EASTERN-SHORE WHIG AND PEOPLE'S ADVOCATE.

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SHERIFF'S SALE.

BY virtue of five writs of venditioni exponas issued out of Talbot county Court, and to me directed and delivered by the clerk thereof, against John Camper, at the suits of the following persons, viz: one at the suit of Edward Jenkins and Austin Jenkins, one at the suit of Gerard T. Hopkins & Co., one at the suit of Gerard T. Hopkins and Thomas Reese, and one other at the suit of William Turner assignee of John Hardesty, will be sold at the dwelling of said Camper, in the town of Easton, on TUESDAY, the 12th day of February next, between the hours of 10 o'clock, A. M. and 4 o'clock, P. M. of said day, the following property, to wit; 1 negro girl, called Eliza, 1 negro man Richard; 4 beds and furniture, 1 side board, 1 bureau, 1 doz. chairs, 2 tables and all the residue of his household and kitchen furniture—all his stock of store goods, consisting of dry goods, groceries and earthen and crockery ware, and all his interest and title to a lot of ground near Easton, be the quantity of acres what it may. The above property will be sold subject to prior executions to pay and satisfy the aforesaid writs of venditioni exponas, and the interest and cost due and to become due thereon. J. M. FAULKNER, Shff.

jan 19

FAVOURITE SCHEME.

100 of $1000.

UNION CANAL LOTTERY, Class No. 2, for 1833 To be drawn in Philadelphia, on SATURDAY Jan. 26th 1833. 66 Number Lottery 10 Drawn Ballots.

	SCHEME.	
1 of	$20,000 is	$20.000
1	10,000	10,000
1	5,000	5,000
1	3,000	3,000
100	1,000	100,000
16	500	8,000
56	100	5,600
56	80	4,480
112	50	5,600
112	40	4,480
224	30	6,720
1,960	20	39,200
15,400	10	154,000
18,040	Prizes amounting to	366,080

Tickets $10, Shares in proportion. A Package, by Certificate, will cost $124. Please address SYLVESTER & Co. Baltimore, Md.

NEW YORK CONSOLIDATED LOTTERY, Class No. 4, for 1833. To be drawn on WEDNESDAY, Jan. 30, 1833. 66 Number Lottery, 9 Drawn Ballots.

	SCHEME.	
3 of	$10,000 is	$30,000
1	4,270	4,270
5	1,000	5,000
10	500	5,000
10	300	3,000
20	200	4,000
35	100	3,500
51	50	2,550
51	40	2,040
51	30	1,530
51	25	1,275
102	20	2,040
1,530	10	15,300
11,475	5	57,375
13,395	Prizes amounting to	136,880

Tickets $5, Shares in proportion.

Jan 19

MARYLAND:

TALBOT COUNTY ORPHANS' COURT, 18th day of January, Anno Domini 1833.

ON application of Nicholas B. Newnam, admr. of George H. Pickering, late of Talbot county, deceased—It is ordered, that he give the notice required by law for creditors to exhibit their claims against the said deceased's estate, and that he cause the same to be published once in each week for the space of three successive weeks, in one of the newspapers printed in the town of Easton.

In testimony that the foregoing is truly copied from the minutes of proceedings of Talbot county Orphans' Court, I have hereunto set my L.S. hand, and the seal of my office affixed, this 18th day of January, in the year of our Lord eighteen hundred and thirty three.

Test, JA: PRICE, Reg'r. of Wills for Talbot county.

In compliance with the above order,

NOTICE IS HEREBY GIVEN,

That the subscriber of Talbot county hath obtained from the Orphans' Court of Talbot county, in Maryland, letters of administration on the estate of George H. Pickering, late of Talbot county, deceased; all persons having claims against the said deceased's estate, are hereby warned to exhibit the same with the proper vouchers thereof to the subscriber, on or before the nineteenth day of July next, or they may otherwise by law be excluded from all benefit of the said estate.—Given under my hand this eighteenth day of January, A. D eighteen hundred and thirty-three.

NICHOLAS B. NEWNAM, Adm'r. of George H. Pickering, dec'd.

jan 19 3w

A CART AND GIG WHEEL-MAKER WANTED.

A GOOD hand at the above business will obtain employment and good wages, on application to

WILLIAM TURNER, Gregnsborough, Caroline county.

jan 22 3w

POETRY.

THE TOMB OF RACHEL.

"The spot is as wild as can well be conceived—no palms or cypresses give them shelter from the blast—not a single tree spreads its shade where the ashes of the beautiful Mother of Israel rest."

Carne's Travels in Judea.

Hush! 'tis the last lone resting place
Where Rachel sleeps a dreamless sleep;
Let silence o'er the sacred spot
Her sternest vigils keep:
No balmy flowers, in dewy bloom,
Nor cypress shadow veils her tomb.

Here solitude has laid the couch,
Of his all-silent holy rest,
The dirge of the high winds of heaven
Alone rolls o'er her breast—
Even here the ever-ghastly King
Hath spread his dark terrific wing!

The sweet, the loved, the beautiful,
Whose heart was gentle as the dove,
Whose placid smile was calm as heaven,
Whose radiant eyes were love,
Here rests in tranquil slumber now,
And darkness sits upon her brow.

No lofty column is upreard,
In honor of the voiceless dead;
Nor drapery of funeral pomp
May shroud her clay-cold head;
Yet in the heart her name is set,
And deep affection knows her yet!

The mother o'er her offspring's tomb,
Shall lift her streaming eyes to heaven,
And think of her whose trusting heart
By ceaseless grief was riven,
And in her burning bosom bless
The memory of "the comfortless."

Sleep on, thou sweet one—calmly sleep!
Unbroken noiseless rest is thine!
Yet for the glowing realms of bliss,
Thy spirit, all divine;
And pure and spotless as at first,
The fetters of the grave shall burst!

TO THE RAINBOW.

Child of the sun and of the tempest wild,
Who died in bearing thee; and dying smil'd
To see so fair a produce of her womb,
Come brightly forth to lead her to the tomb.
Pillow'd on clouds, floated on vapours bright,
Fed by the sire with rays of solar light;
With one foot resting on a mountain's side,
The other bathed in ocean's rolling tide;
Which, lashed to madness by the mother's might,
Is now subsiding 'neath thy quiet light.
If men and children love thy form e'en now,
How must the few have felt, who on the brow
Of Ararat beheld thee, when thy form
Was spread by hands divine to stay the storm;
To presage safety, hope, new life and peace,
To close heaven's windows—bid its torrent cease;
To snatch the "chosen" from the deluge wave,
While all else sunk to death in one wide watery grave!

The veteran LAFAYETTE, amidst the multiplicity of the objects necessarily engaging his attention does not permit the useful one of agriculture to be neglected. The following letter, which appeared in the American Farmer of yesterday, shows him to be a practical and successful farmer, equally as conversant with the details of this pursuit as he is with those connected with the politics of the day, and the promotion of the liberty and happiness of man. His Baltimore friends, it will be seen, are intimately associated in his mind with the labours and improvements of La Grange.

LAGRANGE, Oct. 8, 1832.

For the state of political affairs I refer you to the papers from this side of the Atlantic. We had lately a departmental cattle show in the presence of the Prefect and a deputation from the Paris Agricultural Society, to the Society we have formed at Rosay. A jury of 20 members had been selected from the several parts of the department of Seine au Marne. Of the four prizes awarded to me, there was a first one to a boar, coming from your present of a fine breed of hogs; and another first prize to my merino females, two others for a cow, issued from Mr. Patterson's Holkham breed, Devons, which has increased in size on my farm, and a ram, rather a small one, of excellent wool. You see that America has a distinguished part in the show; my wool is indisputably the finest in this department; but farmers set a value by the size of the animals, too much so perhaps, as the forms and qualities are the important points. Yet you see justice has been done to my flock. No race of hogs that I know of are equal to your black breed.

In a letter of subsequent date, by ten days, the old General displays again his American partialities.—"Would it," says he, 'my dear friend, be possible, without giving too much trouble, to procure for me some more wild turkeys, some partridges, some deers and terrapins; this is a great deal indeed. But I have but one American deer—Americanus cervus, and am afraid to lose him. My full blooded turkey wild cocks are living, but some of their kind, male and female would do.—Your hogs are flourishing, and Mr. Patterson's bull, (Devon) that he gave me, produces larger than he was. Mr. Morris's steam machine works admirably.' [This was a costly and highly finished steam apparatus, presented to the General in the most delicate manner, by our fellow citizen, J. B. Morris, Esq. On taking out the old veteran to see the Hon. R. Smith's Orange Farm, with its hundred cows, its extensive and well arranged dairy, its apparatus for preparing and steaming their food, the General inquired 'whether it would be practicable to get a model of the steam engine.' Mr. Morris replying 'that he had no doubt of it,' caused a very perfect machine, upon the largest scale, to be finished in the highest style of workmanship and efficiency, and sent it out at his own expense to the General.]

From the Norfolk Herald.

THE PRESIDENT'S PROCLAMATION.

No. 5.

In my preceding numbers, I have attempted, and, as I hope, attempted successfully, to show, that at the very commencement of the revolution, the several revolted colonies, assumed upon themselves respectively, to be free, sovereign, and independent States; that this, their original sovereignty, so far from being annulled, was but confirmed by the subsequent Declaration of Independence, which had no other objects than to declare this, their new condition, to the world, and to justify that which it so declared. In the pursuit of my original plan, I am brought to inquire now, whether this sovereignty of the several States, confirmed as it was by the first great act recorded in our political history, the Declaration of Independence, was afterwards abrogated, by the second act of this sort, the Articles of Confederation.

I could much abbreviate the labor of this examination, probably, by at once opening the latter instrument, and reciting its contents. But as my attention has been called to this subject, by the very extraordinary and new doctrines put forth in the proclamation of the President, which doctrines I have undertaken to review, I shall continue to pursue the course I have already adopted; therefore, before I examine the articles of Confederation themselves, I will endeavour to clear away all the brushwood growing out of the arguments and narratives of this proclamation; which I think calculated to conceal the objects of the compact, or to render them obscure.

The proclamation says, "when the terms of our confederation were reduced to form, it was in that of a solemn league of several States, by which they agreed that they would, collectively, form one nation, for the purpose of conducting some certain domestic concerns, and all foreign relations." This passage is in the same paragraph with, and follows immediately after, that which I have formerly quoted and commented upon.—Nay it is actually connected with it by the copulative conjunction "and," being separated from the former by a semicolon only. The leading object of the first part of the paragraph, as I have already shown, was to prove, that before the Declaration of Independence, the people of all the revolted colonies had formed themselves into one nation, and had proclaimed the existence of this nation in that instrument, which was said to have been a joint act, executed by the parties jointly, and not the act of these parties severally. Scarcely did this first nation make its appearance, than as if touched by the wand of a magician, it suddenly disappears, and in its stead we have this new nation, not formed by the people, but by a solemn league of the several States, who by this league agreed that they would, collectively, form one nation, for some purposes. The objects to be attained by the creation of the first nation, and the authorities with which it was clothed to attain these objects, were not stated in the narrative of its birth; nevertheless, it was an august body—the greatest of all human creations; a nation constituted by the free will of its own people; and it belongs not to mortal man to define either the objects or legitimate authority of such a moral being. But when this second nation is introduced, it is seen at once as a ricketty monster, as an accountable being without free will, as a sovereign without supremacy, as the pigmy creature of creators, puny as itself; in one word, as a nation created for certain purposes only!

I wish the President had extended his argumentative narration of the rise and progress of the first nation, and give at least a sketch of its decline and fall. I feel great interest in the fate of all nations, because, I believe, that the light of not one of these stars in the constellation of human society can be extinguished, except under direful and portentous circumstances, betokening the destruction of the whole galaxy. Therefore, I sympathize very sincerely with the unhappy Greek, with the suffering and gallant Pole, and already feel anxiety for the fate of the industrious, frugal, honest, and brave Dutch. But when I am told of the existence of a nation in this "my own, my native land," and that it was created by the only human authors, who I acknowledge as having legitimate authority to create a nation, its own people, "quorum pars fui," I cannot but feel intense interest at its fate. Did its authors become convinced, like some philosophers of the olden time; that a people occupying a territory of vast extent, could not long exist in freedom and in peace, as one nation; because, unfeeling and interested majorities would more probably oppress minorities, than any single despot; and, therefore, sacrificing their ideas of splendid grandeur, to their love of liberty, destroy the work of their own hands, leaving no memorial to tell that even "Lyons was!" Or did this new monster nation raise its parricidal hand against the prior work of the authors of its own being, and bring it to an untimely end, to gratify its own lusts? If "history is philosophy teaching by example," the narrative of the downfall of this first nation, would doubtless furnish some useful lessons to statesmen of other times. But it is true, "and like the baseless fabric of a vision, has left not a wreck behind." Then, let us not deplore its unknown fate, but turn our attention to its successor.

The difference between the author of this proclamation and myself, is radical and irreconcileable. He contends that the inhabitants of these now United States are "one people." To prove this he asserts, that before the Declaration of Independence, they had formed themselves into "a nation," the existence of which was proclaimed in that act; and that afterwards, when the terms of this their first association (called now a confederation) were reduced to form, it was in that of a solemn league of several States; by which they agreed, that they would collectively form one nation", for certain purposes which he expresses—on the other hand, I have contended, that these inhabitants are not now, nor never were one people, but always constituted several separate and distinct communities, which, even in their colonial state, had long existed as such, and independent of each other—that before the Declaration of Independence, these communities, impelled by a sense of common interest and of common danger, associated themselves, not to form one nation, but by the agency of certain delegates selected by them respectively to consult together, and to recommend to each other, the adoption of such plans as might be thought to conduce most to the advancement of this common interest, and to security against this common danger—that afterwards, accidental circumstances, beyond the control of these several communities; having deprived them of all regular government, they were severally constrained by the force of these circumstances to form a new government, each for itself; and to assume sovereignty—that in this situation, a decent respect for the opinions of mankind, induced them all to proclaim their new condition, and to justify what they had done; and that this was the sole cause and object of the Declaration of Independence, which so far from declaring that these communities were then "one nation," declared expressly, that they were free and independent States.

I contend further, that the original association of these several distinct and independent communities, having for its object the very general purposes mentioned, did not invest the delegates deputed to represent them in the association, with sufficient authority to attain its purposes. That under such circumstances, it was very soon discovered that its objects could not be advanced, happily; therefore, it became desirable to give body and being to this association, which, like the earth, "in the beginning, was without form." That to reduce the association to form, by prescribing precisely its intended objects, and by bestowing upon it defined powers to attain these prescribed objects, it became necessary that the original parties to the association should enter into a covenant with each other for these ends; and that this covenant is to be found in the articles of confederation.

It will be seen from this exposition, that I concur with the author of this proclamation, when he says, that "when the terms of our confederation were reduced to form, it was in that of a solemn league of several States," except that, in order to make it accurate, I desire to amend this expression, by substituting association for confederation. Previously to the formation of this solemn league, the States were united by the vague and uncertain ties of a common interest and a common peril only. But in what this common interest consisted, or what this common danger might require, neither was or could be defined; and therefore the connexion to promote these general ends, being necessarily as indefinite as were its objects, their association was an Union merely. It was this solemn league alone, which converted this general, simple, and undefined association, into a particular confederation. And here I must remark, that, although the author of this proclamation had announced, in the former part of this very sentence, that we had proclaimed ourselves a nation in the Declaration of Independence, yet when he comes now to give the character of this nation, it turns out, and by his own acknowledgement too, to have been nothing more than a Confederacy. No man before this author, has ever considered these terms as controvertible; but the new theory, which denies that these States ever were sovereigns, can only be maintained by such perversion of the well-settled meanings of words.

The quaintness and metaphysical formula, in which this annunciation is made, is well worthy of a passing remark.—The proclamation says, that "when the terms of our confederation were reduced to form, it (that is to say the form) was in that of a solemn league." From this some casuist might infer that the purpose of this statement was to affirm, that, in substance we had been a nation before, but when the terms of the existence of this nation were reduced to form, this form was that of a solemn league; so that we still remain a nation in fact, although but a confederation in form. As the author of this proclamation, however, disdains to employ "metaphysical subtlety in pursuit of an impracticable theory," he surely could not have intended to draw himself, or to use any language which might justify another in drawing, that most subtle of metaphysical distinctions, which seeks to distinguish the substance from the form under which it exists.—The new school of politicians must not, therefore, seek to derive any support for their doctrine, from this formula. Yet unless some such casuistry is employed, unless some distinction is taken between a nation and the form of its existence, it is impossible to conceive how by a solemn league of several States, said to have been intended to form their confederation, they could have agreed that they would, collectively, form one nation.—The idea, too, of a nation formed for certain purposes only, consisting of the same people who had previously formed themselves into a nation for other purposes, and of the co-existence of these two nations, is a conception which, as it seems to me, is truly worthy of the best scholar in the new French school of Electicism. I can conceive of one nation having two or twenty Governments, designed for as many different purposes, and all held in due and orderly subjection, within their established spheres, by the will of the nation which created and preserved them, but I freely confess that the idea of one people divided into two nations, surpasses my humble comprehension.

All this, however, is of little consequences, I admit, if the fact be as the President affirms it, that by their solemn league of Confederation, the several States who formed it, "agreed that they would form one nation," whether collectively or in any other way, whether for the purposes mentioned in the proclamation, or for any other purposes whatever, is of no moment. This fact can only be learned from the terms of the league itself, for, fortunately, we are not to be again perplexed with any inquiry as to the manner in which it was executed. It is conceded that the parties were several bodies politic called States, who not only did, but of necessity must have entered into it, each for itself alone. Let us now, then, examine this league.

The articles of confederation constitute an act so long, containing such a number of various provisions unconnected with each other, that it would be difficult to make any abstract of its contents, of such brevity as would suit this occasion. Nor is this necessary for my present purpose, which is merely to ascertain whether it was the object of this instrument to divest the States of their original sovereignty. A reference to some few of these articles only, will furnish matter so conclusive upon this point, that it would be useless to press the examination further, to prove that the President mistakes the object and character of this instrument, as much as I have already shown he mistook the purpose and character of the declaration of independence.

The act of confederation was agreed to by the delegates of the several States assembled in a general Congress, on the 15th November, 1777, but as these delegates had no authority to bind their respective constituents in this mode, Congress directed that the articles should be submitted to the legislatures of the different States, and if approved by them, they were advised to authorise their delegates in Congress to ratify the same, which being done, the compact should become conclusive. On the 9th of July, 1778, this act was actually ratified by eight states in the mode suggested. They being a majority of the States, and Congress having information, although not such as was regarded as official, that many of the other States had ratified, or would agree to ratify it, in the mode pointed out, and being urged to do so by the necessities of the country, promulgated it on that day. The delegates of North Carolina and of Georgia were not present in Congress when this promulgation was made, but arriving soon after, those of North Carolina ratified the act in behalf of that State, on the 21st July, 1778, and those of Georgia three days afterwards, on the 24th of the same month. The ratification on the part of New Jersey did not take place until the 26th of the following November. Delaware did not ratify until February, 1779; and Maryland refused to ratify until 1781. Her ratification completed the act; and on the 2d of March, 1781, Congress assembled under the new powers conferred upon it by this instrument. These facts of themselves are decisive to prove that the articles of confederation were not designed to affect, in any way, the sovereignty of the States, for otherwise, between July, 1778, and February, 1781, the Union would have been composed of parties connected by different bonds, and the confederation (if it was such) would have been formed by States possessing different degrees of sovereignty. Both of which suppositions would be manifestly absurd.

But this matter shall not be permitted to rest upon inference merely, although that is a necessary inference, and is derived from the very strong facts which I have stated. I will prove it incontestably, by the language of the Articles of Confederation themselves. In the caption of this act, it is entitled "Articles of Confederation and perpetual Union between the States of New Hampshire, &c. &c." naming each of the States. The first of these articles declares, that "the style (not the name) of this Confederacy shall be, the United States of America." The second articles is in these words, "Each State retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this Confederation expressly delegated to the United States in Congress assembled." Now, until it can be shown that one may retain what he never had, this article must be conclusive, to prove that the States were free, sovereign and independent, before this instrument was agreed upon. Should it be said, that although then sovereign, the ratifying States intended to delegate a portion of their original sovereignty by this act, the answer is, that while they thereby avowed an intention to delegate portions of their power, jurisdiction, and right, to the United States in Congress assembled, in this very sentence they retain expressly, all their sovereignty, freedom, and independence. This must be very obvious, when it is observed that the delegations of power, jurisdiction, and right, were to be made, not to the confederacy styled the United States of America, but to the representatives of these United States in Congress assembled; which body, although a suitable assignee of such subjects, could never be considered, with any propriety at least, as fit or capable to receive an assignment of the sovereignty, freedom, and independence of the several States, even if it could be imagined that these States were willing to transfer the sacred deposite of their freedom to any body whatever.

I will not weary the reader by numerous other extracts from this instrument, which I could easily make, to prove the same thing,—that by the Articles of Confederation, the States, while transferring certain powers of government to Congress, thereby created, and retaining their sovereignty, freedom, and independence, asserted their former possession of all these attributes of a State, in declaring that they would not part with them. But I will here close the present number, reserving some few other remarks, which I purpose to make upon that part of the proclamation in which the powers enjoyed by the Old Congress, under the Articles of Confederation, is treated of, and as I think, misrepresented.

A VIRGINIAN.

From the Pennsylvania Inquirer.

THE UNION—VALUABLE DOCUMENTS.

We cheerfully give place to the following prospectus, and trust that our brethen throughout the country, who are friends of the Union, will give it one or more insertions in their respective journals. The object of the publication is to disseminate important truths as to the origin of the Tariff, upon the subject of Nullification, and the history of the Union generally. It has been placed at at a price merely sufficient to cover the expenses of its publication. Those who wish well to their country, may in some measure gratify that wish by aiding in the dissemination of the documents adverted to:

THE UNION!

Believing that at this momentous crisis, when the question of Union or Disunion is seriously agitated, any information on the subject will be acceptable which may tend to enlighten the public mind, it is proposed to publish extracts from the following documents, in such a form as will admit of an immediate and extensive circulation.

1. Copies of the instructions given by the States of South Carolina, Virginia, &c., to the members from those States appointed to attend the Convention which revised and adopted the present Constitution.

2. Some account of the proceedings of the Convention of States which revised and adopted the Constitution of the United States. Extracted from the Journals of the Federal Convention, March, 1789.

3. Declaration of Independence.

4. Letter from Gen. Washington accompanying the Constitution.

5. The Constitution of the United States

6 Its ratification by South Carolina.

7. Virginia Preamble.

8. Madison, Jay and Hamilton on the Constitution.

9. Calhoun and McDuffie's opinions on the Tariff and Nullification in 1816, &c.

10. Letter from Lafayette.

11. The President's Proclamation.

Five copies, in pamphlet form will be forwarded by mail for one dollar, and two copies to Editors copying the above. To be published on Wednesday next, by Thomas C. Clark, 79 South Second street, Philadelphia.

Reciprocity.—A correspondent of the National Gazette suggests a query, which we recommend to the attention of the Nullifiers and sticklers for State Sovereignty. The question is this: If a state may withdraw from the Union, at pleasure, or on the allegation that Congress has passed unconstitutional laws—may not the general government "exclude, eliminate, a state, whose laws clash with the federal constitution or laws, or merely at will, likewise?" The right, if it exist on either side, must be reciprocal. If a party to a contract has the right to withdraw therefrom, at pleasure, the other parties to the contract must possess the right of excluding him, at pleasure. Would the nullifiers admit that the General Government, for the twenty-three States, possess the right to eject the sovereign state of S. Carolina from the Union?

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