

The North Carolina Standard.

PHILO WHITE,
EDITOR, AND STATE PRINTER.

THE CONSTITUTION AND THE UNION OF THE STATES.....THEY "MUST BE PRESERVED."

RALEIGH, N. C....THURSDAY, JUNE 9, 1836.

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THREE DOLLARS PER ANNUM.

THOMAS LORING,
PUBLISHER AND PROPRIETOR.

Three dollars per annum, payable half-yearly in advance; but it will be necessary for those living at a distance, or out of the State, to pay an entire year in advance. A subscriber failing to give notice of his desire to discontinue at the expiration of the period for which he may have paid, will be considered as having subscribed anew, and the paper continued, at the option of the Editor, until ordered to be stopped; but no paper will be discontinued until all arrearages are paid.

Letters to the Editor must come free of postage, or they may be attended to.

Advertisements will be inserted at the rate of one dollar per square for three insertions. A liberal discount will be made to those who advertise by the year. Those sending in advertisements will be good enough to mark the number of times they wish them inserted.

10,000 Dollars for 4 Dollars!
THE 7th CLASS of the NORTH CAROLINA STATE LOTTERY for 1836 to be drawn on the popular Terminating Figure System, on Saturday the 25th of June, 1836, at Stauntonburg.

PRINCIPAL PRIZES.
1 Prize of 10,000, is 10,000
1 Prize of 3,000, is 3,000
1 Prize of 2,000, is 2,000
6 Prizes of 1,000, is 6,000
9 Prizes of 500, is 4,500
10 Prizes of 300, is 3,000
10 Prizes of 200, is 2,000
Besides many of \$100, \$50, \$30, \$20, &c. &c.

Amounting in all to \$150,000.
Tickets only \$4. Halves 2, Qrs. 1.
A certificate for a package of 10 whole tickets will cost only \$23. Halves and Quarters in the same proportion. To be had, in the greatest variety of numbers, at

STEVENS & POINTS' Office, RALEIGH, N. C.

STATE OF NORTH-CAROLINA,
PROCLAMATION.

200 DOLLAR REWARD.—Whereas, it has been made to appear to me that a certain JOHN BELLAMY stands charged by an indictment of a grand jury of Warren county, with the murder of one William E. Mayfield of said county, and that said John Bellamy has made his escape: Now therefore to the end, that the said John Bellamy may be brought to justice, the above reward will be given to any person or persons, who will apprehend and confine the said fugitive in any jail of this State, so that he may be brought to answer the said charge of murder against him, and be dealt with according to Law. And I do hereby moreover enjoin and command all officers, civil and military to use every exertion and due diligence, to apprehend the said Bellamy, and bring him to justice.

John Bellamy is about five feet, ten or eleven inches high, stout made, round full face inclined to be flushed or red, fair complexion, dark eyes, and hair nearly or quite black, by trade a carriage and sign painter served his time in Richmond, Virginia, worked in Petersburg, in the same State, and for the last seven or eight years kept a public house in Warrenton of this State.

In testimony whereof, I have caused the great Seal of the State to be hereunto affixed, and have signed the same at the City of Raleigh, on the 23d day of April, in the year of our Lord, one thousand eight hundred and thirty six.

RICHARD D. SPAIGHT,
By order of the Governor.
THOMAS B. HAYWOOD, Private Secretary,
April 23d, 1836. 3178

ARCHER TENCH
Watchmaker and Jeweller,
RESPECTFULLY informs the public in general, that he has just returned from New York with a splendid assortment of gold and silver Lever, plain English and French Watches, together with a variety of other articles, consisting of Ladies' Gold Neck Chains, of the latest fashion, Gentlemen's Gold Chain Breast Pins and Ear Rings, of a new style, Gold and Silver Spectacles, pistols and dirks, Rogers' Razors and Pen Knives, ever pointed silver pens and leads, Percussion Caps, Gold and plated Watch Keys, Gold Medallions, Silver Thimbles, Silk and Leather Purses, Leather and Morocco Pocket Books, Candle Sticks and Castors, and a good assortment of Perfumery.

Just received, and have on hand, a fine assortment of Musical Accordeons, with from 15 to 20 notes, of the best kind, accompanied with note books. Ladies and gentlemen would do well to call and examine for themselves.
Raleigh, April 8, 1836. Stif.

University of North Carolina.
The public Anniversary Examination of the Students of the University of North Carolina, will be held at Chapel Hill, on Monday the 13th day of June next, and continue from day to day until Thursday the 23d, which last mentioned day is appointed for the Annual Commencement of the College.

The following Trustees form the Committee of Visitation:
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All other Trustees whomay attend, will be considered members of the Committee.
By order,
CHAS. MANLY, Sec'y of the Board of Trustees.
May 10, 1836.

Mr. Pinckney's Report.

The Select Committee, appointed under the following resolution of the House of Representatives of the United States, of the 8th of February, 1836, viz: Resolved, That all the memorials which have been offered, or may hereafter be presented to this House, praying for the abolition of slavery in the District of Columbia; and also the resolutions offered by an honorable member from Maine, (Mr. Jarvis,) with the amendment thereto proposed by an honorable member from Virginia (Mr. Wise), together with every other paper or proposition that may be submitted in relation to this subject, be referred to a Select Committee, with instructions to report: That Congress possesses no constitutional authority to interfere, in any way, with the institution of slavery in any of the States of this Confederacy; and that, in opinion of this House, Congress ought not to interfere, in any way, with slavery in the District of Columbia, because it would be a violation of the public faith, unwise, impolitic, and dangerous to the Union: assigning such reasons for these conclusions as, in the judgment of the committee, may be best calculated to enlighten the public mind, to allay excitement, to repress agitation, to secure and maintain the just rights of the slaveholding States, and of the people of this District, and to restore harmony and tranquillity amongst the various sections of this Union; respectfully submit the following report, in which they have unanimously concurred:

The subject referred is one of grave importance. Your committee approach it with a deep sense of its magnitude and absorbing interest. They have long considered the movements in relation to this matter as fraught with incalculable evils, not only to the slaveholding States, but to every portion of our common country. They rejoice, therefore, that the great body of the people of the non-slaveholding States have come forward, as they have done, in the true spirit of American patriotism, to sustain their constitutional obligations to their Southern brethren, and to arrest the disturbance of the public peace. They rejoice particularly, that the Federal Legislature, acting under a deep sense of its responsibility to the nation, has also interposed its warning voice, and given a solemn expression of its judgment upon this exciting subject; and they feel assured, that as the Representatives have responded to the people, so the people will firmly and patriotically sustain the position now taken by their Representatives.

As moderation is essential to the discovery of truth, your committee will carefully abstain from every thing that may cause offence, or inflame excitement, in any section of the Union. But while they would make every allowance for the motives of individuals, where the objects contemplated are utterly destructive to society, they cannot too strongly express their condemnation of the conduct of the abolitionists, and their utter abhorrence of the consequences to which, if persisted in, it must inevitably lead. They feel assured that no man, or set of men, will be permitted to put the country and the Government at defiance, by persevering in machinations which threaten to bring the citizens of the different States into collision, and to overthrow the whole system of civil society itself, in the slaveholding portions of the Union. Your committee believe that the strength of the agitators has been greatly exaggerated, by themselves and others; but whether their number be small or great, there can be no doubt that they have done, and are doing incalculable evil; and every true patriot must be aware that a crisis has now arrived in the political condition of the country, in which neutrality would be criminal, and in which he must determine between the suppression of abolition, and the destruction of the Union, and take his stand accordingly, for or against his country.

Your committee have learned with surprise, that the reference of this subject has caused dissatisfaction in certain portions of the South. While they deeply regret this circumstance, they beg leave to remark, that it is not only abundantly justified by precedent, but in entire accordance with the established usage and invariable policy, in relation to matters of this character; memorials praying for the abolition of slavery in the States, or in the District of Columbia, having always been either referred or laid upon the table. On the present occasion, the subject was referred for the express purpose of having a report "calculated to sustain the just rights of the slaveholding States, and of the people of this District, and by allaying excitement, and repressing agitation, to insure the future repose and permanent tranquillity of the country. The House was unwilling, on the one side, to invade what was believed to be the right of petition, a right equally dear to every portion of our people, and which, it is thought, could not have been denied in this instance without establishing a precedent at least as hazardous to the South, as to any other section of the Union; and it was desirable, on the other, to accomplish for the South, what could not have been effected by refusing to receive the memorials, the union of an overwhelming majority, in a solemn and determined stand against the views and objects of the applicants.—Whilst the denial of the right of petition could have produced none other than the most mischievous effects, your committee are thoroughly satisfied that the course adopted by the House will produce a state of public opinion and feeling in the non-slaveholding States, eminently favorable to the constitutional rights and interest of the slaveholding sections of the Union.

The resolution under which your committee were appointed, naturally divides itself into several branches or propositions,

each of which shall be considered in its order.

They are instructed to report, in the first place—

That Congress possesses no constitutional authority to interfere in any way with the institution of slavery, in any of the States of this Confederacy.

Your committee will merely allude to this proposition, in obedience to the express direction given them by the House, and not for the purpose of entering into any argument respecting it. Unquestionably, if there is any political or constitutional principle, which the people of the United States consider as settled beyond all possible dispute or controversy, it is that the institution of slavery, as it exists in the States of this Confederacy, is municipal, not national, and that it belongs exclusively to the States, and can only be affected by State legislation. The power to regulate or act upon it, is one of the reserved powers of the States; a power which was not only not given, nor ever intended to be given, by the framers of the constitution, to the General Government, but which the States expressly and carefully guarded and retained to themselves, by that amendment of that instrument, (article 10) in which it is declared, that "all powers not delegated by the constitution to the United States, nor prohibited by it to the States, are reserved to the States respectively, or to the people." The subject of slavery in the States, then, is not an open question or matter of debate. The fact that Congress possesses no authority whatever to legislate respecting it, is one that can neither be strengthened by argument, nor made clearer by discussion. And your committee consider it most fortunate for the peace of the country, that it is so. He is indeed but little acquainted with the human heart, and has derived but little advantage from the lessons of history, who can imagine for a moment, if he knows any thing of the general character, or considers the political and physical strength of the people of the South, that even if the power of legislation on this subject had been expressly conferred on Congress by the constitution, it could be exercised against the consent of the States interested, without the certainty of civil war, and the probable dissolution of the Union. The declaration, however, which the House has so solemnly and decisively made upon this point, cannot fail, as your committee believe, to produce the most beneficial results. As the abolitionists care little for emancipation in the District, except as the precursor of a far more extended and general scheme, the presumption is, that having now no possible hope of governmental interference with the States, and seeing the more than probable consequences of the exercise of such a power, were it possessed, they will discontinue their machinations in relation to the District; a consummation devoutly to be wished by every patriot, in every section of the Union. But be the issue what it may, the House of Representatives has done its duty by placing this solemn declaration upon record. It is not only peculiarly proper in itself, considering the present state of the abolition question, but, if any justification were necessary, it is amply justified by precedent. In 1790, (and from that period to the present, the abolitionists have steadily aimed at general emancipation) several petitions, praying for the abolition of slavery in the States, having been presented and referred, the House finally adopted a resolution, amongst others, in which it announced to the petitioners, and to the country, "that Congress has no authority to interfere in the emancipation of slaves, or in the treatment of them, in any of the States, it remaining with the several States alone to provide any regulations herein, which humanity or policy may require." Upon the whole, your committee consider the instruction given them by the House upon this point, rather as a decisive expression of a great fundamental principle of constitutional law, than as a call upon them to sustain a questionable position. They are aware that some members voted against the instruction upon this point, under the impression that, whilst the principle asserted is unquestionable in itself, its assertion by the House, in this form, might seem to imply doubt, and to countenance the idea that it is really debatable. In this view, the members who thus voted, may be joined perhaps by many intelligent and worthy citizens of the slaveholding States; but your committee cannot believe that the assertion, in any form, by the House of Representatives, of a principle so important, and at the same time of so strong a local bearing, and particularly by a vote so nearly approaching unanimity as is recorded on its journal in favor of this instruction, can have a tendency to weaken that principle or its binding and paramount influence upon Congress and the country in all time to come. The precedent above quoted from the Congress of 1790, shows that the House of Representatives of that day, so far from fearing the effect of such action upon its part, sought to record its solemn conviction upon this question of power in themselves, and has handed down to us its judgment, in precise accordance with our own. That House was largely, if not entirely, composed of men of the revolution, and many of its members are known to have been also members of the convention which formed the Federal Constitution. Since that period, nearly half a century has rolled away, and now that the successors of

that House, acting under the same considerations, solemnly reaffirm the principle laid down by those great and good men, and avow it to be only the settled opinion of this Congress, but if the great body of the United States, may we not hope, and indeed conclude, that it will be hereafter deemed a solemn and deliberate exposition of the constitution, and that all attempts in future to violate those sacred compromises, which lie at the very foundation of our constitutional compact, or to excite apprehension on this subject, will be effectually counteracted and defeated. Your committee cannot but indulge a most confident and animated hope that these good effects will be produced by the present action of the House.

Your committee are instructed to report, in the second place—

That, in opinion of this House, Congress ought not to interfere, in any way, with slavery in the District of Columbia.

1st. Because it would be a violation of the public faith.—

To obey this instruction of the House in the manner pointed out by the resolution, it will be necessary to examine, to some extent, the relations between the Federal Government and the District of Columbia; the probable objects of the provision in the constitution authorizing the cession of the District to the United States; and the consequent expectations which may have been rationally entertained by the States that made the cession, as to the exercise, by Congress, of the powers granted to it over the ceded territory. Before entering upon this examination, however, it may be well to remark that the powers of Congress over this District involved in this discussion, are wholly independent of, and derived from a source entirely separate from, the general legislative powers granted to Congress by the constitution. As the legislature of confederated States, the powers of Congress are equal, and of universal application, throughout all the States, and they were given to Congress before the cession of the district, and were held and exercised independently thereof. This will be made manifest by a brief statement of facts. The first Congress, under the constitution, assembled on the 4th of March, 1789, and the Government provided for by the constitution, was organized on that day. The general powers conferred on the different branches of the Federal Government were exercised from that day forward; and the union of the States, under constitutional government, was then perfected and put in practical operation. The cession from Virginia, of that portion of the District of Columbia that belonged to her, was not made until the 3d of December of that year—nine months after the Federal Government had been in operation; and the cession by Maryland of that portion of the District that belonged to her, (and in which the Seat of Government is in fact located,) was not made until the 19th day of December, 1791—more than two years and nine months after the existence of the Government in its present constitutional form. Congress did not, in fact, remove to the District thus ceded, nor did the District thus ceded become practically the Seat of Government until the year 1800; and the laws of the States by which the District was ceded were declared, by an act of Congress of the 16th July, 1790, to be in force within the District until the removal of the Government to it, and until Congress shall otherwise by law direct.

It appears, then, that the Federal Government was in operation under the constitution nearly a year before Congress possessed any power of local legislation over any portion of the District of Columbia, and nearly three years before that power became as extensive as the present bounds of the District, or included that portion of the ten miles square in which the Seat of Government is in fact located. It also appears, that the first act of the Federal Legislature in reference to its jurisdiction then partly acquired, and partly to be acquired was to provide for the continuance, in all their force, and in every particular, within the District, of the laws of the States that made the cession, until December 1800; a period of nine years after the time when the powers of Congress, as a local legislature for the District, were perfected by the State of Maryland. Nor is this all: by the act of 1790 it was declared, as has been already shown, that the laws of Maryland and Virginia should be the laws of the District, not only "until the time fixed for the removal of the Government thereto," but also "until Congress shall otherwise provide by law." No alteration, however, to any considerable extent has yet been made, and the laws of Virginia and Maryland which were in force at the time of their respective cessions, and in force respectively in the portions of the District ceded by each, still continue to be, in almost every particular, the local laws of the District of Columbia.

Such are the relations at present existing between the Federal Government and the District, so far as local legislation is concerned. The powers of Congress, as the local legislature of the District, were derived from the cession by Virginia and Maryland, and the special grant of exclusive legislation, and not from the general

powers conferred upon it by the constitution; and those special and local powers which Congress has now possessed for nearly half a century, have been exercised only to the extent above described; and from the best information your committee have been able to obtain, to no other or greater extent.

The right of Congress to accept the cession of this Territory from the States of Virginia and Maryland, is found in the eighth section of the first article of the Constitution of the United States, which gives it power "to exercise exclusive legislation in all cases whatsoever over such District, not exceeding ten miles square, as may by cession of particular States, and the acceptance of Congress, become the Seat of Government of the United States;" and the purpose for which the cession was to be made and received, is declared in the language of the constitution itself, "such District as may become the Seat of Government of the United States." The cession, therefore, was to be made for this purpose, and for no other; and as regards its use by the Federal Government, the object of this provision evidently was simply to authorize Congress to accept the grant, and to exercise the powers of legislation therein provided for.

It will be conceded by the committee, for the purpose of this report, that the cession was made in conformity with the power of Congress to receive, and that, therefore, by the cession from Virginia and Maryland, Congress is in possession of the powers which the constitution intended it should possess over the district intended to be ceded.

This brings us to the inquiry, as to the probable objects of the grant of "exclusive legislation in all cases whatsoever," over the territory which was to constitute the seat of Government of the United States. In consulting the commentators upon the constitution, it will be found that the old Congress encountered inconveniences, and even dangers, from holding their sessions where State legislatures had exclusive local jurisdiction, and where State authorities alone were to be depended on in matters of police and personal protection. Indeed an adjournment of that Congress from the State of Pennsylvania to New Jersey, for a cause of this description, which occurred at the close of the revolutionary war; no doubt contributed greatly to the introduction of this clause into the constitution of the Union. The proceedings of the old Congress show distinctly, that the requirement of a territory for the seat of the Federal Legislature, over which it should have exclusive or special jurisdiction, was a favorite idea with that body, as early as the year 1783, and that it continued up to the time of the formation of the constitution. Upon this point your committee will only detain the House with a few of the resolutions adopted by the old Congress that go to establish it. On the 7th of October, 1783, a resolution was passed, "that buildings for the use of Congress be erected on or near the banks of the Delaware," provided a suitable district can be procured on or near the banks of the said river for a federal town, and the right of soil, and exclusive, or other jurisdiction as Congress may think shall be vested in the United States on the 21st of the same month.

Another resolution was by a preamble as follows: "Resolved, That there is reason to believe that the building of buildings for the use of Congress in two places, would be conducive of the most salutary effects, in securing the mutual confidence and affections of the States, Resolved, That buildings be provided for the use of Congress at or near the lower falls of the Potomac, or Georgetown, provided a suitable district on the banks of the river can be procured for a federal town, and the right of soil, and an exclusive jurisdiction, or such other as Congress may direct, shall be vested in the United States."

On the 20th of December, 1784 the old Congress passed, among others, the following resolutions:

Resolved, That it is expedient that Congress proceed to take measures for procuring suitable buildings to be erected for their accommodation.

Resolved, That it is expedient for Congress, at this time, to erect public buildings for their accommodations at more than one place.

These resolutions by the continental Congress, as to the expediency and necessity for a territory for the seat of the Federal Government, over which it should have peculiar if not exclusive jurisdiction, are produced to show the origin of the provision in the constitution upon that subject, and the object for which the acquisition of such a territory was desired. That object, beyond all question, was to secure a seat for the Federal Government, where the power of self-protection should be ample and complete, and where it might be exercised without collision or conflict with the legislative powers of any of the States, so far as its exercise should be required for the great national purposes for which the peculiar or exclusive jurisdiction was sought to be obtained. The jurisdiction was made exclusive, not as your committee believe, and as they think every considerate citizen will admit, to change the object of the grant of the jurisdiction when it should be made, but to secure that object more effectually by ma-

king the Federal Government independent of State interference, and of State protection, within the district where it was to be located, and where its deliberations should be held. Had the legislative power of Congress over this District not been made exclusive, one of the great and wise objects intended to be secured, the prevention of conflict between Federal and State legislation, would have been necessarily defeated. Every statesman will admit the extreme inconvenience and danger of granting powers of legislation of the same character, and to be exercised within the same territory (powers of local and municipal legislation,) to two distinct and independent legislative bodies; and the extreme difficulty, if not impossibility, of so defining the portions of power to be exercised by each, as to prevent constant conflict and collision. This must have been the result, if any division of the powers of local legislation, within the District of Columbia, had been made between Congress and the States by which the Territory was ceded to the United States. Congress required all that power which, through all time, would be indispensably necessary for its own protection, and also to render all the departments of the Federal Government independent of State authority, and entirely dependent on, and obedient to, the Federal Legislature, and it alone, in all matters of police or municipal legislation. The adoption of the Federal Constitution by the people of the several States with this provision in it, shows the attainment of these objects was considered of paramount importance; and hence, in the judgment of your committee, the power in question was made exclusive.

Assuming the correctness of these premises, the next inquiry is, what expectations were the States by which the District was ceded, as well as their sister States, authorized to entertain as to the exercise by Congress of the legislative powers derived from these cessions? The cessions included not only a portion of the territory of those States, but also a portion of their citizens. To secure the great national objects intended by the cession, the jurisdiction of the States over those citizens, as well as over the territory of the District, was transferred to the Federal Legislature. This transfer, from the necessity of the case, abrogated the rights of the citizens within the territory, who had been formerly entitled to vote for their legislators and other rulers, by subjecting them to a Government composed of persons in whose election they were to have no choice. Their governance however, was confined to those trusted with the common government of the States; and when we reflect on the confidence reposed in Congress by the States that made the territory, and the citizens transferred, for the reasons stated, what expectation was entertained?

It is directly to be expected, that the peculiar care of the citizens of the States, of this cession of territory, should be vested in the Federal Government.

Your committee have no hesitation in answering to this inquiry, that those expectations, by all the parties interested, not only might, but must have been, that Congress would exercise the powers conferred, so far as their exercise should be found necessary for the great national objects of the cession, with strict reference to the accomplishment of those objects; and that all other powers conferred by the cession would be exercised with an equally strict reference to the interests and welfare of the inhabitants of the District—those citizens of two free States who had been made dependent on Congress for their local legislation, for the protection of life, liberty, and property—rights guaranteed by the constitution to all the citizens of the Confederacy—in order that a seat for the Federal Government, subject to the exclusive control of Congress, might be granted to it. If these positions are correct, it follows necessarily that the institutions, the customs, the rights, the property, and every other incident pertaining to those citizens, and municipal in its character, which they enjoyed as citizens of the States to which they belonged before the cession of the District, and which did not then, and have not yet, interfered with the great national rights and privileges intended to be secured by the cession, should have been hitherto, and should be in all time to come, guarded and preserved with the same paternal care and kindness with which the Legislatures of the States, to which they belonged, would have guarded and protected them if they had continued to be intrusted to their respective jurisdictions.

Your committee rely confidently upon this as the great rule for the faithful action of Congress in reference to this subject. They feel assured that no rational man will differ with them. Two questions, then, remain to be considered, to determine whether Congress should or should not attempt to interfere with slavery in the District of Columbia: viz:

1. Do the great national objects which were intended to be secured by the Federal Government by the cession of the territory require such action on the part of Congress?

(Continued on front page.)

* Laws District of Columbia, p. 39.
† Laws District of Columbia, p. 64.
‡ Laws United States, vol. ii, p. 112.

* Journals of the Old Congress, vol. iv, p. 286.
† Journals of the Old Congress, p. 289.