Cambridge Democrat.

WM C. HANDY, WM W. BALLARD, } Proprietors.

"Resistance to Tyrants is Obedience to God."

WM. W. BALLARD, Editor.

Volume 16. CAMBRIDGE, MD., WEDNESDAY MORNING, OCTOBER 23, 1861. Number 48.

[From the Home Journal.]

REST.

BY HATTIE TYNG.

Of all the sweet, sad words of life,
Whose very sound seems soft and blest,
The one most like a benison
Is that sweet love-word—rest.
We grow so weary on life's road,
Climbing its rocky heights and steep,
That it will seem so blest to seek
The Shadow-Land of Sleep.

E'en the Sweet Valley of the World,
The Happy Land of Love,
When we have walked awhile therein,
Doth fall of sadness prove;
And weary souls pass from the Vale,
Sighing, with hearts oppressed,
The saddest thing of life is love—
The sweetest thing is rest.

The sweetest spots along life's road,
Are where low willows weep,
And the one place for smiles should be
Where our beloved sleep.
And if our friends would breathe a prayer
That we be truly blest,
Let them but pray our God that we
May have Eternal Rest.

Virginia and Kentucky Resolutions of '98-'99.

KENTUCKY RESOLUTIONS.

BY THOMAS JEFFERSON.

Resolved, That the several States composing the United States of America, are not united on the principles of unlimited submission to the General Government, but that by compact under the style and title of a Constitution for the United States, and of amendments thereto, they constituted a General Government for special purposes, delegated to that government certain definite powers, reserving each State to itself the residuary mass of right to their own self-government, and that whensoever the General Government assumes undelegated powers, its acts are unauthoritative, void, and of no force; that to this compact each State acceded as a State and is an integral party; that this Government, created by this compact, was not made the exclusive or final judge of the extent of the powers delegated to itself; since that would have made its discretion and not the Constitution, the measure of its powers; but, that as in all other cases of compact, among parties having no common judge, EACH PARTY HAS AN EQUAL RIGHT TO JUDGE FOR ITSELF AS WELL OF INFRACTIONS AS OF THE MODE AND MEASURE OF REDRESS.

The Constitution of the U. States was formed by the sanction of the *States*, given by each in its *sovereign* capacity. It adds to the stability and dignity, as well as to the authority of the Constitution, that it rests on this legitimate and solid foundation. The *States*, then, being the parties to the Constitutional compact, and in their *sovereign* capacity, it follows of necessity that there can be no tribunal above their authority, to decide in the last resort, such questions as may be of sufficient magnitude to require their interposition. The authority of Constitutions over governments, and of the sovereignty of the people over the Constitutions, are truths which are at all time necessary to be kept in mind.

2. *Resolved*, That the Constitution of the United States having delegated to Congress a power to punish treason, counterfeiting the securities and coin of the United States, piracies and felonies committed on the high seas, and offences against the laws of nations, and no other crimes whatever, and it being true, as a general principle, and one of the amendments to the Constitution having also declared, "that the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people," therefore, also, the same act of Congress, passed on the 14th day of July, 1798, and entitled, "an act in addition to the act entitled an act for the punishment for certain crimes against the United States;" as also, the act passed by them on the 27th of June, 1798, entitled, "an act to punish frauds committed on the banks of the United States," (and all other of their acts which assume to create, define, or punish crimes others than those enumerated in the Constitution) are altogether void and of no force, and that the power to create, define and punish such other crimes is reserved, and of right appertains solely and exclusively to the respective States, each within its own territory.

3. *Resolved*, That it is true, as a general principle, and is also expressly declared by one of the amendments to the Constitution, that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people:" and that no power over the freedom of religion, *freedom of speech, or freedom of the press being delegated to the United States by the Constitution*, nor prohibited by it to the States, all lawful powers respecting the same *did of right remain, and were reserved to the States or people;* and thus was manifested their determination to retain to themselves the right of judging how far the licentiousness of speech and of the press may be abridged without lessening their useful freedom; and how far those abuses which cannot be separated from their use should be tolerated rather than use be destroyed, and thus also they guarded against all abridgement by the United States, of the freedom of religious principles and exercises, and retained to themselves the right of protecting the same, as this, stated by a law passed on the general demand of its citizens, had already protected them from all human restraints or interference; and, that, in addition to this general principle and express declaration, another and more special provision has been made by one of the amendments to the Constitution, which expressly declares, that "*Congress shall make no laws, respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press*," thereby guarding in the same sentence, and under the same words, the freedom of religion, of speech, and of the press, inasmuch, that whatever violates either, throws down the sanctuary which covers others, and that libels, falsehoods and infamation, equally with heresy and false religion, are withheld from the cognizance of federal tribunals. That therefore the act of the Congress of the United States, passed on the 14th of July, 1798, entitled "An act in addition to the act entitled an act for the punishment of certain crimes against the United States," which does abridge the freedom of the press, is not law, but is altogether void and of no force.

4. *Resolved*, That alien friends are under the jurisdiction and protection of the laws of the State wherein they are; that no power over them has been delegated to the United States, nor prohibited to the individual States distinct from their powers over citizens, and it being true, as a general principle, and one of the amendments to the Constitution having also declared that "the powers not delegated to the United States by the Constitution, nor prohibited to the States, are reserved to the States respectively, or to the people," the act of the Congress of the United States, passed the 22d day of June, 1798, assumes power over aliens not delegated by the Constitution, is not law, but is altogether void and of no force.

5. *Resolved*, That in addition to the general principle as well as the express declaration, that powers not delegated are reserved, another and more special provision inferred in the Constitution, from abundant caution, has declared, "that the migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year 1808;" that this Commonwealth does admit the migration of alien friends described as the subject of the said act concerning aliens; that a provision against prohibiting their migration, is a provision against all acts equivalent thereto, or it would be nugatory; that to remove them when migrated is equivalent to a prohibition of the migration, and is, therefore contrary to the said provision of the Constitution, and void.

6. *Resolved*, That the imprisonment of a person under the protection of the laws of this commonwealth on his failure to obey the simple order of the President; to depart out of the United States, as is undertaken by the said act, entitled "An act concerning aliens," is contrary to the Constitution, one amendment in which has provided, that no persons shall be deprived of their liberty without due process of law," and that another having provided "that in all criminal prosecutions the accused shall enjoy the right of a public trial by an impartial jury, to be informed as to the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and to have assistence of counsel for his defense," the same act undertaken to authorize the President to remove a person out of the United States who is under the protection of the law, on his own suspicion, without jury, without public trial, without confrontation of the witnesses against him, without having witnesses in his favor, without defense, without counsel, is contrary to these provisions, also of the Constitution, and is, therefore, not a law, but utterly void, and of no force. That transferring the power of judgement any person who is under the protection of the laws, from the courts of the President of the United States as is undertaken by the same act concerning aliens, is against the article of the Constitution which provides that "the judicial power of the United States shall be vested in the Courts, the judges of which shall hold their office during good behavior," and the said act is void for that reason also, and it is further to be noted that this transfer of the judiciary power is to that magistrate of the General Government who already possesses all the executive, and qualified negative in all the legislative powers.

7. *Resolved*, That the construction applied by the General Government (as is evident by sundry of their proceeding) to those parts of the Constitution of the United States, which delegate to Congress power to lay and collect taxes, duties, imposts, excises; to pay the debts and provide for the common defense and general welfare of the United States, and to make all laws which shall be necessary and proper for carrying into execution the powers vested by the Constitution in the Government of the United States, or any department thereof, goes to the destruction of all the limits prescribed to their power by the Constitution—that words meant by the instrument to be subsidiary only to the execution of the limited powers, ought not to be so constructed as themselves to give unlimited power nor a part so to be taken, as to destroy the whole residue of the instrument:—That the proceedings of the General Government under color of those articles, will be fit and necessary subject for revisal and correction at a time of greater tranquility, while those specified in the preding resolutions call for immediate redress.

8. *Resolved*, That the preceding resolutions be transmitted to the Senators and Representatives in Congress from Commonwealth, who are enjoined to present the same to their respective Houses, and to use their best endeavors to procure at the next session of Congress, a repeal of the aforesaid unconstitutional and obnoxious acts.

9. *Resolved*, lastly, that the Governor of this commonwealth be, and is authorized and requested to communicate the preceding resolutions to the legislatures of the several States, to assure them that this commonwealth considers union for special national purposes, and particularly for those specified in their late federal compact, to be friendly to the peace, happiness and prosperity of all the States—that faithful to the compact, according to the plain intent and meaning in which it was understood and acceded to by the several parties, it is sincerely anxious for its preservation; that it does also believe, that to take from the States all the powers of self-government, and transfer them to a general and consolidated government, without regard to the special government, and reservations solemnly agreed to in that compact, is not for the peace, happiness or prosperity of these States. And that therefore, this commonwealth, is determined, as it doubts not its co-States are to submit to undelegated and consequently unlimited powers in no man, or body of men on earth; that if the acts before specified should stand, these conclusions flow from them, that the general Government may place any act they think proper on the lists of crimes and punish it themselves, whether enumerated or not enumerated by the Constitution, cognizable by them, that they may transfer its cognizance to *the President or any other person, who may himself be the accuser, counsel, judge any jury, whose suspicions may be the evidence, his order the sentence, his officer the executioner, and his breast the sole record of the transaction*, that a very numerous and valuable description of the inhabitants of these States, being by this precedent reduced as out-laws to absolute dominion of one man, and the barriers of the Constitution thus swept from us all, no rampart now remains against the passions and the power of a majority of Congress to protect from like exportation or rather grievous punishment the minority of the same body the legislatures, judges, Governors, and counsellors of the States, nor their other peaceable inhabitants who may venture to reclaim the constitutional rights and liberties of the States, and people, or who for other causes, good or bad may be obnoxious to the view or marked by the suspicions of the President, or to be thought dangerous to his or their elections or other interest public or personal; that the friendless alien has been selected as the safest subject of his first experiment, but the citizen will soon follow, or rather has already followed: for already has a sedition act marked him as a prey. That these and successive acts of the same character, unless arrested on the threshhold may tend to drive these States into revolution and blood, and will furnish new calumnies against republican governments and new pretexts for those who wish to be believed that man cannot be governed but by a rod of iron; that would be a dangerous delusion were a confidence in the men of our choice to silence our fears for the safety of our rights; that confidence is everywhere the parent of despotism; free government is founded in jealousy and not in confidence; it is the jealousy and not confidence which prescribes limited constitution to bind down those whom we are obliged to trust with power, that our constitution has fixed the limits to which and no further our confidence may go; and let the honest advocates of confidence read the alien and sedition acts, and say if the constitution has not been wise in fixing limits to the government it created, and whether we should be wise in destroying those limits? Let him say what the government is, if it be not a tyranny, which the men of our choice have conferred on the President, and the President of our choice has assented to and accepted over the the friendly strangers, to whom the mild spirit of our country and its laws have pledged hospitality and protection; that the men of our choice have more respected the suspicions of the President than the solid rights of innocence, the claims of justification, the sacred force of truth, and the forms and substance of law and justice.

In questions of power then let no more be said of confidence in man but bind him down from mischief by the chains of the Constitution. That this commonwealth does therefore call on its co-States for an expression of their sentiments on acts concerning aliens, and for the punishment of certain crimes, hereinbefore specified plainly declaring whereby these acts are or are not authorized by the federal compact. And it doubts not that their sense will be so announced as to prove their attachment to limited government, whether general or particular, and that the rights and liberties of their co-States will be exposed to no dangers by remaining embarked on a common bottom with their own. But they will concur with this commonwealth in considering the said acts as so palpable against the Constitution as to amount to an undisguised declaration, that the compact is not meant to be the measure of the power of the General Government but that it will proceed in the exercise over these States of all powers whatsoever. That they will view this as seizing the rights of the States and consolidating them in the hands of the General Government, with a power assumed to bind the States (not merely in cases made federal) but in all cases whatsoever, by laws made, not with their consent, but by others against their consent; and this would be to surrender the form of government we have chosen, and living under one deriving its power from its will, and not from our authority; and that the co-States recurring to their natural rights not made federal, will concur in declaring these void and of no force, and will each unite with this commonwealth in requesting their repeal at the next session of Congress.

VIRGINIA RESOLUTIONS.

BY JAMES MADISON.

1. *Resolved*, That the General Assembly of Virginia doth unequivocally express a firm resolution to maintain and defend the Constitution of the United States, and the Constitution of this State, against every aggression, either foreign or domestic, and that they will support the Government of the United States in all the measures warranted by the former.

2. The General Assembly most solemnly declares a warm attachment to the Union of the States, to maintain which it pledges all its powers; and that, for this end, it is their duty to watch over and oppose every infraction of those principles, which constitute the only basis of that Union, because a faithful observance of them alone can secure its existence and the public happiness.

3. That this Assembly does explicitly and peremptorily declare, that it views the powers of the Federal Government, as resulting from the compact, to which the States are parties as limited by the plain sense and instrument constituting that compact—as no further valid than they are authorized by the grants enumerated in that compact; and that in case of a deliberate, palpable and dangerous exercise of other powers not granted by the said compact, *the States who are parties thereto, have the right and are in duty bound, to interpose for arresting the progress of the evil, and for maintaining within their respective limits, the authorities, rights and liberties appertaining to them.*

4. That the General Assembly doth also express its deep regret, that a spirit has in sundry instances, been manifested by the Federal Government, to enlarge its powers by forced construction of the constitutional charter which defines them; and that indications have appeared of a design to expound certain general phrases (which having been copied from the very limited grant of power in the former articles of confederation, were the less liable to be misconstrued,) so as to destroy the meaning and effect of the particular enumeration which necessarily explains, and limits the general phrases, and so as to consolidate the States by degrees, into one sovereignty, the obvious tendency, and inevitable result of which would be to transform the present Republican system of the United States into an absolute, or at best, a mixed monarchy.

5. That the General Assembly doth particularly protest against the palpable and alarming infraction of the constitution, in the two late cases of the "Alien and Sedition acts," passed at the last session of Congress; the first of which exercises a power no where delegated to the Federal Government; and which by uniting legislative and judicial powers to those of the executive, subverts the general principles of free government, as well as the particular organization and positive provision of the Federal Constitution, and the other of which acts exercise, in like manner, a power not delegated by the Constitution, but on the contrary, expressly and positively forbidden by one of the amendments thereto; a power more than any other, ought to produce universal alarm; because it is leveled against the right of freely examining public characters and measures, and of free communication among the people thereon, which has ever been justly deemed the only effectual guardian of every other right.

6. That this State having by its convention, which ratified the Federal Constitution, expressly declared, that among other essential rights, "*the liberty of conscience and of the press cannot be cancelled, abridged, restrained, or modified by any authority of the United States,*" and from its extreme anxiety to guard these rights from every possible attack of sophistry and ambition, having, with other States, recommended an amendment for that purpose, which amendment was in due time annexed to the constitution, it would mark a reproachful inconsistency, and criminal degeneracy, if an indifference were shown to the most palpable violation of one of the rights thus declared and secured, and to the establishment of a precedent, which may be fatal to the other.

7. That the good people of this commonwealth, having ever felt and continuing to feel the most sincere affection for their brethren of the other States, the truest anxiety for establishing and perpetuating the union of all; and most scrupulous fidelity to that Constitution, which is the pledge of mutual friendship, and the instrument of mutual happiness, the General Assembly doth solemnly appeal to the like dispositions in other States in confidence that they will concur with this commonwealth in declaring as it does hereby declare, that the acts aforesaid are unconstitutional; and that the necessary and proper measures will be taken by each, for co-operating with this State in maintaining unimpaired, the authorities, rights and liberties reserved to the States respectively, or to the people.

8. That the Governor be desired to transmit a copy of the foregoing resolutions to the executive authority of the other States, with a request that the same be communicated to the Legislature thereof; and that a copy be furnished to each of the Senators and Representatives, representing this State in the U. States.

FROM THE CINCINNATI PLATFORM.

Resolved, That the Democratic party will faithfully abide by and uphold the principles laid down in the Kentucky and Virginia resolutions of 1798, and in the report of Mr. Madison to the Virginia Legislature in 1799; that it adopts those principles as constituting one of the main foundations of its political creed, and is resolved to carry them out in their obvious meaning and import.

BENTON'S MOTHER.—How touching the tribute of Hon. T. H. Benton to his mother's influence:—"My mother asked me never to use tobacco. I never used it from that time to the present day. She asked me not to game, I cannot tell who is winning and who is losing in games that can be played. She admonished me, too, against hard drinking; and whatever capacity for endurance I have at present, and whatever usefulness I may attain in life, I have attributed to having complied with her pious and correct wishes. When I was seven years of age, she asked me not to drink, and I made a resolution of total abstinence at a time when I was sole constituent member of my own body; and that I have adhered to it through all time, I owe to my mother.

THE SMILE.—There are few persons capable of smiling gracefully. A really graceful smile, emanating from the heart, playing lightly and in beauty around the lips, casting an expression of pure benevolence over the countenance, and bearing—as such a smile will—the mark of intelligence and a frank, open disposition, is a rare gift indeed, and proclaims the possessor a member of the aristocracy of Nature. Without the stars and ribbons, the marks of her royal favor, he may stand perhaps on a higher pedestal than many who bear such brilliant decorations. Never take the trouble of asking a bond from a person who can really smile; and dread no deception, for no ordinary observer will ever be imposed upon by a sneer, grimace, or distortion of the lips.—*Home Journal.*

A MAN in Ohio cut down a mulbery tree and split it, and in the heart of it found a black snake. The wood was sound where the snake was lying, and not room enough for it to turn around. From the growth of the timber, it is supposed that it had been there some fifteen years. The snake was six feet in length, blind, and had no use of itself, except its head.

A man in love may be likened to fly in a spider's web, entangled by one of the most fragile substances, yet the most difficult from which to escape.

An article, annoucing the decease of a persons, says, "His remains were committed to that bourn whence no traveller returns, attended by his friends."

A lazy fellow begged alms, saying he could not find bread for his family. "Nor I," replied an industrious mechanic; "I am obliged to work for it."

"BETTER to be alone than in bad company." True; but unfortunately many persons are never in so bad company as when they are alone.

If you have a spite against a hen, and would have her eggs laid in ashes, shut her up in the ash-barrel.

He who knows his ignorance is the possessor of the rarest kind of valuable knowledge.

Young women are never in more danger of being made slaves than when the men are at their feet.

Shut not up a brood of evil passions in your bosom; like enraged serpents, they will bite their cage.

A POLITICAL QUESTION.—Has the "tide of events" anything to do with the "current of public opinion" that is flowing?

To a lover there are but two places in all the world—one where his sweetheart is, and the other where she isn't.

Be calm while your adversary frets and rages, and you can warm yourself at his fire.

If sleep flies from you, don't go in hot pursuit of it; lie still, and it will probably come and kiss you.

Be as careful not to provoke an enemy as you would to steer safely near a dangerous reef.

Many wear dignity as they do clothes—all outside.

Railers at women are either weak fops, or vicious rakes.

The reward of a thing well done is to have done it.

Moral remedies will not eradicate physical needs.

©Maryland State Archives, msa_sc6044_1_63-0714.jpg