

Mining Companies.

An act to incorporate the Charlotte Gold Mining Company.

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That a gold mining company shall be established in the county of Mecklenburg, and State of North-Carolina, by the name and style of the Charlotte Gold Mining Company, with a capital of one hundred thousand dollars, in shares of one hundred dollars each; and that William Davidson and Samuel M'Combs, and all those who now are, or shall hereafter become their associates, are hereby authorized to open books at Charlotte and such other places as they may direct, for the purpose of receiving subscriptions for shares in the said company, having advertised such intention in the Farmers' and Miners' Journal, and such other papers as they may deem necessary, for twenty days, and keep said books open for ninety days, with power to re-open the same in like manner if the amount of capital shall not be subscribed.

II. Be it further enacted, That the commissioners under whom the books are to be opened for subscriptions shall meet at the expiration of ninety days, after opening books as above provided, and compare their books; and if it shall be found that the sum of twenty-five thousand dollars have been subscribed, the aforesaid commissioners shall forthwith advertise in some newspaper, and request a general meeting of the stockholders at such place and time as they shall appoint; and if stockholders representing a majority of the stock subscribed shall attend said meeting, either in person or by proxy, the said stockholders may proceed to appoint five directors, one of whom shall be president of the company; and the said directors shall be appointed for one year, and until their successors are appointed.

III. Be it further enacted, That it shall be the duty of the directors, within ten days after their appointment as aforesaid, to meet and appoint one of their body president, and to execute such bonds as may be required of them by the stockholders for the faithful performance of their respective duties while in office.

IV. Be it further enacted, That when the sum of twenty-five thousand dollars shall be subscribed in manner aforesaid, the subscribers, their successors and assigns, shall be, and they are hereby declared to be incorporated into a company by the name and style of the Charlotte Gold Mining Company, and by that name may sue and be sued, plead and be impleaded, before any court or justice of the peace, and shall so continue for the term of twenty-five years from the ratification of this act, and shall be capable in law, to have, purchase, receive, possess, enjoy and retain, to them and their successors, lands, rents, tenements, hereditaments, goods, chattels and effects, of whatsoever kind, nature or quality, and the same to sell, grant, demise, alien or dispose of, and shall possess all the rights and privileges of a corporation or a body politic in law; and also may make, have and use a common seal, and the same break, alter and renew at their pleasure; and may make and ordain all such bye-laws, rules and regulations, not inconsistent with the constitution and laws of the State, as shall be necessary for the well ordering and conducting the affairs of the company.

V. Be it further enacted, That if the whole of the capital stock shall not be subscribed, and the sum of twenty-five thousand dollars shall have been subscribed, and the company organized as before provided, in that case it shall be lawful for the stockholders to re-open the books, and receive subscriptions for the balance of their stock.

VI. Be it further enacted, That if more than the capital stock shall have been subscribed for within ninety days, then it shall be the duty of the commissioners to reduce the subscriptions in fair and equal proportions, reserving to each subscriber at least one share; and if the stockholders shall re-open the books, and more than the capital stock shall be subscribed, then the stockholders shall reduce the subscriptions to the capital stock in the manner above stated.

VII. Be it further enacted, That the stockholders of said company shall meet once in each and every year, at some convenient place in the county of Mecklenburg, either in person or by proxy; and at such general meeting, if a majority of the stock subscribed be represented, the said stockholders may proceed to elect their officers; fix their salaries; take bonds from the officers for the faithful performance of their duties in office; make all necessary bye-laws, rules and regulations for the government of said corporation; and shall have power to do all other acts necessary to be done to carry into effect the object of this act; and the stockholders in general meeting shall be entitled to vote according to the following scale, to wit: each stockholder shall be entitled to one vote for each share he may hold as high as three shares, and one vote for every three shares as high as thirty shares, and one vote for every five shares above thirty shares by him or her held at the time of such general meeting.

VIII. Be it further enacted, That the stockholders in said company, who together own or represent one-third of the stock subscribed, may, on any emergency, call a meeting, and shall have power to remove

any officer of the company from office, for misconduct or other sufficient cause, and to make such rules and regulations as may be necessary for the government of the company until the next annual meeting of the stockholders.

IX. Be it further enacted, That the said corporation shall apply their capital to mining only, and all its powers and privileges are granted and to be exercised for the purpose of mining; and the said corporation is hereby declared incapable in law to carry on any operations of banking, or to direct its funds to any other purpose than mining.

X. Be it further enacted, That the full amount of every subscription shall be paid in at the time of subscribing, or shall be secured by bond or note of the subscriber, signed by himself, and two good securities, neither of whom shall be a corporator; and if a security shall afterwards become a corporator, the president and directors shall require another security in his place; and in case such requisition shall not be complied with, the president and directors shall forthwith collect the money due on said bond or note. The money secured by said bonds or notes shall bear interest from the date; but shall be paid into the treasury of the corporation in such sums and at such times as the president and directors shall by resolution ordain and require.

XI. Be it further enacted, That no subscription shall be for less than one share; and in case any subscriber shall fail to pay in the amount of his subscription, or to give his bond, with two securities, as aforesaid, as by this act provided, that the said subscriber, and any and every director conniving or assenting to such failure, shall be liable to any creditor of the company for the full amount of such subscription, to be recovered from such subscriber and director or directors, their executors, administrators, jointly and severally, by an action on the case.

XII. Be it further enacted, That the corporation may make contracts, or become bound by any instrument, or security, or agreement, or writing, signed by the president, or by any person duly authorized by him, or by the president and directors; but the legal estate in the lands, tenements and hereditaments, aliened by the corporation, shall pass to the purchaser only by and under the corporation seal.

XIII. Be it further enacted, That any legal process against the corporation may be served on the president; and in case he be not in the State, or evades the service, the service of the same on any director; and in case there be no director in the State, the service on any stockholder shall be sufficient.

XIV. Be it further enacted, That it shall be the duty of said corporation to keep a full and fair record of all their proceedings in books procured for that purpose, and shall be bound to produce said records in any court of justice in any county of the State, when required so to do by the court. It shall be the further duty of the said corporation to preserve all bonds and notes given for stock in said company, and to enter such payments as shall from time to time be made on such bonds, until they are fully discharged.

XV. Be it further enacted, That it shall be the duty of said corporation, at the first Court of Pleas and Quarter Sessions, to be held for the county of Mecklenburg after the organization of the said company, and annually thereafter, to present to said court a full and fair statement of the full amount of stock subscribed, the amount which has been paid in cash, and the amount for which the president and directors hold the bonds of the subscribers or stockholders; and, also, the amount of the debts due to the corporation, and the names and places of residence of the several stockholders.

XVI. Be it further enacted, That the president and directors shall prescribe the manner in which stock shall be conveyed or transferred from one stockholder to another, or to any other person, and that the stock shall be personal property, and go by succession to executors and administrators.

XVII. Be it further enacted, That all the property of the aforesaid corporation of whatsoever kind or nature, whether lands, negroes, machinery, stock, goods, bonds or other effects, shall be liable to the satisfaction of the debts of the corporation, and shall be subject to be levied on by execution, attachment or other legal process, and sold.

XVIII. Be it further enacted, That this act shall be in force from and after the ratification thereof.

A SHAKE IN MUSIC.

Jo Gunn, like many another one,
In music was a screamer;
So glib his tongue on music ran,
It might be called a streamer.

No wonder that a lad like Jo
Should be on singing bent;
He had a voice like any crow,
Which nature she had lent.

He'd raise the music notes sublime,
He'd give them rapid fall;
In keeping time he deemed that time
Was sadly wasted all.

But chief the music of Jo Gunn
Lay in the music's shake;
He had a method of his own
To give the quav'ring quake.

He shook his hands, he shook his head,
He shook his feet and all;
Then breaking forth in triumph, said,
"That is a shake, by gaul!"

CONGRESS.

CONGRESSIONAL ANALYSIS.

FROM THE GLOBE.

Washington, Feb. 25.—In the Senate, yesterday, the Vice-President communicated a letter from the Governor of Virginia transmitting the resolutions adopted by the Legislature of that Commonwealth on the subject of the removal of the remains of George Washington from Mount Vernon. Some private bills were acted on, and, at one o'clock, the Senate proceeded to the consideration of Executive business, after which they adjourned to Monday.

In the House of Representatives, Mr. WATMOUGH, from the Committee on Naval Affairs, reported a bill to re-organize the United States corps of Marines. Various local bills were reported from the Standing Committees. At an early hour, the House went into Committee of the Whole, on the bill for the benefit of Mrs. Susan Decatur. An animated discussion ensued, in which Messrs. CARSON, WICKLIFFE, DRAYTON, DODDRIDGE, McDUFFIE, WHITE, of Louisiana, PEARCE, HOWARD, E. EVERETT, BERGES and WILDE, participated. On motion of Mr. WATMOUGH, the committee rose, reported progress, and the House adjourned.

February 27.—The Senate did not sit on Saturday.

In the House of Representatives, Mr. ADAMS submitted a resolution calling on the President for a copy of the instructions to the agent who negotiated the treaty with the Sublime Porte. The resolutions submitted by Mr. BRANCH on the 23d inst. calling on the Secretary of the Navy for information respecting the live oak on the public lands in Florida, &c. were taken up. Mr. WHITE, of Florida, offered amendments proposing to extend the enquiry. A discussion of an acrimonious and personal character occurred, between Messrs. BRANCH and WHITE. The amendments were finally modified by the mover at the instance of Mr. BRANCH, and, together with the original resolutions, were agreed to by the House. The bill granting letters patent for useful discoveries to certain aliens, was passed. The House resumed, in Committee of the Whole, the consideration of the bill for the relief of Susan Decatur, et al. The amendment proposed by Mr. PEARCE in favor of the voices of Commodore Decatur, was further discussed by Messrs. E. EVERETT, WATMOUGH, RENCHER, McDUFFIE, ANDERSON and PEARCE. The amendment was rejected. A motion was then made to strike out the enacting clause of the bill; before the question was taken, the Committee, at the instance of Mr. DAVIS of Massachusetts, rose, reported progress, and the House adjourned.

February 29.—In the Senate, yesterday, Mr. WEBSTER presented several petitions in favor of the abolition of slavery in the District of Columbia. A number of memorials in favor of the renewal of the charter of the United States Bank, were presented. Mr. WHITE, from the Committee on Indian Affairs, reported a bill establishing the office of Superintendent of Indian Affairs. Mr. CLAY's resolution was taken up and Mr. DALLAS spoke two hours and a half in its support, when not having concluded, he gave way for a motion to adjourn.

In the House of Representatives, numerous memorials and petitions were presented. Mr. ARCHER, from the Committee on Foreign Affairs, reported a bill to carry into effect the Convention between the United States and France, concluded at Paris on the 4th of July, 1831. Mr. ARCHER, from the same Committee, reported a bill to amend the act fixing the compensation of the Ministers and Consuls of the United States residing on the Barbary coast, and for other purposes. Mr. McDUFFIE, from the Committee of Ways and Means, reported a bill making appropriations for Indian annuities and other similar objects, for the year 1832. Mr. PLUMMER, from the Committee on Public Lands, reported a bill to remove the Land Office from Mount Sahis to Jackson, in the State of Mississippi. Mr. HALL, of N. C. from the Committee on Public Expenditures, reported a bill to establish a uniform rule for computing the mileage of Members of Congress. Mr. BAR-RINGER, from the Committee on the Militia, reported a bill to provide more effectually for the national defence. The resolution submitted on Saturday last by Mr. ADAMS, was modified by the mover, and agreed to. The resolution submitted on Thursday last, by Mr. CLAYTON, of Georgia, for the appointment of a Select Committee to examine into the affairs of the Bank of the United States, was taken up. Mr. CLAYTON addressed the House in favor of the adoption of the resolution, and was followed by Mr. McDUFFIE in opposition thereto. When the latter gentleman had concluded, Mr. PATTON obtained the floor, but the hour heretofore agreed upon for a recess having expired, he gave way, and the House adjourned to meet again at 7 o'clock, P. M.

EVENING SESSION.—The House re-assembled at seven o'clock. On motion of Mr. JOHNSON, of Kentucky, the bill to establish certain Post Roads, and to alter and discontinue others, and for other purposes, was considered in the Committee of the Whole on the Union. Numerous amendments were agreed to, when the Committee rose, reported progress, and at a late hour the House adjourned.

February 29.—In the Senate, yesterday, Mr. HAYNE introduced a bill extending the

right of Debenture to Key West. The resolution respecting the Tariff, submitted by Mr. CLAY, was taken up, and Mr. DALLAS resumed and concluded his speech in its support. Mr. FORSYTH then took the floor, and, after speaking some time in opposition to the resolution, gave way to a motion for adjournment. He will resume his remarks this day.

In the House of Representatives, Mr. WICKLIFFE, from the Committee on the Public Lands, reported a bill for the final adjustment of the claims for land in the South Eastern Land District in the State of Louisiana. Mr. DODDRIDGE, from the Committee on the District of Columbia, made a report on so much of the President's Message as related to the expediency of granting to the citizens of this District, a Delegate in Congress, or a territorial government, concluding with a resolution, adverse to the views of the President. Mr. ROOR laid on the table sundry amendments to the bill for rechartering the Bank of the United States, which were ordered to be printed. The House resumed the consideration of the resolution, proposed by Mr. CLAYTON, for the appointment of a Select Committee to examine into the affairs of the Bank of the United States. Messrs. PATTON, POLK, and CAMERLENG, addressed the House in favor of the resolution; and Messrs. JENNER, BRANCH and HUNTINGTON, in opposition to it. Mr. MITCHELL, of S. C. is entitled to the floor to-day.

March 1.—In the Senate, yesterday, Mr. CLAY introduced a bill giving a donation, in land, to Augusta College in the State of Kentucky. The bill supplemental to the act granting the right of pre-emption to settlers on the public lands, was passed. Mr. CLAY's resolution, proposing certain modifications of the Tariff, and Mr. HAYNE's amendment thereto, were taken up, and Mr. FORSYTH concluded his remarks thereupon, after speaking about two hours, Mr. FORTY moved a reference of the resolution and the amendment to the Committees on Finance, Manufactures and Agriculture, jointly. Mr. ROBINS has the floor for this day.

In the House of Representatives, the bill to establish certain post roads, and to alter and discontinue others, was again considered in Committee, and various amendments agreed to. Mr. VANCE moved an amendment authorizing the President of the United States, by and with the advice and consent of the Senate, to appoint all Deputy Postmasters, whose compensation amounted to \$200 or upwards. This amendment was rejected—Yeas 54, Nays 74. A bill to confirm certain claims to land in the Territory of Arkansas, was passed. Some time was spent in Committee of the Whole on the Union, in consideration of the bill in addition to an act to provide for certain persons in the land and naval service, in the revolutionary war. The Committee rose, reported progress, and asked leave to sit again.

THE CHEROKEE CASE.

From the National Intelligencer, 5th inst.

IN THE SUPREME COURT OF THE U. S. Sam'l. A. Worcester vs. The State of Georgia.

On Saturday last, Mr. Chief Justice MARSHALL delivered the opinion of the Court in this case, reversing the judgment of the Superior Court of Gwinnett county, in Georgia. The effect of this decision is, that the recent acts of Georgia taking possession of the Cherokee country, and providing for the punishment of persons therein residing without the license of the Governor, and without taking an oath of allegiance to the State, are declared null and void, as contrary to the constitution, treaties, and laws of the United States.

The opinion of the Chief Justice was very elaborate and clear. He took a review of the origin of the European title to lands in America, upon the ground of discovery.—He established that this right was merely conventional among the European Governments themselves, and for their own guidance, and the regulations of their own claims in regard to each other, and in no respect changed or affected to change the rights of the Indians as occupants of the soil: That the only effect of the European title was, as between European nations to recognize an exclusive right of trade and intercourse with the Indians, and of ultimate domain in the territories occupied by the Indians in favor of the nation or government whose subjects were the first discoverers: That all the European governments, Spain, France, and especially Great Britain, had uniformly recognized the Indian tribes and nations as distinct communities, capable of, and entitled to, self-government, as States, and in no respect, except as to their right of intercourse with other European nations, and the right of pre-emption in the discoverers to purchase their soil, as under the control or power of the Europeans. They were treated as nations capable of holding and ceding their territories, capable of making treaties and compacts, and entitled to all the powers of peace and war, and not as conquered or enslaved communities. He demonstrated this from various historical facts; and showed that when upon the Revolution the United Colonies succeeded to the rights and claims of the mother country, the American Congress uniformly adopted and adhered to the same doctrine, both before and after the confederation; that since the adoption of the Constitution the

same doctrine had as uniformly prevailed in all the departments of the Government; and that the treaties with the Indians were held to be treaties, and obligatory in the same sense as treaties between European sovereigns. He showed also that this had been the established course of things recognized by Georgia herself, from the adoption of the Constitution down to the year 1829, as evidenced by her solemn acts, compacts, and laws. He then showed that by the Constitution the exclusive power belonged to the United States to regulate intercourse with the Indians, and to receive sessions of their lands; and to make treaties with them. That their independence of the State Governments had been constantly upheld; that the right of possession to their lands were solemnly guaranteed by the United States and by treaties with them, until that title should, with their own consent, be extinguished, and that the laws passed by Congress had regulated the trade and intercourse with them accordingly. He now reviewed the laws of Georgia in question, and pronounced them repugnant to the Constitution, treaties and laws, of the United States.—And he concluded by maintaining that the party defendant in the present indictment was entitled to the protection of the Constitution, treaties, and laws, of the United States; and that Georgia had no authority to extend her laws over the Cherokee country, or to punish the defendant for disobedience to those laws in the Cherokee country.

Mr. Justice MCLEAN delivered a separate opinion, concurring, in all things, in the opinion of the Court. Mr. Justice BALDWIN dissented.

GREAT FLOOD IN THE OHIO.

From the Washington Globe.

A citizen of Cincinnati has seen, with regret, in the newspapers, copied from the Cincinnati American Extra, some account of the flood in the Ohio, written in a spirit of levity, (probably intended for wit,) but ill-comporting with so serious a subject as the inundation of a large portion of that beautiful and populous city. He has received from a citizen of that place the following interesting description, which you are respectfully requested to lay before the readers of your widely extended paper:—

"Cincinnati, Feb. 16, 1832.

"Two days ago, I informed you of the unfortunate condition of our city, in consequence of a flood in the Ohio, then considered to be greater than had been seen by the oldest inhabitant. The rise has continued from that time to the present, eight o'clock, P. M. and still continues. The river is now much higher than it has been since the first white man set foot on this plain—and, from advices brought this morning by a steambot from above, it is expected to continue on the rise about twelve hours longer. It has risen throughout this day at the rate of one inch per hour. That you may be enabled to realize the situation we are in, take the following particulars:—

"The water is about two feet in depth on the floor of the Cincinnati Hotel. At 5 o'clock, I saw the steambot, Pearl, at anchor, broadside to the house, and in immediate contact with the posts and trees which are planted at the edge of the pavement.—At the same time a canoe was run into the hall of the Broadway Hotel. The river flows up Broadway to the Market Space, and up Main and Walnut streets, nearly to Pearl street. In a word, the entire bottom part of the city is under water, with but little exception. The Commercial Bank this day migrated to the "Hill," and business in the lower plain is entirely suspended, except the business of saving the property in stores. The immediate distress consequent upon this state of things, is very great, and great loss and derangement of business must follow. We have had no mails for a week."

"Cincinnati, Feb. 17, 1832.

"Last evening I advised you of the state of the flood in the Ohio. Within the 24 hours since I wrote, the rise has continued slowly, and is probably eight inches. From the indications this evening, it is hoped the rise is at an end, and it is expected the flood will remain stationary during the night.

"Every part of the lower plain is now submerged, except Pearl street, and some parts of the Market space east of Main street. There is but space for a wagon to pass on the south side of the Market-house! The river is over the pavement at the corner of Broadway and Market-space, and flows through to Sycamore, between the buildings and the Market-house. I was this afternoon in sight of Mr. Stephen Burrows' house, (corner of Walnut and Second streets): the water was within one foot of the top of his doors!

"Several of the most valuable squares in the city might have been burned, and caused less loss of property—less individual suffering—less general injury to the place. I have seen, this afternoon, more than one dozen small frame houses afloat in the lower part of the city, and many houses are tied with ropes. Several houses from above have swept by, in the current. The wooden superstructures of the bridge over Mill-creek, moved off yesterday.

"Marietta, Lawrenceburgh and Shawnee, are supposed to be in a great measure destroyed. Great distress throughout the valley of the Ohio is the inevitable consequence of this extraordinary flood. Some years will be required to overcome the effects of it. One million of dollars would probably