

MINERS' & FARMERS' JOURNAL.

PRINTED AND PUBLISHED EVERY THURSDAY, BY THOMAS J. 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.

VOL. V.

THURSDAY, MARCH 10, 1835.

NO. 233.

THE Miners' & Farmers' Journal
Printed and published every Thursday morning at Two Dollars per annum if paid in advance; Two Dollars and Fifty Cents if not paid in advance; Three Dollars at the end of the year.

ADVERTISEMENTS will be inserted at Fifty cents per square (not exceeding 20 lines), for the first insertion, and 25 cents for each succeeding week—or 1¢ for three weeks, for one square.—A liberal discount will be made to those who advertise by the year. On all advertisements communicated for publication, the number of insertions must be noticed on the margin of the manuscript, or they will be continued until forbid, and charged accordingly.

All communications to the Editor must come free of postage, or they may not be attended to.

JACKSONVILLE FOR SALE.

AGREEABLE to the Will of John Conner, dec'd: I will sell the Land and premises on which he formerly lived, commonly called JACKSONVILLE, on the head waters of Richardson's Creek, containing 410 acres, on which there is a good Dwelling House, Store House and Gin House, with the other necessary buildings, all in good repair. There is an excellent Spring, a Well, a small Tan Yard, and a very good Orchard, all situated as the Cross Roads on the Rocky River road, leading from Cabarrus to Camden, S. C. and the Newtown road, leading from Cheraw, Wadesboro, &c. to Landford, and is considered an excellent stand for Mercantile Business and a place of Entertainment. For terms apply to THO. P. DILLON, Executor.

W. MORRISON, Esq. Charlotte, Dillenville, N. C. Meck'g. Co. 27th February, 1835.

Apprentices Wanted.
THE subscriber wants 1 or 2 young lads, between 15 and 17 years of age, as apprentices to the Tailoring Business. None need apply but such as can come recommended for steady and industrious habits, possessing a healthy constitution, without which they would be unable to follow so sedentary an occupation with advantage. A. GRAHAM, Charlotte, March 10, 1835.

NOTICE.
HEREBY forewarn all persons from trading for a Note, given to Patrick Parker for nine dollars, to be paid in Furniture, as I intend not to pay it as he has not performed the work according to contract. JOS. P. PRITHARD, Feb. 26, 1835.

BACON for Sale.
BY MORRISON & McKEE, at 124 cents. Feb. 24, 1835.

Dr. P. C. Caldwell
RESPECTFULLY informs his friends and the public, that he has returned home, and is now ready to attend to all calls that may be made for his professional services. He may be found, not professionally engaged, at his office, at Mr. Davidson's corner. March 3, 1835.

State of North Carolina,
Mecklenburg County.—February Term, 1835.

ORDERED by Court that the Sheriff summon the following persons to open and hold an election at their respective precincts for, or against a Convention on Wednesday and Thursday the first and second days of April next, viz:

- At *Districts*—James Bell, Esq. Wm. A. Bibb and Charles Holmes.
- Lalatta*—Archd. Laney, Esq. Wm. Osbourne and Solomon Harris, Jun.
- Wilson's*—John Walker, Esq. Wm. Wilson and Andrew Walker, Jun.
- Lucas's*—John McKelvie, Esq. Wm. S. Howie and Robert G. Howard.
- Houston's*—Reuben Tomberlin, Esq. John Houston and Matthew Pitzer.
- Stevens*—Wm. H. Simpson, Esq. Hugh Stewart and Dan. H. Walker.
- Collins*—Guy Maxwell, Esq. Zebulon Morris and Saml. Wiken.
- Charlotte*—Jas. H. Orr, Esq. Wm. Lucky and Jacob Smith.
- Hempill*—James Gribble, Esq. John Stitt and Nathan Orr.
- Cox's*—Alexander Greer, Esq. Wm. M. Greer and Samuel Cox.
- McLeary's*—John Sloan, Esq. Wm. Begbain and John Beatty.
- Davidson's*—Thos. M. Kerns, Esq. John McCoy and John H. Davidson.
- Drewes*—James Doherty, Esq. Andrew Springs and Robert Pitts.
- Kirk's*—Robert Cochran, Esq. John Kirk and Wm. McGinnis.
- Hills*—Matthew Wallace, Esq. Robert D. Alexander and Andrew Moore.

Test B. OATES, c. c. c.

MILITARY ORDERS.

HEAD-QUARTERS,
Charlotte, February 17, 1835.
THE Commissioned and non-Commissioned Officers and Musicians attached to the first Regiment of N. C. Volunteers, (residing within the County of Mecklenburg) will parade in Charlotte, on Friday and Saturday, the 27th and 28th of March next, equipt according to law, for Drilling in the Manual Exercise and Field Manoeuvring. To parade on Friday the 27th at 11 o'clock, A. M. precisely. Captains of Companies will be required to make their annual returns. By order of D. Coleman, Col. WM. W. LONG, Adj.

Taken Up
AND committed to the jail of Mecklenburg County, a negro woman by the name of ELIZABETH, about five feet high, dark complexion, stout made, about 20 years old, coarse homespun clothes, says she belonged to the Widow Overton in Lunenburg County, Virginia, and was bought by Josiah Wilson of the same county. The owner is requested to come forward, prove property, pay charges and take her away.
J. McCONAUGHY, Sheriff. March 4, 1835.

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From the Western Carolinian.
PUBLIC MEETING.

UPON THE SUBJECT OF CONVENTION.

Pursuant to public notice, a large meeting took place at the court-house in Salisbury, on Tuesday 17th of February, to take into consideration the act passed at the last General Assembly, upon the subject of amending the State Constitution. The meeting was organized, on the motion of H. C. Jones, esq., who nominated John Giles, esq., as chairman, and Caswell Harbin, and John Carrigan, esquires, Secretaries. The object of the meeting was then briefly explained by the chairman. Mr. Craige, Major Beard, and Mr. Pearson, severally addressed the meeting in very warm and decided terms in favor of the measure, and urged the citizens of the county to a full and regular attendance on the 1st and 2d days of April, when it was expected of course they would vote for a Convention. The following resolutions being then submitted by H. C. Jones, esq., were unanimously adopted:

[Here follow the names of the several district committees.]

Resolved, That the following persons be appointed as committees in the several company districts where they reside, whose duties it shall be to distribute information on the important subject now in contemplation, and to urge upon our citizens the great necessity of their coming to the polls on the 1st and 2d days of April next.

Resolved, That John Board, jr., R. H. Alexander, Burton Craige, Hamilton C. Jones, James E. Kerr, Archibald Henderson, Dr. L. Mitchell, and John Giles, constitute a central committee, whose duty it shall be to confer with similar committees in other counties, to notify the district committees of their appointment and duties, and generally to do any and every act to forward the cause of reforming the present constitution of the State.

Resolved, That the several newspapers in this State be requested to publish these proceedings.

JOHN GILES, Chairman.
CASWELL HARRIS, } Secretaries.
JOHN CARRIGAN, }

The *New York Evening Star* speaks thus eloquently, in regard to the present aspect of affairs between America and France:—

"Upon the main question, we admit that we are for Peace; and shall use all our efforts to preserve it, until we discover that the continuance of peace is the loss of National honor. We look forward with brilliant hopes at the prospects of the country, if allowed to pursue its onward course in peace for the next twelve years as it has for the last. It will present, in the year 1847, if undisturbed in its foreign and domestic relations, and its Government honestly administered, a display of improvement, national strength, wealth, and prosperity, never before known in history. If the resources of the country, managed and improved by the different States, are allowed to be applied in developing, strengthening, and perpetuating our various natural advantages, and not withdrawn for purposes of war, the Augustan Age, the Appian Way, the Pyramids of Egypt, the Palaces of Byzantium—and all the splendor of either ancient or modern Nations—will be found surpassed by the results of the efforts of American freemen."

A Prayer Answered.—We are credibly informed that about two weeks since a Drover stopped for the night at a farmer's house between this place and Somerset, Pa. and in the morning upon counting the hogs found several missing. Diligent search being made without success, suspicion led the Drover and Landlord to take out a search warrant for a suspicious neighbor's premises.

They went to and asked the suspected man if he knew any thing of the lost Hogs, and received for answer "No." They insisted upon and commenced a search, and whilst in the act of examining the house the suspicious individual became irritated and alarmed, and with a view to deter them from further search declared before his maker that he knew nothing of them—that if he did, he hoped that "God would strike him dead and the devil might take him." Notwithstanding this they continued their search, and finally found the Hogs salted away in the barn, secreted beneath some hay. After legally proving property they seized the man to take him to the Somerset jail. They had not proceeded more than two miles when he was heard to utter a cry and seen to fall to the ground a dead man.

The persons in company with him returned his body to his friends, whilst his guilty soul went to appear before the bar of an angry God.—*Maryland Adr.*

A speck of war.—The citizens of Penn Yan, (N. Y.) who feel aggrieved at the diversion of the waters of the outlet of the Crooked Lake, from their mills, &c. to feed the canal, turned out in a body on Saturday, and blew the State dam sky high!

Supreme Court.—Cadwallader Jones, jr. of Orange county, has been admitted to the practice of Law in the County Courts.—The following cases have been argued and determined since our last.

Revis, Chief Justice, delivered the opinion of the Court in the case of Markland v. Crump, from Rowan, affirming the Judgment below.

Gaston, Judge, delivered the opinion of the Court in the case of Smith v. Gray, Ex'r of Means, from Randolph, affirming the Judgment below.

Daniel, Judge, delivered the opinion of the Court in the case of McKinney v. Rutheford, in Equity, from Rutherford; dismissing the Bill. *Raleigh Register.*

The complexion of the news from FRANCE is more and more favorable to the preservation of peaceful relations between that country and this; which, as we believe it to be now sincerely the desire of the discreet men of all parties in this country, will, we are persuaded, be universally acceptable to our readers.

The latest date of papers which had reached France from America at the last accounts was the 25th of December. The Report of the Foreign Relations Committee of our Senate was made on the 6th January, and it was definitely acted upon on the 14th of the same month. We scarcely entertain a doubt that, on the arrival in Paris of authentic accounts of those proceedings, the Bill of Indemnity will be promptly acted upon, and the Treaty carried into full effect.—*Nat. Intel.*

An important bill, to amend the Judicial System, has passed the Senate by a large majority, and is now before the House of Representatives. The bill dismembers the fourth circuit, which now consists of the districts of Maryland and Delaware. It attaches Delaware to the third circuit, Judge BALDWIN's and Maryland to the fifth circuit, Judge MARSHALL's, which by the bill with this addition, is to constitute the fourth circuit. In other words, Judge BALDWIN's circuit, under the new bill, should it become a law, would consist of Pennsylvania, New Jersey, and Delaware, and Chief Justice MARSHALL's circuit would consist of Maryland, Virginia, and North Carolina. South Carolina and Georgia would constitute one circuit as heretofore, (to be the fifth.) Alabama, Louisiana and Mississippi would constitute the sixth; Ohio, Tennessee, and Kentucky, the seventh; and Indiana, Illinois, and Missouri, the eighth circuit. The bill passed by a vote of 31 yeas to 5 nays.—*ib.*

A recounter took place in the House of Representatives of Louisiana, which produced a great sensation in New Orleans. On the 31st instant, about 10 o'clock, a little before the usual time of the meeting of the House, Mr. J. R. GRAYES, a distinguished lawyer of New Orleans, entered the Hall, and advancing towards Mr. LABRANCHE, the Speaker of the House, who was standing near the Clerk's desk, raised his cane and struck him, whereupon Mr. LABRANCHE drew a pistol and fired at Mr. GRAYES. The ball passed through the lapel of Mr. G's overcoat. Immediately upon being fired at, he dropt the cane, drew a pistol, and returned the fire of Mr. LABRANCHE who was retreating through the Clerk's door, and fell near it wounded. The wound was not dangerous.

Mr. GRAYES was summoned to the bar of the House to be tried for this assault on its Speaker. He commenced by protesting against the power of the House to arraign him, asserting that the only power of this nature granted it by the constitution was that of punishing its own members by expulsion or otherwise. The question whether the House had jurisdiction in the affair, after being warmly debated, was decided in the affirmative. Mr. GRAYES acquiesced in the decision, and answered the interrogations put to him admitting that he had struck the Speaker, but that he had not drawn his pistol until he was shot at, and denying that he had violated any of the privileges of the House.

Several witnesses were examined, the substance of whose testimony we have given above. The trial occupied several days, owing to the tediousness of examinations by question and answer in writing.

The case was finally adjudged on the 10th instant. On that day Mr. GRAYES opened his defence in an eloquent and ingenious argument, and was followed by Mr. SOULE. On the part of the prosecution, he was replied to by Messrs. LEWIS, ORDEN, SPARKS, LAWSON, and others. The vote was then taken on the question of reprimanding Mr. GRAYES, which course appears to have been pursued in consequence of taking Gen. Houston's case as a precedent, and decided in the affirmative, Yeas 31, Nays 5. Mr. GRAYES was then brought up, and received the reprimand of the House, through the Speaker.—*ib.*

A Good Hit.—A Mr. Gray inquired of a negro servant what color he believed the devil was. "Why," replied the African, "the white men tell us he is black. We say he is white. But from his long age, I guess Old Nick must be gray."

From the Nat. Intelligencer, 28th ult.

THE UNITED STATES AND FRANCE.
The following Message, with the accompanying Documents, was yesterday transmitted by the President of the United States to both Houses of Congress:

To the House of Representatives of the United States:

I transmit to Congress a report from the Secretary of State, with copies of all the letters received from Mr. Livingston, since the message to the House of Representatives of the 6th instant, of the instructions given to that Minister, and of all the late correspondence with the French Government in Paris, or in Washington, except a note of M. Serrurier, which, for the reasons stated in the Report, is not now communicated.

It will be seen that I have deemed it my duty to instruct Mr. Livingston to quit France, with his legation, and return to the United States, if an appropriation for the fulfilment of the Convention shall be refused by the Chambers.

The subject being now, in all its present aspects, before Congress, whose right it is to decide what measures are to be pursued on that event, I deem it unnecessary to make further recommendation, being confident, that, on their part, every thing will be done to maintain the rights and honor of the country, which the occasion requires. ANDREW JACKSON. Washington, 25th February, 1835.

To the President of the United States: DEPARTMENT OF STATE, Washington, 25th February, 1835.

The Secretary of State has the honor to submit to the President copies of all the letters received from Mr. Livingston since the message to the House of Representatives of the 6th instant, of the instructions given to that Minister, and of all the late correspondence with the French Government in Paris, or in Washington, except the last note of M. Serrurier, which it has been considered necessary to submit to the Government of France before it is made public or answered, that it may be ascertained whether some exceptionable expressions are to be taken as the result of a settled purpose in that Government, or as the mere ebullition of that Minister's indiscretion. JOHN FORSYTH.

Mr. Livingston to Mr. Forsyth. LEGATION OF THE UNITED STATES, Paris, 11th January, 1835.

Hon. JOHN FORSYTH: Sir—Believing that it would be important for me to receive the despatches you might think it necessary to send with the President's Message, I ventured on incurring the expense of a courier to bring it to me as soon as it should arrive at Havre. Mr. Beasly accordingly, on the arrival of the Sully, despatched a messenger with my letters received by that vessel, and a New York newspaper containing the Message, but without any communication from the Department; so that your No. 43 is still the last which I have to acknowledge. The courier arrived at 2 o'clock on the morning of the 28th. Other copies were the same morning received by the Estafette, and the contents being soon known caused the greatest sensation, which as yet, I think, unfavorable. The few members of the opposition who would have voted for the execution of the treaty, now declaring that they cannot do it under the threat of reprisals, and the great body of that party making use of the effect it has on national pride, to gain proselytes from the Ministerial side of the Chamber, in which, I have no doubt, they have in a great degree for the time succeeded.

The Ministers are aware of this, and will not, I think, immediately urge the consideration of the law, as I have no doubt they were prepared to do when the Message arrived. Should Congress propose commercial restrictions, or determine to wait to the end of the session before they act, this will be considered as a vote against reprisals, and then the law will be proposed, and I think carried.—But I ought not to conceal from you that the excitement is at present very great; that their pride is deeply wounded by what they call an attempt to coerce them by threats, to the payment of a sum which they persist (in opposition to the plainest proof) in declaring not to be due. This feeling is fostered by the language of our opposition papers, particularly by the *Intelligencer* and *New York Courier*, extracts from which have been sent on by Americans, declaring them to be the sentiments of a majority of the people. These, as you will see, are translated and re-published here, with such comments as they might have been expected, and undoubtedly were intended, to produce; and if hostilities should take place between the two countries, those persons may flatter themselves with having the credit of a great share in producing them. The only letter I have received from home is one from my family. This, to my great satisfaction, informs me that the President will be supported by all parties, and I am told that this is the language of some of the opposition papers, but as they are not sent to the legation, I cannot tell in what degree this support can be depended upon. Whether the energetic language of the Message will be made the pretext with some, or be the cause with others, among the Deputies for rejecting the law, cannot of course be yet conjectured with any great degree of probability; but I think it will have a good effect. It has certainly raised us in the estimation of other Powers, if I may judge from the demeanor of their representatives here; and my own opinion is, that as soon as the first excitement subsides, it will operate favorably on the Councils of France. Already some of the Journals begin to change their tone, and I am much mistaken if the opposition here, finding that we are in earnest, will incur the responsibility of a rupture between the two nations, which they see must take place if the treaty be rejected. The funds experienced a considerable fall as soon as the Message was known, and insurance rose; in short, it has made them feel the commercial as well as the political importance of our country. The Count D. Rigny had requested me to communicate the Message to him as soon as it should

be received. This I promised to do; and accordingly, on the morning of the 8th, to avoid any mistake as to the mode of making the communication, I carried the paper to him myself, telling him that I had received a gazette containing a paper, said to be the Message of the President, which I delivered to him in compliance with my promise, but I requested him to observe, that it was not an authentic paper, nor was it delivered in pursuance of instructions, nor in my official character. I thought it, for obvious reasons, necessary to be very explicit on this point, and he probably understood me, as he had not yet read the message. Little more passed at the interview, and I thought of it, but not immediately, to seek another. I shall probably, however, see him to-night, and shall then appoint some time for a further conference, of which, I will by this same packet, give you the result.

Mr. Middleton had just arrived from Madrid, with the inscriptions for the Spanish indemnity, and a draft for the first payment of interest. His instructions are, he says, to leave them with me, but, as I have heard nothing from the Department, I shall advise the depositing them with Rothschild, to wait the directions of the President.

The importance of obtaining the earliest intelligence at this crisis of our affairs with France, has induced me to direct that my letters should be sent by the Estafette from Havre, and that, if any important advices should be received, at such an hour in the day as should give a courier an advance of some hours over the Estafette, that a special messenger should be despatched with it.

I have the honor to be, very respectfully your most obedient servant,

EDW. LIVINGSTON.
Mr. Livingston to Mr. Forsyth. LEGATION OF THE UNITED STATES, Paris, Jan. 14, 1835.

Hon. JOHN FORSYTH: Sir—The intended conference with the Minister of Foreign Affairs, of which I spoke to you in my last, No. 70, took place yesterday morning. I began it by expressing my regret that a communication from the President to Congress had been so much misrepresented in that part which related to France, as to be construed into a measure of hostilities. It was, I said, part of a consultation between different members of our Government, as to the proper course to be pursued, if the legislative body of France should persevere in refusing to provide means of complying with a treaty formally made. That the President, as was his duty, stated the facts truly, and in moderate language, without any irritating comment. That in further pursuance of his official duty he declared the different modes of redress which the law of nations permitted, in order to avoid hostilities; expressing, as he ought, to do, his reasons for preferring one of them. That in all this there was nothing addressed to the French nation; and I likened it to a proceeding well known in the French law, (a family council in which the concerns and interests are discussed,) but of which in our case the debates were necessarily made public. That a further elucidation of the nature of this document might be drawn from the circumstance, that no instructions had been given to communicate it to the French Government, and that, if a gazette containing it had been delivered, it was at the request of His Excellency, and expressly declared a private communication, not an official one. I further stated that I made this communication without instructions, merely to counteract misapprehensions, and from an earnest desire to rectify errors which might have serious consequences. I added that it was very unfortunate that an earlier call of the Chambers had not been made in consequence of Mr. Serrurier's promise, the non-compliance with which was of a nature to cause serious disquietude with the Government of the U. S. I found immediately that this was the part of the message that had most seriously affected the King; for Count D. Rigny immediately took up the argument, endeavoring to show that the Government had acted in good faith, relying principally on the danger of a second rejection, had the Chambers been called, at an early day, expressly for this object. I replied, repeating that the declaration made by M. Serrurier was a positive and formal one, and that it had produced a forbearance on the part of the President to lay the state of the case before Congress. In this conference, which was a long one, we both regretted that any misunderstanding should interrupt the good intelligence of two nations having so many reasons to preserve it, and so few of conflicting interests. He told me (what I knew before), that the exposition was prepared, and that the law would have been presented the day after that on which the message was received. He showed me the document, read part of it to me, and expressed regret that the language of the message prevented it being sent in. I said that I hoped the excitement would soon subside, and give place to better feelings, in which I thought he joined with much sincerity. It is, perhaps, necessary to add, that an adjustment was made by me to the change of ministry in November, and the reinstatement of present ministers, which I told him I had considered as a most favorable occurrence, and that I had so expressed myself in my communications to you; but that this circumstance was unknown at Washington when the message was delivered, and I added that the hopes of success held out in the communication to which I referred, and the assurances it contained that the ministers would zealously urge the adoption of the law, might probably have imparted the same hopes to the President, and have induced some change in the measures he had recommended. But that the formation of the Pujin ministry, if known, must have had a very bad effect on the President's mind, as many of that ministry were known to be hostile to the treaty.

When I took leave, the minister requested me to reflect on the propriety of presenting a note of our conversation, which he said should be formal or otherwise, as I should desire. I told him I would do so, and inform him on the next morning by 11 o'clock.

We parted, as I thought, on friendly terms, and in the evening, meeting him at the Austrian Ambassador's, I told him that on reflection I had determined to wait the arrival of the packet of the 15th before I gave the note, to which he made no objection. After all this, you may judge of my surprise, when last night, about ten o'clock, I received the letter, a copy of which is enclosed, and which necessarily closes my mission. In my reply, I shall take care to throw the responsibility of breaking up the diplomatic intercourse between the countries where it ought to rest, and will not fail to expose the misstatements which you will observe are contained in the Minister's note; both as respects my Government and myself—but the late hour at which I received the Cte. D. Rigny's note, and the almost immediate departure of the packet, may prevent my sending you a copy of my communication to him, which I shall use the utmost diligence in preparing.