

# MINERS' & FARMERS' JOURNAL.

PRINTED AND PUBLISHED EVERY SATURDAY, BY THOMAS J. BOLTON, CHARLOTTE, MECKLENBURG COUNTY, NORTH-CAROLINA.

I WILL TEACH YOU TO PERCEIVE THE BOWELS OF THE EARTH AND BRING OUT FROM THE CAVERN 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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## PRESIDENT'S MESSAGE.

It shall be the pleasure of Congress to await the further action of the French Chambers, no further consideration of the subject will, at this session, probably be required at your hands. But if, from the original delay in asking for an appropriation, from the refusal of the Chambers to grant it when asked, from the omission to bring the subject before the Chambers at their last session, from the fact that, including that session, there have been five different occasions when the appropriation might have been made, and from the delay in conveying the Chambers until some weeks after the meeting of Congress, when it was well known that a communication of the whole subject to Congress at the last session, was prevented by assurances that it should be disposed of before its present meeting, you should feel yourselves constrained to doubt whether it be the intention of the French Government in all its branches to carry the treaty into effect, and think that such measures as the occasion may be deemed to call for, should be now adopted, the important question arising what those measures shall be.

Our institutions are essentially pacific. Peace and friendly intercourse with all nations, are as much the desire of our Government as they are the interests of our People. But these objects are not to be permanently secured, by surrendering the rights of our citizens, or permitting solemn treaties for their indemnity in cases of flagrant wrong, to be abrogated or set aside.

It is undoubtedly in the power of Congress seriously to effect the agricultural and manufacturing interests of France, by the passage of laws relating to her trade with the United States. Her products, manufactures, and tonnage, may be subjected to heavy duties in our ports, or all commercial intercourse with her may be suspended. But there are powerful, and to my mind, conclusive objections to this mode of proceeding. We cannot embarrass or cut off the trade of France, without, at the same time, in some degree, embarrassing or cutting off our own trade.

The injury of such a warfare must fall, though unequally, upon our own citizens, and could not but impair the means of the Government, and weaken that united sentiment in support of the rights and honor of the nation which must now pervade every bosom.—It is not possible that such a course of legislation would introduce once more into our country, those disturbing questions in relation to the tariff of duties which have been so recently put to rest.

Besides, by every measure adopted by the Government of the United States with the view of injuring France, the clear perception of right which will induce our own people, and the rulers and people of all other nations, even of France herself, to pronounce our quarrel just, will be obliterated, and the support rendered to us in a final resort to more decisive measures, will be more limited and equivocal. There is but one point in the controversy, and upon that the whole civilized world must pronounce France to be in the wrong. We insist that she shall pay us the money which she has acknowledged to be due; and of the justice of this demand, there can be but one opinion among mankind. True policy would seem to dictate that the question of issue should be kept thus undisputed, and that not the least protest should be given to France to resist her refusal to make payment, or to set on our part abetting the aggressions of the aggressor.

The question should be settled as soon as possible, in such an attitude that would leave little or no room for compromise. Her treaty stipulations, also, will be at an end.

It is my conviction, that the United States ought to insist on a prompt execution of the treaty, and in case it be refused, to take redress into their own hands. When the delay on the part of France to report any delay in acknowledging their claims by treaty, it is not to be doubted, is a manifest violation of a duty which would arise from the treaty, and which would arise from the treaty, and which would arise from the treaty.

The loss of nations provide a great number of reasons. It is a well settled principle of the international law, that nations are not to be treated as if they were individuals, and that they are not to be subjected to a regulated system of duties or regulations to pay, or to be subjected to a regulated system of duties or regulations to pay, or to be subjected to a regulated system of duties or regulations to pay.

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by France herself, towards Portugal, under circumstances less unquestionable.

The time at which resort should be had to this, or any other mode of redress, is a point to be decided by Congress. If an appropriation shall not be made by the French Chambers at their next session, it may justly be concluded that the Government of France has finally determined to disregard its own solemn undertaking, and refuse to pay an acknowledged debt. In that event, every day's delay on our part will be a stain upon our national honor, as well as a denial of justice to our injured citizens. Prompt measures, when the refusal of France shall be complete, will not only be most honorable and just, but will have the best effect upon our national character.

Since France, in violation of the pledges given through her minister here, has delayed her final action so long that her decision will not probably be known, in time to be communicated to this Congress, I recommend that a law be passed, authorizing reprisals upon French property, in case provision shall not be made for the payment of the debt, at the approaching session of the French Chambers. Such a measure ought not to be considered by France as a menace. Her pride and power are too well known to expect any thing from her fears, and preclude the necessity of a declaration that nothing partaking of the character of intimidation is intended by us. She ought to look upon it as the evidence only of an inflexible determination on the part of the United States, to insist on their rights. That Government by doing only what it has itself acknowledged to be just, will be able to spare the United States the necessity of taking redress into their own hands, and save the property of French citizens from that seizure and acquisition which American citizens so long endured without retaliation or redress. If she should continue to refuse that act of acknowledged justice, and in violation of the law of nations, make reprisals on our own part the occasion of hostilities against the United States, she would but add violence to injustice, and could not fail to expose herself to the just censure of civilized nations and to the retributive judgments of Heaven.

Collision with France is the more to be regretted, on account of the position she occupies in Europe in relation to her institutions. But in maintaining our national rights and honor, all Governments are alike to us. If by a collision with France, in a case where she is clearly in the wrong, the march of liberal principles shall be impeded, the responsibility for that result, as well as for every other, will rest on her own head.

Having submitted these considerations, it belongs to Congress to decide, whether, after what has taken place, it will still await the further action of the French Chambers, or now adopt such provisional measures, as it may deem necessary and best adapted to protect the rights and maintain the honor of the country. Whatever that decision may be, it will be faithfully enforced by the Executive, as far as he is authorized so to do.

According to the estimate of the Treasury Department, the revenue accruing from all sources, during the present year, will amount to twenty millions six hundred and twenty four thousand seven hundred and seventy-two dollars, which with the balance remaining in the Treasury on the first of January last, of eleven millions seven hundred and two thousand nine hundred and five dollars, produces an aggregate of thirty-two millions three hundred and twenty-seven thousand six hundred and twenty-three dollars. The total expenditure during the year for all objects, including the public debt, is estimated at twenty-five millions five hundred and ninety-one thousand three hundred and ninety-two dollars. In this balance, however, will be included about one million one hundred and fifty thousand dollars of what was heretofore reported by this Department as not effective.

Of former appropriations it is estimated that there will remain unexpended at the close of the year, eight millions two thousand nine hundred and twenty-five dollars, and that of this sum there will not be required more than five millions one hundred and forty-one thousand nine hundred and sixty-four dollars, to accomplish the objects of all the current appropriations. Thus it appears that after satisfying all these appropriations, and after discharging the last item of our public debt, which will be done on the first of January next, there will remain unexpended in the Treasury an effective balance of about four hundred and forty thousand dollars. That such should be the aspect of our finances is highly flattering to the industry and enterprise of our population, and auspicious of the wealth and prosperity which await the future cultivation of their growing resources. It is not deemed prudent, however, to recommend any change for the present in our import rates, the effect of the gradual reduction now in progress in many of them, not being sufficiently tested, to guide us in determining the

precise amount of revenue which they will produce.

Free from public debt, at peace with all the world, and with no complicated interests to consult in our intercourse with foreign powers, the present may be hailed as that epoch in our history the most favorable for the settlement of those principles in our domestic policy, which shall be best calculated to give stability to our Republic, and secure the blessings of freedom to our citizens. Among these principles, from our past experience, it cannot be doubted, that simplicity in the character of the Federal Government, and a rigid economy in its administration, should be regarded as fundamental and sacred. All must be sensible that the existence of the public debt, by rendering taxation necessary for its extinguishment, has increased the difficulties which are inseparable from every exercise of the taxing power; and that it was, in this respect, a remote agent in producing those disturbing questions which grew out of the discussions relating to the tariff. If such has been the tendency of a debt incurred in the acquisition and maintenance of our national rights and liberties, the obligation of which all portions of the Union cheerfully acknowledged, it must be obvious, that whatever is calculated to increase the burdens of Government without necessity, must be fatal to all our hopes of preserving its true character. While we are felicitating ourselves, therefore, upon the extinguishment of the national debt, and the prosperous state of our finances, let us not be tempted to depart from those sound maxims of public policy, which enjoin a just adaptation of the revenue to the expenditures that are consistent with a rigid economy, and an entire abstinence from all topics of legislation that are not clearly within the constitutional powers of the Government, and suggested by the wants of the country. Properly regarded, under such a policy, every diminution of the public burdens arising from taxation, gives to individual enterprise increased power, and furnishes to all the members of our happy Confederacy, new motives for patriotic affection and support. But above all, its most important effect will be found in its influence upon the character of the Government, by confining its action to those objects which will be sure to secure to it the attachment and support of our fellow-citizens.

Circumstances make it my duty to call the attention of Congress to the Bank of the U. S. Created for the convenience of the government, that institution has become the scourge of the people. Its interference to postpone the payment of a portion of the national debt, that it might retain the public money appropriated for that purpose, to strengthen it in a political contest—the extraordinary extension and contraction of its accommodations to the community—its corrupt and partisan loans—its exclusion of the public directors from a knowledge of its most important proceedings—the unlimited authority conferred on the President to expend its funds in hiring writers, and procuring the execution of printing, and the use made of that authority—the retention of the pension money and books after the selection of new agents—the groundless claim to heavy damages, in consequence of the protest of the bill drawn on the French Government, have, through various channels, been laid before Congress. Immediately after the close of the last session, the Bank, through its President, announced its ability and readiness to abandon the system of unparalleled curtailment, and the interruption of domestic exchanges, which it had practised upon from the 1st of Aug. 1833, to the 30th June 1834, and to extend its accommodations to the community. The grounds assumed in the announcement, amounted to an acknowledgment that the curtailment, in the extent to which it had been carried, was not necessary to the safety of the Bank, and had been persisted in merely to induce Congress to grant the prayer of the Bank in its memorial relative to the removal of the Deposites, and to give it a new charter. They were substantially a confession that all the real distresses which individuals and the country had endured for the preceding six or eight months, had been needlessly produced by it, with a view of affecting, through the sufferings of the people, the Legislative action of Congress. It is a subject of congratulation that Congress and the country had the virtue and firmness to bear the indication; that the energies of our people soon found relief from this venient tyranny, in vast importations of the precious metals from almost every part of the world; and that at the close of this tremendous effort to control our government, the Bank found itself powerless, and no longer able to loan out its surplus means. The community had learned to manage its affairs without its assistance, and trade had already found new markets; so that on the 1st Oct. last, the extraordinary spectacle was presented of a National Bank, more than one half of whose capital was either lying unproductive in its vaults, or in the hands of foreign bankers.

To the needless distress brought on the country during the last session of Congress,

has since been added the open seizure of the dividends on the public stock, to the amount of \$170,041, under pretence of paying damages, cost and interest, on the protested French bill. This sum constituted a portion of the estimated revenue for 1834, upon which the appropriations made by Congress were based. It would as soon have been expected that our collectors would seize on the customs, or the receivers of our land offices on the moneys arising from the sale of public lands, under pretence of claims against the U. S., as that the Bank would have retained the dividends. Indeed, if the principle be established that any one who chooses to set up a claim against the U. S., may, without authority of law, seize on the public property or money wherever he can find it, to pay the claim, there will remain no assurance that our revenue will reach the Treasury, or that it will be applied after the appropriation to the purposes designated in the law. The paymasters of our army, and the paymasters of our navy, may, under like pretences, withhold the moneys appropriated to us, and withhold the moneys of a country without defence. This would be a revolutionary and generally asserted principle, and in like cases, would fill the land with anarchy and violence.

It is a constitutional provision, that "no money shall be drawn from the Treasury but in consequence of appropriations made by law." The palpable object of this provision is to prevent the expenditure of the public money for any purpose whatsoever, which shall not have been first approved by the Representatives of the People and the States in Congress assembled. It vests the power of declaring for what purposes the public money shall be expended, in the Legislative Department of the government, to the exclusion of the Executive and Judicial, and it is not within the constitutional authority of either of these Departments, to pay it away without law, or to sanction its payment. According to this plain constitutional provision, the claim of the Bank can never be paid without an appropriation by act of Congress. But the Bank has never asked for an appropriation. It attempts to defeat the provision of the constitution, and obtain payment without an act of Congress. Instead of awaiting an appropriation passed by both Houses, and approved by the President, it makes an appropriation for itself, and invites an appeal to the Judiciary to sanction it. That the money had not technically been paid into the Treasury, does not affect the principle intended to be established by the constitution. The Executive and Judiciary have as little right to appropriate and expend the public money without authority of law, before it is placed to the credit of the Treasury, as to take it from the Treasury. In the annual report of the Secretary of the Treasury, and in his correspondence with the President of the Bank, and the opinions of the Attorney General accompanying it, you will find a further examination of the claims of the Bank, and the course it has pursued.

It seems due to the safety of the public funds remaining in that Bank, to the honor of the American People, that measures be taken to separate the government entirely from an institution so injurious to the public prosperity, and so regardless of the national faith, after that institution has set at open defiance the provided right of the government to examine its officers, after it has done all in its power to deride the public authority in other respects, and to bring into disrepute at home and abroad; after it has attempted to defeat the clearly expressed will of the people by turning against them the immense power entrusted to it, and by involving a country otherwise peaceful, flourishing and happy, in dissension, embarras and distress—would make the nation itself a party to the degradation so sedulously prepared for its public agents, and so much to destroy the confidence of mankind in popular governments, and to bring into contempt their authority and efficiency. In guarding against an error such magnitude, considerations of temporary convenience should be thrown out of the question, and we should be influenced by such motives only as look to the honor and preservation of the republican system. Deeply and solemnly impressed with the justice of these views, I feel it to be my duty to recommend to you, that a law be passed authorizing the sale of the public stock, that the provision of the charter requiring the receipt of notes of the Bank in payment of any debt, shall, in accordance with the power reserved to Congress in the 14th section of the charter, be suspended until the Bank pays to the Treasury the dividends withheld; and that all laws connecting the government with its officers with the Bank, directly or indirectly, be repealed; and that the institution be left hereafter to its own resources and means.

Events have satisfied my mind, and I think the minds of the American People, that the mischiefs and dangers which flow from a National Bank far outweigh all its advantages. The bold effort of the present Bank has done to control the government, the distresses it has wantonly produced, the violence of which it has been the occasion in one of our cities, feared for its observance of law and order, are but premonitions of the fate which awaits the American People should they be deluded into a perpetuation of this institution, or the establishment of another like it. It is fervently hoped, that, thus admonished, those who have heretofore favored the establishment of a substitute for the present Bank, will be induced to abandon it, as it is evidently better to incur any inconvenience that may be reasonably expected, than to concentrate the whole moral and political power of the Republic in any form whatsoever, or subject it to restrictions.

It is already illustrated that the agency of such an institution is not necessary to the successful operations of the government. The State Banks are found fully adequate to the performance of all services which were required of the Bank of the United States, quite as promptly, and with the same cheapness. They have maintained themselves, and discharged all these duties, while the Bank of the United States was still powerful, and in the field as an open enemy, and it is not possi-

ble to conceive that they will find greater difficulties in their operations, when that enemy shall cease to exist.

The attention of Congress is earnestly invited to the regulation of the deposits in the State Banks, by law. Although the power now exercised by the Executive Department in this behalf, is only such as was uniformly exerted through every Administration from the origin of the Government up to the establishment of the present Bank, yet it is one which is susceptible of regulation by law, and, therefore, ought so to be regulated. The power of Congress to direct in what places the Treasury shall keep the moneys in the Treasury, and to impose restrictions upon the Executive authority, in relation to their custody and removal, is unlimited, and its exercise will rather be courted than discouraged by those public officers and agents on whom rests the responsibility for their safety. It is desirable that as little power as possible should be left to the President or Secretary of the Treasury over those institutions— which, being thus freed from Executive influence, and without a common head to direct their operations, would have neither the temptation nor the ability to interfere in the political conflicts of the country. Not deriving their charters from the national authorities, they would never have those inducements to meddle in general elections, which have led the Bank of the United States to agitate and convulse the country for upwards of two years.

The progress of our gold currency is creditable to the officers of the mint, and promises in a short period to furnish the country with a sound and portable currency, which will much diminish the inconvenience to travellers of the want of a general paper currency, should the State Banks be incapable of furnishing it. Those institutions have already shown themselves competent to purchase and furnish domestic exchange for the convenience of trade, at reasonable rates, and not a doubt is entertained that, in a short period, all the wants of the country in bank accommodations and exchange, will be supplied as promptly and cheaply as they have heretofore been by the Bank of the United States. If the several States shall be induced gradually to reform their banking systems, and prohibit the issue of all small notes, we shall, in a few years, have a currency as sound, and as little liable to fluctuations, as any other commercial currency.

The report of the Secretary of War, together with the accompanying documents from the several bureaus of that Department, will exhibit the situation of the various objects committed to its administration.

No event has occurred since your last session rendering necessary any movements of the army, with the exception of the expedition of the regiment of dragoons into the territory of the wandering and predatory tribes, inhabiting the western frontier and living adjacent to the Mexican boundary. These tribes have been heretofore known to us principally by their attacks upon our own citizens and upon other Indians entitled to the protection of the United States. It became necessary for the peace of the frontiers to check these habits of robbery, and I am happy to inform you that the object has been effected without the commission of any act of hostility. Col. Dodge, and the troops under his command, have acted with equal firmness and humanity, and an arrangement has been made with those Indians, which it is hoped will assure their permanent pacific relations with the United States and the other tribes of Indians upon that border. It is to be regretted that the prevalence of sickness in that quarter has deprived the country of a number of valuable lives, and particularly that General Leavenworth, an officer well known and esteemed for his gallant services in the late war, and for his subsequent good conduct, has fallen a victim to his zeal and exertions in the discharge of his duty.

The army is in a high state of discipline. Its moral condition, so far as that is known here, is good, and the various branches of the public service, are carefully attended to. It is amply sufficient, under its present organization, for providing the necessary garrisons for the seaboard and for the defence of the internal frontier, and also for preserving the elements of military knowledge, and for keeping pace with those improvements which modern experience is continually making. And these objects appear to me to embrace all the legitimate purposes for which a permanent military force should be maintained in our country.—The lessons of history teach us its danger, and the tendency which exists to its increase. This can be best met and adverted by a just caution on the part of the public itself, and of those who represent them in Congress.

From the duties which devolve on the Engineer Department, and upon the Topographical Engineers, a different organization seems to be demanded by the public interest, and I recommend the subject to your consideration.

No important change has, during this season, taken place in the condition of the Indians. Arrangements are in progress for the removal of the Creeks, and will soon be for the removal of the Seminoles. I regret that the Cherokees east of the Mississippi have not yet determined, as a community, to remove. How long the personal causes which have heretofore retarded that ultimately inevitable measure, will continue to operate, I am unable to conjecture. It is certain, however, that delay will bring with it accumulated evils, which will render their condition more and more unpleasant. The experience of every Year adds to the conviction, that emigration, and that alone, can preserve from destruction the remnant of the tribes yet living among us. The facility with which the necessities of life are procured, and the treaty stipulations providing aid for the emigrant Indians in their agricultural pursuits, and in the important concerns of education, and their removal from those causes which have heretofore depressed all and destroyed many of the tribes, cannot fail to stimulate their exertions and to reward their industry.

The two laws passed at the last session of Congress on the subject of Indian Affairs, have been carried into effect, and detailed instructions for their administration have been given. It will be seen by the estimates for the present session, that a great reduction will take place in the expenditures of the department in consequence of those laws. And there is reason to believe that their operation will be salutary, and that the colonization of the Indians on the western frontier, together with a judicious system of administration, will still further reduce the expenses of this branch of the public service, and at the same time promote its usefulness and efficiency.

Circumstances have been recently developed, showing the existence of extensive frauds, under the various laws granting pensions and gratuities for Revolutionary services. It is impossible to estimate the amount which may have been thus fraudulently obtained from the national treasury. I am satisfied, however, it has been so large, as to

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