

# MINERS' & FARMERS' JOURNAL.

PRINTED AND PUBLISHED EVERY WEDNESDAY, BY NOBLE & HOLTON...CHARLOTTE, MECKLENBURG COUNTY, NORTH-CAROLINA.

I WILL TEACH YOU TO PIERCE THE BOWELS OF THE EARTH AND BRING OUT FROM THE CAVERNS OF THE MOUNTAINS, METALS WHICH WILL GIVE STRENGTH TO OUR HANDS AND SUBJECT ALL NATURE TO OUR USE AND PLEASURE.—DR. JOHNSON.

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### TO THE FREEMEN OF

Lincoln, Mecklenburg & Cabarrus counties.

FELLOW-CITIZENS:—I am a candidate to represent you in the next Congress of the United States. Viewing me as such, you have a right to inquire by what political principles I am governed, and to be informed of my sentiments and views as regards those leading subjects which have distracted, and I fear, will continue to distract the public councils of our national government. I have taken this method of giving you that information, and I do it willingly, because it will afford you an opportunity to reflect upon those subjects, and will enable you to make, deliberately, such a decision as the interest of our common country requires.—I am a republican; my political principles were formed during the administration of Mr. Madison—with him and with that class of politicians who supported his doctrines and defended his measures, I uniformly acted. These opinions have grown up with my growth—been my guide throughout my political life, and candor compels me to declare that in them I still have the greatest confidence.

Our national legislature exercises a jurisdiction for certain purposes, over an empire—the operation of its laws are felt from Maine to Louisiana, and from the Atlantic to the Rocky Mountains: embracing within its circle diversities of soil and of climate, with a few exceptions, unprecedented in the annals of modern history. The inevitable consequence is, that among the population throughout this wide extent of country there must be a diversity of pursuit, of feeling and of interest. General legislation when applied to, and operating upon, either directly or indirectly, the various pursuits, feeling and interest of those who compose this great nation of active and energetic freemen, might well be expected, on some occasions, to create political excitement—and in fact it has already produced that state of feeling on the part of those who believe their interests have suffered by the unequal, consequently, unjust operation of some of the laws of Congress. It is beyond the power of man to make a system of government like ours, or any other, operate with precise equality—nor is inequality always injustice. Every State cannot expect to shape the measures of the General Government to suit its own particular interest. The causes which prevent it are seated in the nature of things, and cannot be entirely counteracted by human means. Mutual forbearance therefore becomes a duty obligatory upon all. The foundations of our constitution were laid in a spirit of compromise and forbearance. It is the duty of those who have the management of our government to administer it in this spirit. If any portion of the United States conceive that they are aggrieved, let them with firmness, but with moderation and forbearance, pursue all constitutional means of redressing themselves, and for obtaining this object, let temperance and reason and not passion and threats, be the weapons used—let it be a manly constitutional struggle for what is constitutionally right—let us beware of nullification and disunion; for of all political heresies that of nullification to my mind is the most dangerous and alarming—it strikes at the very root of our happy form of government. The doctrine of nullification held by those who have officiated as high priests in the dispensation of this political heresy, amounts to this: That any one State has a right to resist a law of the United States. Or, in other words, that a minority may govern and control a majority, whenever they shall think proper so to do—a principle so false and untenable, so unquestionably absurd and at war with all the preconceived and established principles of this government, that I am at a loss to account for the cause that could induce reasonable, intelligent, high-minded men to put their faith in such doctrines, and upon such fallacies, jeopardize the union of the States, and consequently all the numberless political benefits that result from it. The insidious and baleful effects of this false principle was manifested during the latter session of the last Congress, in the attempt made to repeal the 25th section of the act of Congress to establish the Judicial Courts of the United States, passed in 1789, during the administration of General Washington. This section of the act gives to the Supreme Court of the United States supervisory jurisdiction over the State Courts in questions grow-

ing out of the constitution, treaties, and laws of the United States. The expressed opinion of some of the ablest and most virtuous statesmen of our country, is, that a repeal of this important section of the act of 1789, would virtually be a repeal of the Union.—Repeat this section and it seems to me to follow as a necessary consequence, that there might be a different decision in each State of the Union upon precisely the same constitutional question. If the decisions of the State Courts should be final, the constitution and laws of the Union might be construed to mean one thing in one State, and another thing in another State—"all uniformity in construction would thus be destroyed."—North-Carolina, in her State Courts might recognize a law of Congress as constitutional, and the Courts of Virginia or South-Carolina decide the same to be unconstitutional. The judiciary of the States might refuse to carry into effect the laws of the United States, and without that appeal to the Supreme Court which the 25th section authorizes, these laws would be entirely annulled, and could not be executed without a resort to force. This position may be illustrated by the following examples, (and in giving the examples my apology for using the language of the committee, who reported it, is to be found in the context itself.)

"Suppose the Legislature of one of the States, believing the Tariff laws to be unconstitutional, should determine that those laws ought not to be executed in its limits. They accordingly pass a law imposing the severest penalties upon the collectors or other custom house officers of the United States within their territory, if they should collect the duties on the importation of foreign merchandise—the collector proceeds to discharge the duties of his office under the laws of the United States, and he is condemned and punished before a State Court for violating this State law. Repeal the 25th section, the decision of the State Court would be final and conclusive—any State could thus nullify an act of Congress which she deemed to be unconstitutional."

"The Executive of one of the States in a message to the Legislature, has declared it to be his opinion, that the land belonging to the United States within her territory is now the property of the State by virtue of her sovereign authority.—Should the Legislature be of the same opinion, and pass a law for the punishment of the land officers of the United States, who should sell any of the public lands within her limits, this transfer of property might be virtually accomplished by the repeal of the 25th section of the Judicial act. Our land officers might then be severely punished, and thus prohibited by the Courts of the States from performing their duty under the laws of the Union, without the possibility of redress in any constitutional or legal form. In this manner the title of the United States to a vast domain, which has cost the nation many millions and which justly belongs to the people of the several States, would be detected and greatly impaired."

You thus, fellow-citizens, see the evil tendencies, the pernicious consequences that would result from legislation of this kind. It would be unpeeling the bonds in which the States are held in union. The disastrous consequences that would have resulted from the repeal of the section referred to, no man can tell; but it appears to me they would be such that it would grieve and afflict any patriot, any dear friend and lover of our liberties and glory of his country, to witness. I have always approved a safe rule in deciding constitutional questions arising out of a law of Congress, to have reference well as to the time when the law was passed.—What then are the facts so far as regards the act of Congress proposed in part to be repealed? It was passed during the first Congress after the adoption of the Constitution—many of those who were members of the Convention who framed the Constitution were also members of the first Congress. In their wisdom the law was originated and passed, and as such received the approbation of the Father of his Country, and was sanctioned by his name in his official character. Under its influence the Judiciary of the United States started into existence, and for forty years has been exercising its jurisdiction over the very subject matter which politicians of yesterday say is unconstitutional. Will you believe them? or will you believe that such men as Washington, Jefferson, Madison and Monroe have been usurping powers, or suffering them to be usurped, by an authority that possessed no constitutional right to exercise them? No attempt was made by the recommendation of these men to repeal the section in question, and Mr. Jefferson and Mr. Madison I suppose were as strong advocates for State rights as any reasonable politician at this day can profess to be.

Gen. Jackson has been and I believe now is the choice of the American people; I therefore hope and believe that he will have no opposition to his re-election. I believe his efforts will more efficaciously put at rest the extravagant delusion of nullification and all its pernicious consequences than any man in the government; and that he will preserve the Union entire, and consequently that the great and primary interests of the country will be promoted by his continuance in office.

As it is your right to have a full exposition of my political views, permit me to call your attention to a few other subjects upon which, no doubt, it will be the duty of your representative to act. The Charter of the United States Bank will shortly expire; the question is then presented, Shall the Charter of that corporation be renewed? My opinion most decidedly is, that the fiscal concerns of the Government cannot be successfully and properly managed without its aid. Political and commercial expediency require that the Bank should be re-chartered, for I think that human ingenuity cannot devise any substitute so well adapted to the financial operations of our government, as the present institution; and at the same time so directly and universally suited to the convenience of the citizens. What guards or checks Congress may place upon the corporation in order to prevent them from abusing the power they must necessarily possess, it will be for the assembled wisdom of the national council to say.

But the policy of the present Tariff is a problem of far more difficult solution. To form a sound and judicious Tariff, such as will suit the various and diversified interest of our thriving and enterprising people, to reconcile hostile interests that necessarily exist in different localities, to raise such a revenue as the wants of our government may require, and at the same time foster the in-

dustry of our country without destroying or materially injuring any portion of it, would present difficulties to the mind of the most profound and astute statesman apparently insurmountable.—Whatever arrangement may be made, one class of citizens will suffer more or less while another is favored. The agriculturist, the manufacturer and the merchant and the consumers, have adverse interests, and the government when she lays her duties on imported merchandise must observe in what way these various interests will be affected. The wheels of government must move on, and revenue supplies the oil that renders the operation of the whole governmental machinery smooth, harmonious and unobstructed. A Tariff law of some description for the purposes of revenue, must be in operation. It is the duty of the legislators of our country to see that one at least sufficient to meet the fiscal necessities of our government is in existence. But when the representative comes to consider what is best to be done, what then is his duty? It seems to me it would be to calculate the benefit or injury it might be to the agriculturist, manufacturer, merchant, or consumer, arising to each, and not to oppress or tax one exclusively for the benefit or support of the other, but to adopt that system productive of the least evil and the greatest good to the country. That the interest of the southern States is seriously affected by the annual operation of the present tariff, must be admitted; it should therefore in my opinion be modified according to the above standard.

The subject of Internal Improvement has produced great jealousy in those States where its benefits have not been sensibly and directly felt. It must be admitted that whatever gives facility and security to transportation, necessarily cheapens the articles transported, and all who consume them are essentially interested in whatever produces this effect. That the General Government has a constitutional right to appropriate money for national improvement, would seem to be admitted both by the States and General Government from the fact, that every administration has made appropriations for such objects. That the General Government may have made improvident and improper applications of public moneys in this way is very probable. My opinion is that the only proper and safe course to be pursued, would be to abandon all kind of extravagant application of public moneys, and to apply from time to time the surplus revenue to such objects of internal improvement as are both practicable and expedient, and such as would produce a national and common benefit, having always in view the strict regard to the various interests of the different States.

The next subject to which I shall invite your attention is relative to the expediency and necessity of establishing a branch of the U. States' Mint in this section of country. For this measure I am decidedly in advocate, believing as I do that the location of a public institution of this kind in the very heart and centre of the gold region would be a public benefit, and would enhance the value of individual property, stimulate individual industry and enterprise, would be a considerable advantage to the citizens of the district as well as to the people of the whole gold region of the South. Against the adoption of such a measure I can see no well founded objection.

I have this, gentlemen, endeavored to lay before you in as clear a manner as the limits of a circular letter will admit, my views upon some of the principal subjects upon which your representative will have to act, and if in the exposition which I have given you upon those important political topics you discover my sentiments and opinions to be different from those which the Honorable Gentleman entertains, who has heretofore represented this district in the councils of the national legislature, my justification is, that we are citizens of a country where difference of opinion is tolerated, and that in a political canvass the people in their sovereign capacity are the electors and the only judges of the propriety or impropriety, correctness or incorrectness of the political opinions of the candidates for their suffrages. The result, fellow citizens, is with you. If you should believe me worthy and qualified to fill that station to which I aspire, and should you make a public expression of your will to that effect, I can but promise that it will be my business and my pleasure to pursue such a course as will preserve your interest and the great interest of the people of the United States.

I am your friend and fellow-citizen,  
**B. SHIPP.**

[From the Cincinnati American.]

### A LITERARY GEM.

Mr. Editor:—The truth conveyed in the following extract, is so happily conceived and expressed, that I am induced to request a place for it in your valuable paper;—believing that it will be new to most of your readers, I do not doubt that it will be acceptable to them, and gratifying to all but those whose sense of vision is so obscured, as to prevent them from seeing its comeliness.—Yours,  
SELECTOR.

"Why are so many good people so much divided in their views of the scriptures, seeing that they have but one Bible, and all read it in the same language? Because they belong to different sects, and have different systems, and they rather make the Bible bow to their own system, received by tradition from their fathers, than to make their system bow to the Bible; or in other words, each man, too generally, views the Bible through the medium of his system, and, of course, it will appear to him to favor it. Just as if A, B, and C, should each put on different coloured glasses, A puts on green spectacles, B yellow, and C blue; each one looks through his own glasses, at a piece of white paper, and each concludes that he is right, not remembering that he has his spectacles on. Thus, to A it appears green, to B yellow, and to C, blue. They begin to argue on the subject, and it is impossible for any one of them to convince another that he is wrong, each one feels a conviction next to absolute certainty that his opinion is right. But D, who has no spectacles on, and who is standing looking on, during the contest, very well knows that they are all wrong. He sees the spectacles on each man's nose, and easily accounts for the difference. Thus one professor reads the Bible with John Calvin on

his nose, another with John Wesley on his nose, a third with John Gill on his nose, and a fourth with good old Thomas Boston, or the good old lights of Scotland. Thrice happy is the man who lifts the Bible as if it had dropt from Heaven into his hand alone, and whose eyes are anointed with the true eye salve that he may see."

### A PASSAGE FROM THE "NOCTES."

Shepherd.—What say you to a mule?  
North.—The young American in his most amusing volumes, "A Year in Spain," has exhausted the subject.

Shepherd.—What's you will, sir?

North.—"I hate a mule," says he, "most devoutly, for there is something abortive in every thing it does, even to its very bray. An ass, on the contrary, has something hearty and whole-souled about it. A jack begins his bray with a modest whistle, rising gradually to the top of his powers, like the progressive eloquence of a well adjusted oration, and then, as gradually declining to a natural conclusion; but the mule commences with a voice like thunder, and then, as if sorry for what he has done, he stops like a belly when throttled in the midst of a threat, or a clown who has begun a fine speech and has not the courage to finish it."

Shepherd.—Haw! haw! haw! That's capital, man.—Blackwood.

### "Beware my lord of Jealousy."

The pangs of this ungenerous passion have often been vividly described and acutely felt, but it was reserved for the editor of the *Pittsburg Gazette* to illustrate its incipient workings on savage dispositions, by a story which is wonderfully adapted to freeze up the blood and make the teeth chatter. A beautiful squaw, if a solecism be not applied in the epithet, was once sitting in a wigwam opposite her husband, (turkish fashion we suppose) who was passionately enamoured of her, after a long and steadfast gaze at her fancied charms, the aboriginal lover suddenly started up and rushed violently towards her—seizing her nasal organ between his teeth and biting furiously, he succeeded in despoiling her of this inestimable feature by rampant violence.

The lady submitted with great passiveness, (list ye civilized fair ones, would you imitate this submission?) and on coolly enquiring the cause of this outrage, was flattered by the reply of her husband, redolent with affection. "You were too beautiful," he said, "and lest others should think you so too, I have despoiled you of your nose.—Be satisfied, I shall still love you ardently though others may love you less." At the same time he acknowledged that her conduct had never inspired a feeling of jealousy.

The heroine of the foregoing, which would make an excellent serio-comic drama, has been in *Pittsburg*. How the catastrophe—the noseless lady would electrify an audience!—*Penn. Miners' Journal*.

**Bachelors' Revenge.**—An old bachelor in Ohio, by way of a set off against General McClure's proposition to tax bachelors instead of dogs, proposes as follows—hear him. "Let every one that is tired of conjugal felicity pay a certain fee to the state for a divorce, according to his ability; and it will not only supersede the necessity of taxing dogs, but there will be no need of taxes of any kind. And if Government will give me the exclusive privilege of unmarried all those who wish to be unmarried in the United States, I will pledge myself to pay off the national debt in five years."

**Sale of a Wife.**—At one of those disgraceful exhibitions—the sale of a wife by her husband—which took place in Manchester some time since, the husband officiated as auctioneer for disposing of his worthless rib. "Who'll buy a wife?" said he—"a fine wife, a handsome wife!" "And say a good wife," whispered she. "No, no," rejoined the husband, "I won't cheat them."

**What Mules think of Railway conveyance.**—The produce of the Mauch Chunk Coal (anthracite) Mine, in Pennsylvania, is conveyed to a village of the same name in wagons, running on an inclined railway; and to each train of 42 wagons there are 7 cars attached, containing 28 mules, which are employed to draw back the wagons when emptied. Professor Silliman states, that the mules readily perform the duty of drawing up the empty wagons, but that "having once experienced the comfort of riding down, they appear to regard it as a right, and neither mild nor severe measures, not even the sharpest whipping can ever induce them to descend in any other way."

The editor of the *Boston Patriot* thinks it is no wonder ducks roll up their eyes in a thunder storm, since thunder is so fatal to goslings. A gentleman of this town informs us that a few weeks ago he lost a valuable brood of Bremen goslings during a thunder shower in the night. They were as well as ever in the evening, before the shower, and in the morning they were all found dead.

## APPEAL OF THE CHEROKEES TO THE PEOPLE OF THE UNITED STATES.

Whereas, it is incumbent upon us as citizens of the Cherokee Nation, individually and collectively, to express to the people of the United States our views in relation to the proceedings of the executive of the General Government towards our people, and the arbitrary course of the State of Georgia in its assumption of jurisdiction over the Cherokees, having for its primary object, the extinction of the Cherokee Nation as a distinct political community, it is therefore resolved by this meeting—

1. That in recurrence to numerous treaties into which the United States have entered with the Cherokees, the United States, by treating with them in their national capacity, have recognized the right of the Cherokee nation to "govern itself," "to manage its own affairs," and to exercise powers as a sovereign State—consequently, Georgia, being a component part of the United States, exercising jurisdiction over the Cherokees for the purpose of governing them with its laws, is a flagrant violation of, and in direct opposition to the promises for our protection stipulated in said treaties.

2. That the Cherokees possess a twofold right to this territory, *natural and conventional*—the former by immemorial occupancy—the latter by treaty guaranties of the United States; and that the establishment of a military station by the State of Georgia, within our acknowledged boundaries, for the purpose of arresting our civil officers, confining them in jails, and for the purpose of forcibly taking possession of our gold mines, is an invasion upon our territory, which the treaty of the 27th February, 1819, had secured and reserved to the Cherokees.

3. That the survey of our territory, authorized by the late law of Georgia, into sectional districts and now on the eve of completion, is a violation of the law of the United States, enacted in 1802, forbidding citizens of the United States, under severe penalties, from entering into the Indian territories for the purpose of surveying or marking trees; that this law, being incorporated into the treaty of 1819, in order to afford to the Cherokees permanent protection as intended by the parties to said treaty, has been *unconstitutionally*, and to the injury of the people of this nation, suspended by the present Chief Magistrate.

4. That although the Supreme Court of the United States has refused to grant a bill of injunction as prayed for by the Cherokee Nation, and although it cannot redress the past or future wrongs of the Cherokee Nation, yet, it is the opinion of this meeting that so much of the opinion of said Court as has touched upon the great point of controversy between the State of Georgia and the Cherokee Nation, is in favor of the latter; that if the Cherokees are a "State, a distinct political society, separated from others, capable of managing its own affairs and governing itself, it follows that they are not subject to the laws of Georgia, and that the assumption of jurisdiction by that State over the Cherokee territory is an exercise of arbitrary power, in open violation of the supreme law of the land, interpreted and pronounced by the highest Judicial Tribunal of the Union.

5. That the above decision of the Supreme Court, namely, "that the Cherokees are a State," &c. is binding on the President, who is to "take care that the laws be faithfully executed," and on the people of the United States; therefore, we claim, as a State, the protection of this great Republic, and call upon the good citizens thereof to use every lawful and constitutional effort, through their representatives and Chief Magistrate, to give effect to the points decided by the Supreme Court, to revive the force of treaties, to protect the liberties of the Cherokee people, and to save them from intolerable oppression.

6. That we cordially approve of the resolution, adopted at a large meeting of Cherokee citizens at Running Waters, of which Thomas Woodward was President, and Andrew Adair and S. Watie, Secretaries.

Resolved, That the foregoing resolutions be presented to the Editor of the *Cherokee Phoenix* for publication, and that editors friendly to the cause of the Cherokees be respectfully requested to copy them into their papers.

Resolved, That the proceedings of this meeting be signed by the President and Vice Presidents, and attested by the Secretaries.

A. McCOY, President.  
GEORGE HICKS, KAUFNER, THOS. MURPHY,  
TERINY MURPHY, PIGSON, Vice-Presidents.  
JNO. CANNON, Secretary.  
ELIAS HICKS,  
New Echota, Cherokee Nation,  
May 21, 1831.

**Fattening Fowls with potatoes.**—There is great profit in feeding geese, turkeys, and fowls of every sort, with potatoes and meal mixed; they will fatten in nearly one half the time that they will on any kind of corn, or even meal itself. The potatoes must be bruised fine, while hot, and the meal added, when the mess is given to them.

Soc. of Arts.