

SOUTHERN CITIZEN.

WHAT DO WE LIVE FOR, BUT TO IMPROVE OURSELVES AND BE USEFUL TO ONE ANOTHER?

VOLUME III.

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From the Carolina Watchman. WILMINGTON & RALEIGH RAIL ROAD.

This work which is enthrilled with a provoking misnomer we believe is about to prove a profitable investment.—We give below three articles from the "Wilmington Advertiser," which are in a high degree encouraging. It will be remembered, that the State holds stock in this company for the literary fund to the amount of 600,000 dollars.

The first cotton ever brought to this market from Johnson county, arrived this week, via the Rail Road, and the price for which it sold, 14 cents, must surpass the most sanguine expectations of the producer. We hope that this is but the commencement of a profitable and brisk traffic between the two places.—Patriotism, pride and interest should unite to produce such a result.

Vast quantities of produce still encumber the depots of the Wilmington and Raleigh Rail Road; but with the facilities for transportation which the Company now possess, they will be enabled to place it all in market in the course of three weeks.

It is gratifying to our local pride to see the long train of heavily freighted cars which are constantly arriving at the upper end of town.

LAW FOR THE DEFENCE OF THE UNITED STATES.

AN ACT giving to the President of the United States additional powers for the defence of the United States, in certain cases, against invasion, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he hereby is, authorized to resist any attempt on the part of Great Britain to enforce, by arms, her claim to exclusive jurisdiction over that part of the State of Maine which is in dispute between the United States and Great Britain; and for that purpose, to employ the naval and military forces of the United States and such portions of the militia as he may deem it advisable to call into service.

Sec. 2. And be it further enacted, That the militia, when called into the service of the United States by virtue of this act, or of the act entitled "An act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, repel invasion, and to repeal the act now in force for those purposes," may, if in the opinion of the President of the United States the public interest require it, be compelled to serve for a term not exceeding 6 months after the arrival at their place of rendezvous, in any one year, unless sooner discharged.

Sec. 3. And be it further enacted, That in the event of actual invasion of

the territory of the United States by any foreign Power, or of imminent danger of such invasion discovered, in his opinion, to exist before Congress can be convened to act upon the subject, the President be, and he is hereby, authorized, if he deem the same expedient, to accept the services of any number of volunteers not exceeding fifty thousand, in the manner provided for in an act entitled "An act authorizing the President of the United States to accept the services of volunteers, and to raise an additional regiment of dragoons or mounted riflemen," approved May 23, 1836.

Sec. 4. And be it further enacted, That, in the event of either of the contingencies provided for in this act, the President of the United States shall be authorized to complete the armed vessels now authorized by law, and to equip, man, and employ, in actual service, all the naval force of the United States; and to build purchase or charter, arm equip, and man such vessels and steamboats on the Northern lakes and rivers whose waters communicate with the United States and Great Britain, as he shall deem necessary to protect the United States from invasion from that quarter.

Sec. 5. And be it further enacted, That the sum of ten millions of dollars is hereby appropriated and placed at his disposal for the purpose of executing the provisions of this act; to provide for which the Secretary of the Treasury is authorized to borrow money on the credit of the United States, and to cause to be issued certificates of stock, signed by the Register of the Treasury, for the sum to be borrowed, or any part thereof; and the same to be sold upon the best terms that may be offered after public notice for proposals for the same; Provided, That no engagement or contract shall be entered into which shall preclude the United States from reimbursing any sum or sums thus borrowed after the expiration of five years from the first of January next; and that the rate of interest shall not exceed five per cent, payable semi-annually.

Sec. 6. And be it further enacted, That the sum of eight thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for outfit and salary of a special minister to Great Britain: Provided, The President of the United States shall deem it expedient to appoint the same.

Sec. 7. And be it further enacted, That in the event of either of the contingencies provided for in the first and second sections of this act, the President of the United States shall be authorized to apply a part not exceeding \$1,000,000 of the appropriation made in this act to repairing or arming fortifications along the seaboard and frontier.

Sec. 8. And be it further enacted, That whenever militia or volunteers are called into the service of the United States, they shall have the organization of the army of the United States, and shall receive the same pay and allowances.

Sec. 9. And be it further enacted, That the several provisions of this act shall be in force until the end of sixty days after the meeting of the first session of the next Congress, and no longer.

JAMES K. POLK, S. H. R.

WM. R. KING,

President pro tem. of the Senate.

Approved, March 3, 1839.

M. VAN BUREN.

THE BORDER WAR.

The latest intelligence is, that troops are advancing on both sides, and things, it is feared, are rapidly approaching a crisis. But one thing can prevent it.—The basis of a compromise of the existing difficulty has been informally agreed on between the British minister at Washington and the Secretary of State. Gen. Scott has been despatched with this memoranda to the seat of war, and if he arrives before a blow is struck, the dispute, will, probably, be amicably settled.

The following letter from the public's friend, Major Downing, gives the most satisfactory account of this "vexed question," that we have seen.—*Raleigh Register.*

To the Editors of the New York Express—the same paper my old friend Dwight printed a spell ago.

Washington, Feb 25, 1839.

Mr. Editors: I tell'd you in my last letter that I would say something in my next letter about matters Down East. A short horse is soon curried—and as this matter is in a nut shell, I'll crack it for you arter my fashion—and then if you don't understand it, you may look at the maps and read over treaties, letters, and reports about it, and see if you can get any more light.

This "Disputed Territory," they talk about is a considerable of a "streak of land, kiver'd, the most on't, with everlastin' big trees, where our folks go a logging. We say it is our land, and England says it ain't; and the question is, who is right? We say we claim by a treaty made in 1783, and England says she agrees to the same treaty.—

Now, that treaty marks the line as clear as a whistle; it says *n'th* to the "high lands" that divide the waters running one way and the waters running another way, and then away west and south west back to another pint. We then go north to that pint where the waters run as the treaty says: that is, where the streams on one side run to the St. Lawrence river, and there we stop. But England says there ain't no high lands there at any rate; that there is higher land further south where we ought to stop; but at these higher lands there is no stream running into the St. Lawrence, for the streams all run south there. We say the treaty don't say *how high* the lands are, but to the "high lands" that divide the streams running north and south; that is the pint; and that land can't be *low land*, for the waters would'n't run nary way. And, besides this, there is another explanation in the same treaty that marks out the spot we claim too as true as a line; and if any man's farm was marked off by a *dred*—like this—any court in creation would give it to him. Now, the hull nub of the business is this: England finds if we claim by the old treaty, we cut off all her roads between New Brunswick to Canada, and in winter time, when the river St. Lawrence is frozen up, there is no sending across lots, from Nova Scotia and New Brunswick to Quebec, or any part of Canada. A few years back it was agreed to leave it to some old King, (a Dutchman, I believe,) to say where these high lands was. He considered a spell, and seeing, no doubt, what his brother King's notion was, he fixed on a line north where there was no high lands at all, but just far enough north to allow his passage across, just as though the treaty said, "the north pint shan't be so far north as to cut off his passage way." Now, here the matter rested; all we ask is, to go by the treaty: and now that our folks have got riled up about it, and know what the treaty is, they'll make a spoon or spile a horn; and I don't see any other way of settling on't. If England sends troops there, it will be a "disputed territory," for I would just about as soon think of going down into a wolf cave to coax out the wolves with bread and butter, as attempt to drive out them long-armed-hard-listed-wood-choppers from the forest when they know they have got law on their side. We found it pretty tough work to rout out the Seminoles down South; but that is cream and custards to routing out the Down Easters, if they git their dander up. They are amazin' civil folks if you don't attempt to drive or scourge 'em and considerable liberal in a bargain too, if you don't try to pull eye teeth, for then it would be dog eat dog. Now, I don't see only one way of settling this matter, or, at any rate, quieting on't for a spell; for there is no other way of settling on't but by the treaty or something worse; but I go for quieting on't.—

England, I suppose, don't care how long it remains a disputed territory, and I suppose our folks don't nether, provided they ain't losers by it.

Now, for the sake of keeping the peace, let all the timber that is cut on this disputed territory be allow'd to go to England as free of duty, on one side as tother, no matter who cuts it; there is enough on't for all creation to cut till the Queen gets to be a grandmother, and by that time folks will be chopping other matters; and as regards a pass-

age across, we don't care much about that, for it is about as likely that as many folks will in time go one way as tother, and so long as they don't trouble us, or likely to trouble us, we won't complain.—We like to see folks moving especially in the way of trade; it keeps matters brisk and spry; and as for sojog, except on 4th of July, or some such day, in ten years from this folks will be ashamed on't.

Now, my advice to our folks is to keep cool, and make no stir about the matter till they git orders from Washington. The General Government ain't asleep about it; all are wide awake; Congress will put the matter as strait as a pine log, and England will see the advantage of doing right. But if these Governors on both sides, for the sake of flourish, lead their folks into hot blood, they may find they have begun to carve the meat before it is cooked, and have a poor dinner on't. This is an everlastin' country in a real fight, when all take hold; then we shall be sure to make clean work and to git what we fight for. But if any part on't undertakes a fight afore the other part knows what the quarrel is about, it may make a muss and dirty work only.

There is always two ends to a stick; we have in this matter got hold of the clean end, and let us keep it, and not in a hurry or untimely scuffle change ends, and perhaps hold the nasty one; and that's all for the present.

From your friend,

J. DOWNING, Major,
Downingville Militia, 2d Brigade.

Correspondence of the Journal of Commerce.

Washington, Thursday,
February, 21st, 1839.

The House presented an unusual and painful scene of excitement to day. I say painful, but it no doubt delighted most of the lookers on. The news spread rapidly, this morning, that Duncan was to be impeached and stayed alive in the House, and that, in all probability, there would be a few lives sacrificed on the floor. A vast concourse of spectators was accordingly assembled in the galleries, and even the privileged seats on the floor were filled. The Senators came down in numbers to witness the spectacle. No parallel could be found for the scene, except in the gladiatorial exhibitions of ancient Rome. The spectators all had their favorites, and would no doubt back them with bets, till one or the other were slain. Loud applause from the galleries sometimes cheered on the combatants, and at other times, deep silence and attention gave them still greater encouragement.

It was a painful and a humiliating spectacle to those who saw, in it, the beginning of the end. The demon of party spirit has driven out all decency and all sense of decorum from the Capitol, and the time is at hand when foul personal abuse, on the floor of the House, will be succeeded, not by mere fist-cuffs, but by fierce and bloody conflicts. It is said that many of the members now go armed to the capitol, and, if the words which are so often banded between them were any thing, there is an occasion for it. The spectators were disappointed with the show to-day, nobody was shot on the floor, and all that the parties did was merely to do what they have often done before,—blacken each other with every foul epithet that the Billingsgate vocabulary could afford.

I shall not go into the disgusting details;—but give you a programme of the spectacle.

Mr Prentiss offered a resolution declaring that it was necessary for the House to inquire, whether Alexander Duncan, a member from Ohio, had published in the Globe certain statements abusive of Mr. Stanly and Mr. Southgate; whether this was not a breach of privilege; and whether the member offending ought not to be expelled.—Mr. Prentiss supported the resolution at great length, in a very animated speech,—dwelling upon the necessity of protecting the members of the House, or of suffering them to protect themselves. He was opposed to the duel law, believing that it would encourage blackguardism, and he called upon the House either to protect its members, or to give them back the arms of chivalry.

He called the attention of the House to that part of the duel law which provides that if any person shall call another a coward, or shall use any approbrious language to him for having refused to fight a duel, he shall be punished by seven years' imprisonment in the Penitentiary, and contended that Mr. Duncan's publication came within the spirit of the law. He called upon the framers of this law to say what they meant by it.

Before Mr. Prentiss spoke, there was a call of the House, which was most unnecessary, for the members, on such occasions, are rarely absent.

Mr. Duncan, to save the trouble of enquiries, avowed the authorship of the publication, signed by his name.

Mr. Jenifer made some remarks expressive of his apprehension that the duel law would be found practically mischievous, though he had reluctantly voted for it. He had hoped that the gentleman from Mass., (Mr. Adams) who was influential in the passage of that law, would have come forward, on the occasion, to assert the privilege of members.

Mr. Duncan followed in a long justification of his course. He said that in the House, he was prevented, by a call of the previous question, from reply to the false statements there made in reference to him; that on the fourth of February, the Intelligencer contained a speech abusive of him; that this abusive speech he could reply to no where but in the newspapers; that he and his political friends had been abused and insulted daily and habitually on this floor, in the other House, and by the lean and hungry federal letter-writers employed here by the opposition; that he was driven to his publication by necessity, stern necessity. What he had done was contrary to his better judgment,—against his better feeling, and as he was conscious, against all parliamentary laws and decorum. But the necessity of the case was his apology to his constituents and the country. Every word he had said, he believed, in his heart, to be true, and every word he would stand by. He had not the duel law in contemplation when he wrote the articles, but he held himself, in spite of that law, at any gentleman's call in ten days time, the session would be over, and he and the parties aggrieved would be out of the "ten miles square." Then the duel law would be inoperative upon them.

Mr. Gray, of New-York, reminded the House that the session was nearly at an end, and that there would not be time to consider even the question of the constitutional power of the House over the subject. He would also remind them that another case of privilege had priority on the calendar, and must first be disposed of,—a case vastly more important than this,—in which the life of a member of this House was sacrificed.

Mr. Wise asked the floor from Mr. Gray, and said that if Mr. G. would not move the previous question, he, (Mr. W.) would call up that prior case, and demand of the House a decision of it.

Mr. Gray move that the whole subject lie on the table. Lost 83 to 91.

Mr. Menifee made a long speech directed personal against Mr. Duncan, and, in the course of it, two incidents occurred that delighted the spectators.

Mr. Menifee made the point that Mr. Duncan had admitted himself to be wronged and insulted, and that, therefore, it was his duty to have demanded redress *instantly*; but, instead of this, he had husbanded his wrath for weeks, and then poured it out in a newspaper.

Mr. Duncan said he prepared the article and sent it to the Globe a fortnight ago, after the appearance of Mr. Stanly's speech in the Intelligencer.

Yes said Mr. M., but "you kept back the publication till the duel Bill had become a law." [Here a tumultuous shout of applause arose from persons on the floor, and was re-echoed by the galleries.] The Speaker interposed and gave notice that he should clear the galleries at the next offence.

Mr. Duncan. If the member from Ky. means to say that I intended to take advantage of the duelling law, in any way, he is, &c. &c.—using very unparliamentary expressions. [Loud cries of order, and a check from the chair.]

Mr. Menifee. The time has passed

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