The Journal.

CHARLOTTE:

SATURDAY, FEBRUARY 8, 1834.

Owing to the indisposition of one of our hands were unable to issue a paper last week.

that several gentlemen of literary attainments have consented to aid in the editorial department of our paper, by which we hope to be able to add nuch to the attractions of our weekly journal .-We must say, however, that as this assistance will to afforded us without any emplument to those who have thus kindly proffered their aid, or with t their having any pecuniary interest in the es-Mahment, all responsibility as to the manner of educting the paper or otherwise, will still remain

ities, which has hitherto been pursued will be ed. It will not be partizan in its charac-While this disclaimer is made, we only wish be understood as saying that we follow under particular banner-we wear no collar, we beto no party - but to say that our remarks onsubjects in which the people are interested not be independent in their character, without gard to the measures which are the subject of remarks, being of the administration or the ition, would be to deprive a newspaper of its sciole value, as the vehicle of intelligence and Within this limitation we will endeagree with some we will "never once offend." ary remarks: As our expected improvement be the result of the leisure hours of the friends, shom we shall be principally indebted for their casionally, those hours should be, necessarily, e place in the editorial articles. We hope, how er, their real in the cause will not be diminish and that much more interest will be attached the weekly visits of our journal than heretofore.

OUR LEGISLATURE.

The last session of our General Assembly has so generally railed at as one of perfect useness, that we are glad both on account of those reged in the proceedings of the Legislature and the credit of the State, to agree with our friend a Carolinian in finding one owns in the desert, laws of our State. If the intention of that act we have understood it, is fully carried out, by e engaged in the business, we have no doubt will be introducing order and re now there is nothing but obscurity confusion ... It will be reconciling maif not all, the contradictions and ridiculous sistencies which now deform our statutestence many which are absolutely necessaryshort, it will be a cleaning out of the legislative will have obtained as the result of their laa fame as lasting as that of Hercules, and as labours of the mind surpass those of the mere it of the ancient hero.

uses of Congress were engaged in the discuses involved and the pecuniary interest of the Mr. Preston, the new Senator from th Carolina, has made in the discussion of this our readers. ng the gallery to be cleared on account of lished principle. open cheering-from the audience. Mr. Forof Georgia, has the floor in realy, and from we will probably receive one of the ablest ches on the side of the administration.

PUBLIC DEPOSITES.

Among other evils incident to the removal of Public Deposites from the Bank of the United es, may be mentioned a serious inconvenience ich has occurred to one of our fellow-townsmen. motractor for carrying the mail, (whose name do not mention for fear our remarks should ocon his being marked by the sub-administration) ler waiting more than the usual time for receivig a remittance, at length received a large amount post notes on the Patriotic Bank at Washington. there is no commercial intercourse between this te and Washington, these notes were perfectly ice of which he, as his only resource, endorsed in to our Representative in Congress and ensed them in a letter directed to him. This let-

ed at the Bank and paid.

Upon a demand made at the Bank for payment by the Hon. Mr. Conner, he was told by the President he did not feel himself authorised to pay the bills. So that our townsman, after a journey to Washington at this inclement season of the year may be compelled to await the event of a tediou lawsuit before he obtains his money-all of which might have been avoided by sending the contractor either bills on the Bank of the United States or a draft on the Branch Bank at Fayetteville, which would have been immediately cashed by

MINT OF THE UNITED STATES.

From a Report, exhibiting the operations of the Mint for the past year, transmitted to Congress, we learn that the coinage for this period amounted to \$5,765,710. Of the amount of gold coined, about \$85,000 came from Mexico and South-America; \$12,000 from Africa; \$868,000 from the Gold Region of the United States, more than half of which, or \$475,000 was furnished by the mines of North-Carolina.

It will be perceived by the above statement from the mint, that our State although we see few announcements of large and unusual quantities of gold found in her mines and hear little of the stock in her Gold Mining Companies selling for exorbitant prices, has actually furnished more than half the gold coined at the Mint from all the States of

Gold Mining has become with us a regular buiness and ceases to attract much more attention than any other occupation which would require the same expenditure of Capital. The Miners now pursue "the even tenor of their way," and the circumstance of their not boasting of large profits and immense fortunes made at the business, connected with the quantity of gold really found in our State ought to convince the incredulous that it must be a profitable investment of capital

We must take this opportunity of remarking inaccurate criterion of the gold really found in the State. Those who are connected with the mining business, or who deal in the article know. that upon a fair estimate, half the Gold found in the country, is sold to manufacturers, or as bullion for the purposes of exchange, and never reaches

We cannot leave this subject at present with stating that the Gold-Mining interest in our neigh borhood was never in a more flourishing condition The old companies after, with praiseworthy perse verance, surmounting many difficulties, are now doing well and new ones are forming under favorable auspices. We confidently predict that the productions of the passing year will far exceed those o any preceding one, and that the profits realized will be much greater than heretofore. We will at some more leisure moment recur to the subject of our would thank those interested in the Mining Business, to inform us of such occurrences, transpiring in their occupation as would be of interest to th

MR. CALHOUN'S SPEECH.

So much had been said and with so much abili-ty, before the delivery of Mr. Calhoun's speech on rean stable, and if the Commissioners succeed the removal of the Public Deposites, that notwithto the subject. On reading his speech, however, we were agreeably disappointed. He takes hold porcal frame, so far will their praise exceed of the subject in a manner and with a strength give to the reasons of the Secretary a deliberate and fair investigation, he exhibits their futility so glaringly, as not to escape the view of the most obtuse percention.

were we to attempt a synopsis of his able argument, we should do injustice to Mr. Calhoun without conveying any adequate idea of the speech to eet quite a promising debut, if we judge from his principal argument from which all the remain ing views are drawn as inferences from an estab-

Mr Calhoun lays down the principle as applicable to our form of government, that all powers with ought to be considered as trust powers, and not to deposited in other banks, though there is In the House of Representatives, Mr. Hunting. be extended beyond the particular object of the not a word in the section to justify it. o, of Connecticut, has the floor in reply to Mr. trust. In applying this principle to the subject oc, of Georgia. Mr. Huntington is a man of under consideration, he considers the power of rent and no doubt will do justice to the side he moving the Public Deposites given to the Secretary of the Treasury in the 16th section of the Bank Charter as a trust power, the particular object of which was the safety and security of the public funds, and for purposes beyond this safety and security the Secretary had no power whatever to in terfere. This principle we deem so correct, and the inference therefrom so natural, that to our mind the argument is irresistible. We consider this part of Mr. C's speech as so fine a specimen of logical reasoning, besides knowing we have done him injustice in our manaer of stating it, that we cannot refrain from giving it in his own words.

In ascertaining the intention of Congress, I lay it down as a rule, which I suppose, will not be controverted, that all political powers under our free institutions are trust powers, and not rights, liberties, or immunities, belonging personally to the officer. I also lay it down as a rule, not was taken from the mail by an officer of the less incontrovertible, that trust powers are enment-a sub-postmaster or his deputy (prob. necessarily limited (unless there be some y at Milton) the name of Mr. Conner was al- express provision to the contrary.) to the ted to that of Costner, the notes re-endorsed to subject, matter, and object of the trust. teen days, from dock to dock.

another individual and by that individual present- This brings us to the question-what is the ubject and object of the trust, in this case ? The whole section relates to deposites-to the safe and faithful keeping of the public for the year 1834, viz: funds. With this view they are directed to be made in the Bank. With the same are directed view, and in order to increase the security, power was conferred on the Secretary to withhold the deposites; and, with the same view, he is directed to report his reasons for the removal to Congress. All have one common object—the security of the public funds. To this point the whole section converges. The language of Congress, fairly understood, is—we have selected the Bank because we confide in it as a safe and faithful agent to keep the public money; but, to prevent the abuse of so important a trust, we invest the Secretary with power to remove the deposites, with a view to their increased security. And lest the Secretary, on his part, should abuse so important a trust-and in order still farther to increase that security, we direct, in case of removal, that he shall report his reasons. It is obvious, under this view of the subject, that the Secretary has no right to act in relation to the deposites, but with a view to their increased security. That he has no right to order them to be withheld from the Bank so long as the funds are in safety, and the Bank has faithfully performed the duties imposed in relation to them; and not even then, unless the deposites can be placed in safer and more faithful hands. That such was the opinion of the Executive, in the first instance, we of the President to Congress at the close of the last session, which placed the subject of the removal of the deposites exclusively on the question of their safety; and that such was also the opinion of the House of Representatives then, we have equally conclusive proof, from the vote of that body, that the public funds in the Bank were safe which was understood at that time on all sides, by friends and foes, as deciding the question of the removal of the deposites.

The extent of the power intended to be

conferred being established, the question now arises-Has the Secretary transcended its limit? It can scarcely be necessary to argue this point. It is not even pre tended that the public deposites were in danger, or that the Bank had not faithfully performed all the duties imposed on it in relation to them; nor that the Secretary placed the money in safer or more faithful hands. So far otherwise, there is not a man who hears me, who will not admit that the public moneys are now less safe than they were in the Bank of the United And I will venture to assert, that not a capitalist can be found who would not ask a considerably higher per centage to insure them in their present, than in th place of deposite designated by law. If be unquestionable, the question is decided. The Secretary has no right to withhold the deposites from the Bank. There has been, and can be, but one argument advanced in favor of his right, which has even the appearance of being tenable; that the power to withhold is given in general terms, and without qualification, " unless the Secretary otherwise direct." Those who resort to this argument, must assume the position -that the letter ought to prevail over the clear and manifest intention of the act. They must regard the power of the Secretary, not as a trust power, limited by the subject and the object of the trust, but as a chartered right, to be used according to his discretion and pleasure. There is a political powers, of which this and many other instances afford striking examples; but I will give the Secretary his choice. will give the Secretary Either the intention or the letter must prepermitted to take one or the other as may sunt his purpose. If he chooses the former, he has transcended his powers, as I have clearly demonstrated. If he selects the latter, he is equally condemned, as he has clearly exercised power not comprehended in the letter of his authority. He has not confined himself simply to withholding the public moneys from the Bank of the Uninot intend to argue the question, whether he had a right to order the funds, withheld from the United States Bank, to be placed in the State Banks which he has selected : but, I ask, how has he acquired that right It rests wholly on construction-on supposed intention of the Legislature, which, when it gives a power, intends to give all the means necessary to render it available. But, as clear as this principle of construction is, it is not more clear than that which would limit the right of the Secretary to the question of the safe and faithful keeping of the public funds; and I can-not admit that the Secretary shall be permitted to resort to the letter or to construction, as may best be calculated to enlarge his power, when the right construction is ed to those who would limit his power by the clear and obvious intention of Con-

Short Passage .- The packet ship Napo leon, Capt. Smith, sailed from New-York, on the 28th November, and arrived at Liverpool on the 25th, after a run of only six-

Superior Courts .- The Judges of the Superior Courts have made the following allotment of the circuits among themselves

Judge Martin Judge Strange Norwood Donnell Seawell Settle Martin Seawell Settle Norwood Donnell Raleigh Hillsborough Strange

From the Charleston Courier.

Allegiance .- The following extract from the Journals of the old Congress, found in the hand-writing of one of the most distinguished worthies of the revolution, and furnished us by a friend, will shed no little light on this much controverted subject. It conclusively establishes the fact, that, in the opinion of our illustrious ancestors, even un-der the imperfect union formed by the old articles of Confederation, allegiance was due to the United States, from the citizens of the several States, and seems to import that the authority of the Union held, at least by the fears of some, to extend to the cession of a State as the price of peace. allegiance was due to the Union then, when it was little better than a mere confederacy, how much more must it be due to it nou under a constitution which has rendered it more national, both in form and authority. It will be difficult for those who claim allegiance as due only to the States, to do so in future without impeaching the wisdom of our ancestors, and imputing to them a strange ignorance of the principles of those institutions, which constitute the rich inheritance We now give the exof their posterity. tract referred to.

FRIDAY, JUNE 23, 1780. "The Committee to whom was referred the leuer from Governor Rutledge, brought in a report; whereupon Congress came to the following resolution:

"Wherens, it has been represented, in order to seduce the citizens of South-Carolina and Georgia from their ALLEGIANCE to these United States, that a treaty of peace between America and Great Britain was about to take place, in which these two States could be CEDED to Great Britain.

" Resolved unanimously, that the said report is insidious, and utterly void of foun-

pledged to support the liberty and independence of every one of its members: and that in a firm reliance of the divine blessing, will unromittingly persevere in their exertions for the establishment of the same, and also in the recovery and preservation of any and every part of these United States, that has been or may hereafter be invaded or possessed by the common enemy.

An affray occurred some few days nce at Union Court House which proved fatal to one of the parties; S. P. Beiley, residing at that place, and a Mr. Long of the District had been gambling—some al-tercation took place, upon which Long seized Bailey by the collar, who immediately drew a pistol from his pocket and shot him dead. When we last heard from Union, Bailey was confined, but will most likely be shortly bailed .- York. Pat.

REMOVAL.

THE Subscriber informs his friends and customers that he has removed his Stock of Goods from his old stand to the house lately occupied by Mr. John G. Hoskins. He would also inform them that radical defect in our mode of constructing the business will hereafter be conducted under the firm of Morrisons & McKee.

JOHN M. MORRISON.
Charlotte, Feb. 6, 1834.

Administrator's Sale.

N Wednesday of February Court, I will expose to public sale, at the residence of the late Vietor G. Blandin in Charlotte, all the personal property belonging to the deceased, consisting of JEWELLRY of various kinds, working tools, bad and furniture, &c. &c.

Terms will be made known at the time of sale.

All persons indebted to the estate, are required An persons macrical to me estate, are required to make immediate payment to me, or during my absence, to Mr. F. Saunier, who is authorised to receive the same, and to whom those having claims against the estate, are requested to present them for payment within the time prescribed by law.

CHARLES JUGNOT, Adm'r.

February 7th, 1834.

NOTICE.

A LL those indebted to the subscriber by Book Account, will please call and settle, either by Cash or Note, as back accounts should be closed

N. B. I still carry on the Saddle and Harness Making at my old stand in the South-east wing of the brick building, where he has a good stock of Saddles of a superior quality, low for eash.

JAMES T. ASBURY.

Charlotte, N. C. Jan. 29, 1834.

NOTICE.

THE Copartnership heretofore existing between the subscribers under the firm of Nott & Sumner, Fayetteville, and Joseph Sumner & Co. in Charlotte, N.C. is this day dissolved by mutual consent. All persons having demands against them, and all persons indebted to them, will please call on Joseph Sumner, who is duly authorised to

WILLIAM NOTT. JOSEPH SUMNER.

Fauetteville, Jan. 24, 1834.

N. B. The Business will be continued at the old stand in Charlotte, by the subscriber, where he is prepared to do all kinds of Job Work in his line, and to supply all orders for Tin Ware, at wholesale or retail, which he may be favored with.

JOSEPH SUMNER.

Charlotte, Jan. 29, 1834.

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WEEKLY ALMANAC.

JANUARY, Sun Sun MOON'S PHASES. 8 Saturday, 6 445 16
9 Sunday, 6 435 17
10 Monday, 6 425 18
11 Tuesday, 6 415 19 New 8 11 32 morn.
12 Wednesday 6 405 20 First 16 4 24 att'n.
13 Thursday, 6 395 21 Full 23 3 31 aft'n.
14 Friday, 6 385 22

THE MARKETS.

CAMDEN, FEB. 1 Country Produce. Bacon 9 a 10; Beeswax 12 a 15; Cotton 9 a 10; Corn 80 a 00; Flour, N. C. 7 a 8; Lard 12 a 15; Tallow 10 a 12; Wheat \$1 a 14; Feathers 30 a 00; Whiskey 40 a 50; Brandy, Peach, 35 a 00; Apple 00 a 00.

COLUMBIA, FEB. 1.

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Bacon 10 a 12½; BaleRope 10 a 12; Brandy, Apple 40 a 50; Peach 76 a 00; Butter 12½ a 16; Cotton 9 a 9½; Cotton Bassing, Hemp 22 a 25; Tow 17 a 18; Coffee 14 a 17; Corn 75 a 00; Flour, Country 8a 9; Iron, Swedes 5 a 0; Country 4 a 5; Lead 9 a 10; Lard 12½ a 15; Molasses 40 a 50; Nails 8 a 0; Oats 62½ a 00; Rice 2½ a 3; Soft in sacks 2½ a 3; in bulk 75 a 00; Steel, German 16 a 18; Blister 10 a 12; Cast 25 a 30; Sugar, loaf 16 a 20; Brown 8 a 12; White Havana 12½ a 14½; Tullow 10 a 12; Whiskey 45 a 50.

CHERAW, JAN. 28. CHERAW, JAN. 28.

Bacon 10 a 12½; Butter 15 a 20; Beeswax 16 a 17; Bagging, tow 22 a 00; Dundee 24 a 25; Coffee, prime green, 16 a 18; 2d and 3d qualities 1½ a 15½; Cotton 9 a 9½; Corn 75 a 00; Flaxmed \$1 a 1½; Flour 5½ a 7½; Feathers 32 a 35; Iron, Swedes 5 a 0; English 4½ a 5; Lard 10 a 12½; Mosases 40 a 50; Nails 7½ a 8½; Oats 35 a 40; Linseed 0il \$1½ a 1½; Rice 4½ a 5; Rope 12 a 12½; Sugar, Muscovado prime 11½ a 12½; common 9 a 10; Loaf and Lump 15 a 18; Sail, Liverpool 75; in sacks, 4 bushels, 3 a 0; Tens 1½ a 1½; Tallow 10 a 12; Steel, blister 8 a 10; German 14 a 15; Wheat 90 a \$1.

FRESH GARDEN SEEDS, OF THE GROWTH OF 1833, FOR SALE AT

WM. HUNTER'S Medicine and Confectionary STORE.

AMONG WHICH ARE THE FOLLOWING: Early York Cabbage Dutch do. Guernsay Guernsay
Orango Carrot
Sarlet do
Long Scarlet Radish
Scarlet Short Top do

Salmon Scarlet Turnip

Long Black winter do White Head Lettuce

Cabbage Head do
Ecarly Curled Head do
Large white head do
Summer Bush Squash
Early Orange or

Sugar do
Long Green Cucumber
o Early Bunch do
Georgia Water Melon,
a superior kind
Large Musk Melon
Negetable Oyster
Nasturtion
Cayenne Pepper
Gardon Grees

Solid Cellery Double Popper Grass

Isam
Indian Creepor or Cyprus
vine, runs 50 feet or
more
Early June Pea
Early Charltan do
White Marrowfat do

Garden Cre Balsam of Pear Balsam of Applo Curled Persley Solid Cellery

Asparagus

Sugar Loaf Emperor Wellington French a choice kind

a choice kind
Early London Caulcflower
Late do do
Green Curled Borecole
Cesarian Kale or Co
Cubbage,
a choice article Drum Head Cabbage

Large English Savoy do Scotch do Late Sugar Loaf do Red Dutch do for Pickles, Tree or Thousand teaved Early Spring Turnip Ruta Baga do Large Norfolk field do a rare kind, Top Onion for seed

White Portland Onion Large Scotch Leek Round Spinnage Prickly do New Flanders do a choice kind,
Long White Ochra
Blood Beet
Early Blood Turnip
Mangle Wortzel
Swelling Parsnip

Sugar Dwarf Prolific do Early China Beans do White Kidney do

Persons sending an order from any part of this or the adjoining Counties, with the CASH enclosed, will meet with punctual attention, and have their seeds carefully boxed up and forwarded.

Charlotte, N. C. Feb. 7th, 1834.

NOTICE.

WILL sell, at the dwelling house of Mrs. Amelia Gingles, on the 15th day of February, 1834, on a credit of one year, vill cx. a very likely young Negro Girl, 12 or of the 14 years old. CYRUS A. ALEXANDER, Guardian. Jan. 30, 1834.

Sheriff's Notice.

WILL attend at the Court-House in

Charlotte, on the 17th day of February, to receive the balance of the Tax due me from the Town Company. All who do not avail themselves of this notice and pay off on that day, will have cost to pay. obliged to settle with the County Officers at Court. J. McCONNAUGHEY, Sheriff.

Charlotte, 4th February, 1834.

Last Notice to Guardians. HERE are still a number of Guardian's

Bonds that have not been renewed: And those who fail to avail themselves of the opportunity of renewing their bonds at February Court, will be visited by the Sher-February Court,

iff with an ex officio notice.

B. OATES, c. c. c.

Feb. 6, 1834.

NOTICE.

To all whom it may concern.

Book Account are respectfully invited to come forward between this and the 1st of states next, and settle their respective dues, as longer indulgence cannot, nor will not be given. Those who do not avail themselves of this opportunity, may, without the least distinction of persons, except to any cost, as I am determined to have my pect to pay cost, as I am determined to have my PETER M. BROWN.

Jan. 16, 1833. 73.5t

An. 16. 1893.

N.B. No person may expect to pay me off in tanbark in the spring, for it will not be received for debts due me now, as it always is a good time to pay for any thing after it is delivered, and not before.

P. M. B.