. 9, 1812_tf

S100 REWARD.

OST from the Stage between Pete sburg and Rich. from the same State differing in their exposition of the I mond, on Friday night the 16th inst, a small Leath. constitution of the United States, as to see the representaer Trunk, containing sundry articles of WEARING tives of our own legislature advancing different inter-APPAREL, and the following sums of GOLD BUL. pretations of our State constitution-I point you to the

TIGNAL JONES, Jr.

WILLARD BOYD EN.

2 bars Gold, weighing 379 dwts.

1 do do do 186 do

ural state.

Also,-1 Cold Watch Chain-old style, three strans;

broken. 1 Gold Breast Pin,-set with Jet and Pearl-Pin broken off.

A Black Velvet Reticule, worked with Beads. 3 Bead Watch Guards, marked "Thompson"--the

christian name not recollected.

* All persons aer requested to stop the above arupon application to Baldwin & Kent, Richmond Vir- hundred men have the right of relieving themselves from tegrity, in the very nature and genus of our government hand.

November 19, 1832

THE Subscriber returns his sincere thanks to the right of each citizen to judge for himself, and hold the ofore received, and takes this method to inform them, tion of the proper tribunal. that I e has removed his TAILORING ESTABLISH- Nothing is plainer than that the people of the U. States

wanted immediately.

when the heigh now write his is now y to asy, that compression is the theorem and the second proving the height new strates and many to active the method by which delay asy to be prepared.
 When M, D.S. A. 1823.

provided it lies where I like it. This land would make istature? No, not even if all their representatives vote descrable situation for persons living in the lower for it, because they then, will have exceeded their aucount y, to resort during the sickly season. I w litake thority. Are they bound by it? If they are not their re-

with the other people has been broken. The constitution of this State is a compact, each one of the people 51. with all others; so is the constitution of the U. States for every man in North Carolin has a right to be heard.

through his representative in Congress, on constitutional views: And it is equally common to see representatives

difference of opinion, on the constitutionality of the Uni-

constitutional act of their own State Legislature!

can only pass a rold unconstitutional law. These same writers, however, inform us, that many rights in theory, must be yielded or delayed, to secure the least which we ticles, should they be offered for sale. A reward of One Hundred Dollars, will be paid for the recovery of the for the purpose of protecting our liberty, we must be conproperty; or, the same proportion for any part of it, tent to take it in the mode which it prescribes. If one a law, deemed by them to be unconstitutional, in the way

which best suits themselves, any less number have, and

MENT to the house situated on Fayetteville Street, in performing their functions under the legislative powtwo doors South of Mr. John C. Stedman's Jewellery ers committed to them, must be the sole judge for them-Store, where he will be found ready to execute all or- selves, of the extent of those powers. The agents whom

A first rate JOURNEYMAN TAILOR in as its agent, who will give to it, on the floor of Con-anted immediately. It will now look into the constitution of the United in the security of one hundred in the security of the security of one hundred in the security of the securit has some representatives who denounce, in the strongest terms, the constitutionality of Internal Improvements, and others who support the power with an equal zeal. Farmwell Grove Academy. THE first session of this institution for 1833 will and others, who support the power with an equal zeal. and others, who support the power with an equal zeal. all treaties, made or which shall be made under the av. I commence on the second Monday in January The proprietor grateful for the patronage he has already re-sistance being now within his power to say, that competent as-sistance being now within his power to say. The power as a set of the article hy Compress was a the power as a set of the article hy Compress was a that the expandition of the article hy Compress was a that the expansion of the article hy Compress was a that the expansion of the article hy Compress was a that the expansion of the article hy Compress was a that the expansion of the article hy Compress was a that the expansion of the article hy Compress was a that the expansion of the article hy Compress was a that the expansion of the article hy Compress was a there is not a function of the article hy Compress wa

of differences on the majority of the people; and it has divides the granted and reserved powers-That the' by Now for the consequence, The State, according to the ry state in the Union, a republican form of governbecome a corner stone in the foundation of republics, the constitution of our government, is tribunals are doctrine, is still in the Union: but she protects her citi- ment." In a question arising under this clause, who 1235 acres of Land IOF sale. THE SUBSCRIBER being anxious to remove to the West, now offers for sale his valuable plantation West, now offers for sale his valuable plantation situated in the county of Wake, 12 miles west of Ra. leigh, on the Stage Road leading to Chapel Hill, and on the waters of Crab Tree, Williams, Indian and Leak creeks: There is of the above mentioned tract, six or of the United States, the they have not succeed in a sin-cle measure, they desire:—That they are to every in-cle measure. They desire:—That they are to every in-the solution. They desire are the they are to every in-the they desire.—That they are to every increeks: There is of the above mentioned tract, six of eight hund ed acres of the best bottom hand, and about two hundred cleared and in cultivation. This land is considered, by all who know it, to be one among the most valuable tracts in the country. I would rather the remises which they parties to an unconstitutional acts the remises which they parties to an unconstitutional acts the remeises which they parties to an unconstitutional acts the remeises which they parties to an unconstitutional acts the remeises which they parties to an unconstitutional acts the remeises which they parties to an unconstitutional acts the remeises which they parties to an unconstitutional acts the remeises which they parties to an unconstitutional acts the remeises which they parties to an unconstitutional acts the remeises which they parties to an unconstitutional acts the remeises which they parties to an unconstitutional acts the remeises which they parties to an unconstitutional acts the remeises which they parties to an unconstitutional acts the remeises which they parties to an unconstitutional acts the remeises which they parties to an unconstitutional acts the remeises which they parties to an unconstitutional acts the remeises which they parties to an unconstitutional acts the remeises which they parties to an unconstitutional acts the remeises which they parties to an unconstitutional acts the remeises which they part is a part then, that the people of the United States bound, in good faith, to fulmost valuable tracts in the country. I would rather that persons wishing to buy, would view the premises and judge for themselves. It affords a pretty good situation for a Store, &e. There is a comfortable dwel-situation for a Store, &e. There is a comfortable dwel-with a little reprising. Per-Are the people of control and out of the indefends by the first of deciding it for is presented for which case the whole Union must defend, by are not, their release will depend solely on the fact, that the same individuals should have the nght of deciding it for is presented act of one State: or, if they turn is commit the wrong, were the sole and ultimate judges are not, their release on any other is presented for whole Union must defend, by ever, would be whole union must defend, by ever, w

constitution, declared to be such, by a convention of the ciple, in treaties and laws-both must be made by virtue and essential features, a popular government, it is just, people of a State. It is useless, now, to alk of a palpa- of the power of the federal government. If there be a upon every principle which distinguishes such a governble violation; for, as Cicero very justy affirms, there is difference, it is in favor of nullifying a treaty, rather ment from a monarchy, that the constituted authorities nothing so absurd, which has not, at or time or other, been than a law, for the reason already given, -- that a treaty of the mhole people, and not the assemblage of any of supported by great men. The histor of our own coun- depends, for its existence, upon two departments, only, of its parts, should be the true, and the only final, arbiters try furnishes a hundred instances, where the same mea- the legislature:- a law depends upon the concurrence of of all questions which may affect that whole people. sure has appeared, at different time to the same men- all three. Can a State secede, because the compact, in And I will now enquire

men of splendid abilities—to be palpbly right, and pal-pably wrong—palpably constitution, and palpably un-In addition to the full consideration, which I have al-any securities for the granted and reserved rights, and constitutional. Eesides, as every man has the palpable ready bestowed on the doctrine of secession, it may be what those securities are.

right to secure his senses from the inquisition of others, he observed, that as it would be a palpable attempt to evade will be clothed with a panoply that, at nee defices the force the force of another compact, made by the competent second head, to anticipate almost all the securities for of argument, and the suspicion of mincerity. But, sup- authority, with a foreign nation, it must lead to war, ac- the granted powers, and as the spirit of the times posing the people throughout the onfederacy to be e- cording to the laws of nations.

qually honest in their views, the palability of one man | Let us recur again, to the part of the constitution which is entitled to equal weight with the plpability of any o- I have quoted. The laws and treaties are declared to be ted States bank, which pervades the representation from ther. When men are equally divded in opinion, we the supreme law of the land; "the Constitution and laws tary glance, into our constitutional arrangement of make no advance in the cause of trith, when they are of any State to the contrary notwithstanding." Con-I do do do 180 do I Suuff Bottle, containing 642 dwts Gold in its natby an unconstitutional acies Congress? Are the two hun- built, informs us, that the majority i right. But it may charters, they are in their fullest and highest stole of sordred thousand people of North Caralina bound by an un- be said, that it is now palpable the cople, in the differ- creignty. What they cannot, in that act and at that time, ent quarters of the United States, ire not equally hon- rightfully do; they cannot do, in any other mode, nor at In the theories of writers on government, we are in-formed that all unconstitutional legislation is void: but formed that all unconstitutional legislation is void: but we have never been told by them, that one legislatrue such a case was not contemplated, and that as there are ties of the United States, is utterly null and void. Where may jess a valid unconstitutional law, and that another no constitutional censors, officially o ascertain that fact, then, resides that higher sovereignty still, which can auwe must administer the governmen upon the principle, thorise the people, of any State to assemble and throw off deliberations of one of their three legislative branch-

upon which it went into action—that all voters are equal-the whole, or any part of the constitution, laws and trea-ly honest. Grant that the people of 1 State have the right ties of the federal government? Secession aims a blow to secede, when there is a *palpable violation* of the com-pact, the right can only be clear, when the violators con throws only a part, which, from its palpability she selects fess their wrong; for when they denot confess, their in-tegrity, in the very nature and genus of our government hand.

must be conceded to be as sacred, as that of the people Suppose any one of the old states, in acceding to the however, a most glaring departure from this principle. of one State; and their judgment nust be admitted to be present constitution, should have offered to do so, on- In that body, numbers cease to be the constituent, and this right once admitted, would give the fullest sanction better; or the maxim, that the majority is oftener by on the terms of reserving to the people t e ultiparty has the indubitable right to make war on the other terms; is there a single man in the Union who believes ecutive. In the democratic branch, New York conders in his line at the shortest notice and in the most they entrust for these purposes are sworn to support the several States, went into Union, with a full knowledge have been utterly inconsistent with the constitution of over, entitled to correspondent weight in the legislative have been utterly inconsistent with the constitution of over, entitled to correspondent weight in the legislative have been utterly inconsistent with the constitution of over, entitled to correspondent weight in the legislative several States. In the Several States, went into Union, with a full knowledge have been utterly inconsistent with the constitution of over, entitled to correspondent weight in the legislative have been utterly inconsistent with the constitution of over, entitled to correspondent weight in the legislative have been utterly inconsistent with the constitution of over, entitled to correspondent weight in the legislative have been utterly inconsistent with the constitution of over, entitled to correspondent weight in the legislative have been utterly inconsistent with the constitution of over, entitled to correspondent weight in the legislative have been utterly inconsistent with the constitution of over, entitled to correspondent weight in the legislative have been utterly inconsistent with the constitution of over, entitled to correspondent weight in the legislative have been utterly inconsistent with the constitution of over, entitled to correspondent weight in the legislative have been utterly inconsistent with the constitution of over, entitled to correspondent weight in the legislative have been utterly inconsistent with the constitution of over, entitled to correspondent weight in the legislative have been utterly inconsistent with the constitution of over, entitled to correspondent weight in the legislative have been utterly inconsistent with the constitution of over, entitled to correspondent weight in the legislative have been utterly inconsistent with the legislative have been utterly inconsistent with th

Having been compelled, in my remarks under the seems to seek conservatives for the reserved pow-

ers, I shall confine my attention to them, principally. Any one who has ever looked, even with a momenpowers, and is acquainted with the monstrous disparity, in the extent of territory and population, of the several states composing our confederacy, must have been struck with the singular fact, that, in a government avowedly established to provide for the common de. eighty thousand of those people should have an equal

REMOVAL. THE Subscriber returns his sincere thanks to the public, for the very liberal patronage he has here that le has removed his TAILORING ESTABLISH-that le has removed his TAILORING ESTABLISH-MENT to the house situated on Fayetteville Street, MENT to the house situ in defence of his powers. Her, then, follows the incon-ceivable absurdity of affirming, that the people of the federacy? And why not, unless such conditions would state would have been admitted into the con-may silence the voice of *deren* sister states, and is, more-federacy? And why not, unless such conditions would fashionable style.
Fashionable sty