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**HIGHLAND MESSENGER.**

**ASHEVILLE:**

Friday, March 24, 1843.

**Corrections.** Since two or three typographical errors in last week's paper unfortunately escaped the notice of the proof-reader. In the list of United States Senators, J. J. CRITTENDEN, of Ky., should have been marked as a Whig, and the whole number of Democrats set down at 23 instead of 33.

### THE BANKRUPT LAW.

The course pursued by our National Legislature for the last eight or ten years has been such as unquestionably tends materially to injure the permanency of any system calculated to facilitate our prosperity. The constant practice of doing and undoing, enacting and repealing, resolving and rescinding, is ever calculated to unsettle the whole political and commercial operations of the country. We noticed but the other day that less revenue had been received from the custom-houses since the passage of the Tariff than what was usually received in the same time previously—a fact which is no doubt owing to the threats of the Democrats to have the law repealed—thus preventing capitalists from vesting their funds in trade—as every one would prefer his money to lie idle rather than to purchase largely, and import goods under the provisions of a Tariff, have that tariff repealed and the goods still on hand to be sold at a ruinous sacrifice. The Bankrupt law has been repealed just when its objectionable features were ceasing to operate, when its retrospective influences were well nigh spent, and just when, if suffered to remain, it might have begun to benefit the whole community. We were never partial to it as it first passed Congress, but always believed that it might have been so amended as to have been of great benefit to the whole country, and this is what should have been done. The consequences of the repeal will be a return to the insolvent laws of the different States, which have always proved so inefficient in their operations. The door will again be thrown open to fraudulent assignments of property, or assignments for the benefit of some creditors to the exclusion of others.

This state of public affairs, we fear, will not be remedied until public attention is called to the subject, and the public mind enlightened so far that talent and moral worth will have precedence of tact and demagoguism. The low buffoonery and personal vituperation now common in electing canvasses are such as to drive hundreds of high-minded, honorable men from the field—men who would render the country efficient service, refuse to place their feelings and character at the mercy of the populace, where each drunken jackanape feels at liberty to kick either to and fro like a foot-ball—hence in our State and National Legislatures we too often find men devoid alike of talent and character.

If a man laugh loud—talk at random—tell a smutty anecdote—abuse every body who may happen to have more decency and character than himself—and especially if some person tells of his meanness, so that he can raise the cry of persecution, he stands a pretty fair chance for success.—On the other hand, if he be honorable and high-minded—if he scorn to act the demagogue and play the buffoon—if he pursue a straightforward, independent, manly course—and particularly if he possess talent and character, he may as well stay at home.

These remarks, of course, not apply to all, but there are many to whom they do apply, and for such they are intended.

**Horrible.**—Two men in Mississippi named Newman and Sanford, had some difficulty for some time, when lately Newman called at the residence of Sanford, as he said, to effect a reconciliation. After conversing awhile, the parties shook hands, and as Sanford supposed, their difficulties were amicably adjusted; but as his side was turned towards Newman, the latter fired with a double barrel gun, charged with buckshot, and lodged the whole load in Sanford's abdomen. Sanford staggered back

against the wall where his own gun was lying on a rack, seized it and fired upon Newman, and they both fell dead in a few seconds.

### RELATIONS WITH ENGLAND.

From the message of the President of the United States to both Houses of Congress, which was sent in some days before the adjournment of that body, and which we might have published sooner but for the crowded state of our columns, it will be seen that our difficulties with England are not yet, as was happily supposed at an end. There seems to be a quite different view taken by the two Governments as to the 8th article of the late treaty. It was and still seems to be distinctly understood by the American Government and the American people that England had unreservedly given up her claim to a right to search American vessels which she might suspect to be engaged in the slave trade—while Sir Robert Peel, the Prime Minister of England, declared that no concessions whatever had been made on that subject.

In addition to this, the questions as to the right and settlement of the Oregon Territory are about to differ the two Governments.

Mr. WEBSTER, it is said, will be sent as Minister to England, and we are satisfied that a more competent man, in view of coming difficulties, would be hard to find.

### President's Message.

The Speaker, on the 27th, laid before the House the following message from the President of the United States, in answer to a resolution of this House, on the subject of the construction of that portion of the treaty of Washington which relates to the right of visitation:

WASHINGTON, FEB. 27, 1843.

To the House of Representatives:  
In compliance with the resolution of the House of Representatives of the 22d inst., requesting me to communicate to the House "whatever correspondence or communication may have been received from the British Government respecting the President's construction of the late British treaty concluded at Washington, as it concerns an alleged right to visit American vessels," I herewith transmit a report made to me by the Secretary of State.

I have also thought proper to communicate copies of Lord Aberdeen's letter of the 30th December, 1841, to Mr. Everett, Mr. Everett's letter of the 23d December, in reply thereto, and extracts from several letters of Mr. Everett to the Secretary of State.

I cannot forego the expression of my regret at the apparent purport of a part of Lord Aberdeen's despatch to Mr. Fox. I had cherished the hope that all possibility of misunderstanding as to the true construction of the 8th article of the treaty lately concluded between Great Britain and the United States, was precluded by the plain and well weighed language in which it is expressed. The desire of both Governments is to put an end as speedily as possible to the slave trade, and that desire, I need scarcely add, is as strongly and as sincerely felt by the United States as it can be by Great Britain. Yet it must not be forgotten that the trade, though now universally reprobated, was up to a late period prosecuted by all who chose to engage in it, and there were unfortunately but very few Christian Powers whose subjects were not permitted and even encouraged to share in the profits of what was regarded as a perfectly legitimate commerce. It originated at a period long before the United States had become independent, and was carried on within our borders in opposition to the most earnest remonstrances and expostulations in some of the colonies in which it was most actively prosecuted. Those engaged in it were as little liable to inquiry or interruption as any others. Its character thus fixed by common consent and general practice, could only be changed by the positive assent of each and every nation, expressed either in the form of municipal law or conventional arrangement. The United States led the way in efforts to suppress it. They claimed no right to dictate to others, but they resolved, without waiting for the cooperation of other Powers, to prohibit it to their own citizens, and to visit its perpetration by them with condign punishment. I may safely affirm that it never occurred to this Government that any new maritime right accrued to it from the position it had thus assumed in regard to the slave trade. If, before our laws for its suppression, the flag of every nation might traverse the ocean unquestioned by our cruisers, this freedom was not, in our opinion, in the least abridged by our municipal legislation.

Any other doctrine, it is plain, would subject to an arbitrary and ever varying system of maritime police, adopted at will by the great naval Power for the time being, the trade of the world in any places or in any articles which such Power might see fit to prohibit to its own subjects or citizens. A principle of this kind could scarcely be acknowledged without subjecting commerce to the risk of constant harassing vexation. The attempt to justify such a pretension from the right to visit and detain ships upon reasonable suspicion of piracy would de-

servedly be exposed to universal condemnation, since it would be an established rule of maritime law, incorporated as a principle into the international code by the consent of all nations, into a rule and principle adopted by a single nation, and enforced only by its assumed authority. To seize and detain a ship upon suspicion of piracy, with probable cause and in good faith, affords no just ground either for complaint on the part of the nation whose flag she bears or claim of indemnity on the part of the owner. The universal law sanctions, and the common good requires, the existence of such a rule. The right, under such circumstances, not only to visit and detain, but to search a ship, is a perfect right, and involves neither responsibility nor indemnity. But with this single exception, no nation has, in time of peace, any authority to detain the ships of another upon the high seas on any pretext whatever beyond the limits of the territorial jurisdiction. And such I am happy to find, is substantially the doctrine of Great Britain herself, in her most recent official declarations, and even in those now communicated to the House. These declarations may well lead us to doubt whether the apparent difference between the two Governments is not rather one of definition than of principle. Not only is the right of search, properly so called, disclaimed by Great Britain, but even that of mere visit and inquiry is asserted with qualifications inconsistent with the idea of a perfect right.

In the despatch of Lord Aberdeen to Mr. Everett of the 20th December, 1841, as also that just received by the British Minister in this country, made to Mr. Fox, his lordship declares that if, in spite of all the precautions which shall be used to prevent such occurrences, an American ship, by reason of any visit or detention by a British cruiser, "should suffer loss and injury, it would be followed by prompt and ample remuneration;" and in order to make more manifest her intentions in this respect, Lord Aberdeen, in the despatch of the 20th of December, in the despatch to Mr. Everett the nature of the instructions given to the British cruisers. These are such as, if faithfully observed, would enable the British Government to approximate the standard of a fair indemnity. That Government has in several cases fulfilled her promises in this particular by making adequate reparation for damages done to our commerce. It seems obvious to remark, that a right which is only to be exercised under such restrictions and precautions, and risk, in case of any assignable damage, to be followed by the consequences of a trespass, can scarcely be considered any thing more than a privilege asked for, and either conceded or withheld, on the usual principles of international comity.

The principles laid down in Lord Aberdeen's despatches, and the assurances of indemnity therein held out, although the utmost reliance was placed on the good faith of the British Government, were not regarded by the Executive as a sufficient security against the abuses which Lord Aberdeen admitted might arise in even the most cautious and moderate exercise of their new maritime police; and, therefore, in my message at the opening of the last session, I set forth the views entertained by the Executive on this subject, and substantially affirmed both our inclination and ability to enforce our own laws, protect our flag from abuse, and acquit ourselves of all our duties and obligations on the high seas. In view of those assertions, the Treaty of Washington was negotiated, and upon consultation with the British negotiator as to the quantum of force necessary to be employed in order to attain these objects, the result to which the most deliberate estimate led was embodied in the eighth article of the treaty.

Such were my views at the time of negotiating that treaty, and such, in my opinion, is its plain and fair interpretation. I regarded the eighth article as removing all possible pretext, on the ground of mere necessity, to visit and detain our ships upon the African coast because of any alleged abuse of our flag by slave traders of other nations. We had taken upon ourselves the burden of preventing any such abuse by stipulating to furnish an armed force regulated by both the high contracting parties as sufficient to accomplish that object.

Denying, as we did, and do, all color of right to exercise any such general police over the flags of independent nations; we did not demand of Great Britain any formal renunciation of her pretension, still less had we the idea of yielding any thing ourselves in that respect. We chose to make a practical settlement of the question. This we owe to what we had already done upon this subject. The honor of the country called for it; the honor of its flag demanded that it should not be used by others to cover an iniquitous traffic. This Government, I am very sure, has both the inclination and the ability to do this; and, if need be, it will not content itself with a fleet of eighty guns, but sooner than any foreign Government shall exercise the province of executing its laws and fulfilling its obligations, the highest of which is to protect its flag alike from abuse or insult, it would, I doubt not, put in requisition for that purpose its whole naval power. The purpose of this Government is faithfully to fulfil the treaty on its part, and it will not permit itself to doubt that Great Britain will comply with it on hers. In this way, peace will best be preserved, and the most amicable relations maintained between the two nations.

JOHN TYLER.

### ["From the Alhambra."] "The last look o' Home."

Bare was our burn brae,  
December's blast had blown,  
The last flower was dead,  
An' the brown leaf had fa'en.

It was dark in the deep glen,  
Hoary was our bill,  
The wind frae the cauld north  
Blew heavily an' chill.

When I said, "fare ye weel,"  
To my kith an' my kin,  
My barque it lay ahead  
An' my cot-hoose ahin.

I had naught left to tyne,  
I'd a wide world to try,  
But my heart it was na' lift  
An' my eye it was na' dry.

I look'd lang at the ha'  
Through the mist o' my tears,  
Where the kind lassie lived  
I had ran wi' for years.

Even the hangings where we sat,  
Wi' their broom cover'd knowes,  
Took a haun, on my heart  
That I ne'er can unloose.

I ha' wander'd sin aye,  
By gay temples an' towers,  
Where the ungodly'd spae  
Scent the breeze in their bow'rs.

O! sic scenes I can bear,  
Without pain or regret,  
But the last look o' home  
I never can forget.

### Highly concentrated Sermon.

BY OLD HUNDRED.

My dear dandies and belles, lops and flirts  
and other stragglers down the hill of life,  
my text to day is that much used and abused  
saying, "Does your Mother know you are out?"

Poor silly inflated grub-worms, I would say for your sakes and capers that she don't know you're out. You young lady, with a parasol like a wet cabbage leaf on a ram-rod, and chains of hair down each cheek, like a bottle-tailed spider dipped in blacking, had been making his everlasting elopement, over your rouge-covered face, leaving a broad trace behind him, and on your back a peck of bran,—and your mincing gait, like you were picking your way among rotten eggs, or was barefooted in a briar patch, and your arm linked to a brainless dandy, (but I'll come at him as soon as I am done you,) wriggling along the street, and for what? to hunt up indigent virtue, or suffering innocence, to pour balm on the wounded spirit of poverty, or only to smear your own giddy heart with the soothing grease of vanity, to hear fools whisper as you pass: "what a fair girl!" Remember, vain one, beauty is but skin deep, and the storms of matrimony and the bleak winds of affliction rub it all out, and leaves the countenance bare and unbecoming as a weather-beaten barn door, unless you put on a coat of the lasting paint of meekness, worth, and love, under the varnish of beauty. If you can laugh like him who wins, and know that you are still loved, and lovely, and that you are still beautiful, now that the gloss which hid your worth and goodness beneath its dazzling glare is gone, you shed a happy influence on all near you, make us poor erring mortals feel just like a man almost frozen feels when he sets down by a cheerful fire at his own home. He hears the storm but needs it not; he is happy once more. But have you done this? I am afraid that you are but a butterfly, born a worm, to die an insect.

Ah, I don't half like that laugh—it was forced; you pretended to be pleased with that fool's wit, when you knew it was violent! Oh, why such deceit, kiddy fluttering worm of the cabbage patch; you are soul and body, for a little empty, windy, useless adulation; yes, sold to that old snake with the fish hook on his tail—the same snake that fooled your mammy in Adam's truck patch—and oh, scissors! how he will strip that fiery and raise a dust for a mile around, with that peck of bran. Say, flower-sucking butterfly, does your mother know you're out? If she does, she is unfaithful to her trust; and ought not to be trusted again, any more than the man who stole a handful of acorns from the blind sow. Go home, gossamer, and try to prepare yourself to be a woman, and then when you are abroad, any body will know that your mother knows you're out.

Now you that was cut out for a man, but was so villainously spoiled in making up, I'll attend to your case. For what end did you burst upon the world's door and rush in uncalled, like a man chased by a mad bull what good do you expect to bestow on your fellow man—some useful invention, some heroic act, some great discovery, or even one solitary remark? No, those that look for any thing useful or good from you, will be just as badly fooled as the man who caught the skunk and thought it was a kitten; or the woman when she made greens of gunpowder tea. You know where the neatest, tightest pants, with the strongest straps, can be got on 'tick,' but you don't know where the next useful lecture is to be delivered, you know the fashionable collar of a vest, but you never studied the gorgeous hues of a rainbow, unless it was to wish for a piece to make a cravat of; you know how a fool feels in dress, but you don't know how a man feels when he eats the bread earned honestly by the sweat of his own brow; but you know how a monkey looks; for you see one every day, twenty times, in your landlady's looking glass, but you don't know how a man feels after doing a good action, you don't go where that sight is to be seen. Oh! you wasp-waisted, cat-fish mouthed, baboon-shouldered, caterpillar-legged, goose-eyed, sheep-faced, bewiskered drone in the world's bee hive! what are you good for? Nothing but to cheat

your tailor, nearly lisp by note a line for some milk and cider poet sentimentally, eat oysters gravely, smoke cigars lazily, make silly girls get the fool shamefully. I say, does your mother know you're out, poor useless load? I am afraid you have no mother nor never had.

You are no more use in this world than a time piece in a beaver dam, or a hair mattress in a hog pen. You fill no longer space in the world's eye than the toe nail of a musquito would in a market house, or a stump tailed dog in all out doors; you are as little thought of as the fellow who knocked his grandmother's last tooth down her throat, and as for your brains, ten thousand such could be preserved in a drop of brandy and have as much sea room as a tadpole in Lake Superior! and as for ideas, you have but one, and that is stamped on your leaden skull an inch deep, that tailors and females were to be gulled by you, and that all may envy your appearance. Poor useless tobacco worm, you are a case.—Does your mother know you're out? It is lunch time; so start, buy a brandy toddy on tick from some good natured landlord, and eat lunch until you are as tight as a drum, snusk to bed and think of nothing until you fall asleep, to dream of spies, pant straps, and tailor's bills, not to awake until the dinner bells call you to eat again.

How many harmless, shallow mortals of another order go scudding about on the surface of the world's great waters, without a motive; guided only by chance, whim or impulse, like a mellow bug in a big eddy under a shady willow, until they are swallowed up by the greedy bass of death, and the first thing that they know, they know nothing; when I see one of these, I always think poor bug, your mother don't know you're out.

How many silly ones neglect their business and get after some foolish pleasure and chase it, and keep chasing it—like a boy after a butterfly, until they wear out the hat of constitution, beating the ground with the vain hope of catching the swift phantom and finally fall into some hidden pit covered with flowers to rise no more? I then think poor fool, your mother don't know you're out; nor you won't be out soon again. When I see a young man step in the skiff of dissipation, and start down the stream of pleasure, using the oars of imprudence, while folly holds the helm, passing the shores of propriety faster than a streak of lightning can pass a sick crew, and at last drawn over the falls of total destruction and dashed into as many atoms as a drop of water from a four story roof, I then ask myself, for I can't ask of him, did his mother know he was out. When I see a boy leaving the prison door, after a long and dreary confinement, with a pale face and withered hands, his step weak and tottering skulking along, dodging all he meets like a guilty thief, shading his eyes from the usual glare of daylight, cut from the society of his fellow beings, for some trivial offence committed in the thoughtlessness of erring boyhood, (when if mild treatment had been resorted to and the crime buried in silence, and inducements held out to him to think well of himself, perhaps that boy might have been saved from treading the slimy road of villainy.) I say, when I see this, I think of the grey haired mother at home, if a boy can be a home, the scalding tears of misery chasing each other off her high cheek bones, and her bony hand shaking with age and sorrow for her only hope—her son, while her bold looking eye rests on nothing; I say to myself, poor suffering woman, you don't know he is out—yes, he is out! out of jail; out of friends; out of credit; and out upon the world, a scoundrel, for the rest of his days, all for the commission and punishment of a boyish crime. So the world goes, and so it will go, till it is run down, and I begin to think, that but few of our mothers know we are out!

From Alexander's Messenger.

### A National Stock for \$200,000,000.

Every patriot should deem it his duty to examine any measure that may seem calculated to benefit his country. The question now before Congress proposing to create a National Stock of \$200,000,000, based upon the Public Lands to be divided among the States, is worthy this attention. Its features are so simple and just, that it cannot fail to meet the wishes as well as the wants of the people.

The Public Lands are the property of the States—earned by the blood of our forefathers, and held by the general government in trust. In order to pay their just debts, and preserve their honor, the States require their trustee to issue this Stock—this will at once restore credit, and bring forth the capital which remains idle for want of the proper security for investment. At present, no means exist to furnish employment to the people—the laborer and employer suffer alike—want and misery attend the former, and the latter gloomily anticipates the day when the balance of his little means shall be wrested from him. The time for party feeling is past, and the people are now crying aloud for relief at the hands of Congress—they claim it as their right—manufactures, commerce, and agriculture, are now equally prostrated—let this Stock be issued, and every class will be benefited. Firm and decided action should be taken by Congress, at once, in order that through this excellent measure the people may be rescued from their present distress, and the States enabled to redeem their honor.

It is estimated that one million of men are out of employment in the United States, owing to the want of an impulse to trade, and a proper foundation for it, whose labor, at \$1 per day, (and this is a low estimate, as numbers of artisans are idle who formerly earned from 15 to 20 dollars per week) will amount to the sum of upwards of \$300,000,000 per annum loss to the laboring people alone—only two-thirds of this sum is asked in National Stock, based on the public lands so securely, to save to the people this enormous interest, which they are paying without the use of the Stock.

It has been said by the opponents of the plan, that it amounts to an assumption of the State

debts—this is not so. The lands, I repeat, are the property of the States, held in trust for them by the general government, and now they require but the use of a small portion, to free them from their embarrassment. A man deeply involved in debt, and who has no means to liquidate it, unless he mortgages a portion of a small estate belonging to him, cannot be honest if he refuses to do it, and still allow his creditors to suffer—his dishonesty would certainly be apparent to all. So is it with the States—it is a part of their own estate they wish to mortgage, in order to redeem their liabilities, and place the country in the station she once occupied. The people require but their rights; the petitions they daily present do not ask for assumption.

["From the Albany Evening Journal."]

### Washington's old servant.

Washington, Feb. 5.

The spirit of patriotism within me has been refreshed this morning by communion with a man whose existence constitutes a link—probably the only link—which connects the present with the long, long past.

Having noticed that a bill passed the House of Representatives granting a pension to John Carey, who was the servant of Col. Washington at Braddock's defeat, and who was also his army servant during a part of the Revolutionary war, I inquired him out, and to-day the Hon. Mr. Briggs of Massachusetts and the Hon. Mr. Morgan of our own state, accompanied me to the old veteran's cabin, which is upon a branch of the Potomac, about a mile from the navy yard. We found him in good health and with a strong feeling of gratitude to God and his country at the prospect of a pension. He says that the people of Virginia, thirty years ago, told him, that if he came to Washington, he would be sure to get a pension, and though he has suffered many years of disappointment, instead of complaining, he has been thankful for the mercies and blessings he has enjoyed.

When we commenced conversation with him his voice was tremulous and his utterance difficult. But this, as his feelings rose, waxed more, and he talked for an hour and a half with much animation, evincing remarkable intelligence, and regard for truth, and a just sense of the value of information derived from his own experience. He did not know how old he was, but he said he was several years past 80. "Colonel" at Braddock's defeat, he said, he had seen the old man in the army in 1743, talking to him, and giving away his fiddle, stop playing, and he would take care of him, and that he found him a kind, good matter. He gave us a brief but intelligent account of the disastrous battle in which the English General fell. This living chronicle of a battle which occurred almost one hundred years ago, from the lips of one of the actors in the same was deeply interesting.

Mr. Briggs showed the old negro a sword belonging to General Washington, which by many was supposed to be the one worn at Braddock's defeat. After examining it, the old man said that it was not so; that the "Colonel" had two swords with him in that campaign, both of which he said he had the care of, and which he described. Mr. B. informed him that the sword came from Washington's grand nephew; but he persisted in saying that it was not used in that campaign, as is the fact, for upon the belt-buckle "G. W. 1757" is engraved, showing that it was made two years after that battle.

He then gave some account of scenes on the Brandywine, in the Revolutionary war, and of the surrender of Cornwallis, when he was again Washington's servant, but with less distinctness, showing that the earliest scenes were best remembered. When he heard of Washington's illness, he came from his residence to Mount Vernon, arriving the day after the General died. At first nobody there knew him, or would allow him to see the remains, but his importunities finally brought some of the family out, by whom he was recognized.

At the close of the war General Washington gave him one of his military coats, which he has carefully preserved, and values it as a relic above any price the world can offer. This was shown to us. It is blue, with yellow facings, and large metal buttons six of which have been feloniously cut off by visitors. In looking at and talking of this precious garment, the old man brightened up and became enthusiastic. Mr. Briggs asked him for the coat. He saw the question was not in earnest, and barely replied, "Don't ask such a question, massa." Mr. Morgan, with apparent earnestness, repeated, "How much money shall I give you for it, John?" At this he drew up and replied with spirit, that if he had nothing but rags to wear, and nothing to eat, all the money in the world could not buy that coat. But he added, "you may put it on, as a heap of ladies and gentlemen have done before."

Having been with him more than an hour, I spoke of going, but he urged us so earnestly to stop that we remained much longer, listening with constantly increasing interest, to one who has lived to more than five score and ten years.

His mental faculties are yet unimpaired. His vision and speech are affected, but his hearing is good. His wife is more than seventy years his junior, and his only companion and nurse. They live in a cabin which he built before the late war.

The bill which has passed the House, under the auspices of Col. Talfierro and Mr. Briggs, gives him a pension of \$80 per annum, commencing in 1842.

A Temperance Temple is talked of at Washington. A portion of the stock has already been subscribed.