

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 26, 1835.

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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. If 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.

To the Afflicted.
We have just received a supply of Dr. Beck's celebrated
Anti-dyspeptic Pills.

Hawley's Tooth-ache Pills,
highly recommended. We have also, left to sell, on commission,
Dr. Guinn's Medical Book,
expressly for the use of Farmers.

SMITH & WILLIAMS,
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ATTENTION!
RIFLE VOLUNTEERS.

YOU are hereby ordered to parade in Charlotte, on Saturday, the 26th inst. at 10 o'clock, A. M. armed and equipped as the law directs, in Summer Uniform, for the purpose of drill.
JOHN HALL,
Captain.
March 17, 1835.

Lottery Agency.

THE subscriber having relinquished the business of Lottery Agent in this place, for the purpose of going to the South, has left his unsettled business in the hands of Mr. William Hunter to arrange for him. Mr. Hunter will in future be the agent in Charlotte for the North Carolina State Lottery, and will, at all times, be able to accommodate those who may wish to advance in this way.
WILLIAM H. SPECK.

It will be seen from the
above Advertisement, that I am appointed Agent for the North Carolina State Lottery in the place of Wm. H. Speck, who has removed to the South. I am now prepared to accommodate all who wish to advance, or try their luck. I have *Wheels, Balls and Quarters* in a great variety of numbers—and some fortunate individuals will stand a chance to draw the high prize of 7,000 dollars—as I consider myself a very lucky fellow—so step forward and try your luck!—Never weary, never vain.
WM. HUNTER,
Charlotte, N. C. March 11th, 1835.

Valuable Land for Sale.
I WILL sell on reasonable terms, a tract of valuable LAND in Cabarrus county, lying on the waters of Coddle Creek, and adjoining the lands of Joseph Young, R. W. Smith and others. The tract contains about 300 acres, a part of which is improved and in good repair. Information can be had on the premises, or from myself at Mount Pleasant, Cabarrus county.
JOHN O. WALLACE,
March 21, 1835.

Don Quixotte.
MY fine Jack, will stand at my stable (in sight of Charlotte), the ensuing season, and will be offered at the moderate price of Four Dollars the season, or Six Dollars to insure a Mare to be with foal. In every case where the Mare has been put by the insurance and traded off, the insurance money will be claimed.
STEN. FOX,
March 18, 1835.

JACKSONVILLE FOR SALE.

AGREABLE 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 at the Cross Roads on the Rocky River road, leading from Cabarrus to Camden, S. C. and the Newton road, leading from Cheraw. Wadesboro, &c. to Landsford, and is considered an excellent stand for Mercantile Business and a Place of Entertainment. For terms apply to
THO. P. DILLON, Executor,
or
W. MORRISON, Esq. Charlotte.
Dillonville, N. C. Meck'g. Co.
21th 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.

Taken Up
AND committed to the jail of Mecklenburg County, a negro woman by the name of ELIZA BETH, about five feet high, dark complexioned, stout made, about 20 years old, wears homespun clothes, says she is beloved to the Widow Overton in Lenoir County, Virginia, and was bought by Joseph 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.

SPEECH OF F. NORCOM, Esq.
In the House of Commons on the 3d of January, 1835, on the following resolutions, introduced by Dr. Henderson:

Resolved, as the opinion of this General Assembly, that any act by which the Congress of the United States shall give the public lands to the States in which they are situated, or any act by which the minimum price at which these lands are now sold shall be reduced, would seriously affect the prosperity of all the old States, and do great injustice to those States by whom they were originally ceded to the Confederacy.

Resolved, That the Governor be, and he is hereby requested to transmit copies of these resolutions to the Senators and Representatives from this State in the Congress of the United States.

Mr. SPEAKER: The members of this body will do me the justice to admit that I am not in the habit of occupying the floor often, or long at a time; but I must beg their attention at present longer than usual, since the subject now before us is one of more importance to our State (should it lead to any favorable action of Congress) than any measure which has been presented for consideration in many years. It is desirable that those gentlemen whose attention has not been heretofore directed to the investigation of this subject, should at present learn enough of its merits at least, and become so far acquainted with the public domain, as to inform, and rouse up the people to a sense of their rights. If, sir, the great mass of voters in the old States could once get into possession of the facts of this case, there would scarcely be found a dissenting voice from Maine to Georgia in regard to the policy which ought to have been adopted in relation to the Public Lands.—Not that party spirit would be hushed entirely, but because no man could get a seat in Congress who was not pledged to pursue a course similar in principle to that indicated in these resolutions. Doubtless efforts will be made here to give this question the "go by" in some direct mode, or by some evasive course; and if that effort should fail, an attempt no doubt will follow, to make it a party question; for there are certain indications by which it does not require a magician to discover the enemy's approach.

I will promise, sir, for one, not to make it a party question myself; and one other fact I can assure gentlemen in addition—viz: that the people will not make it a question of Jacksonianism or anti, when they once become alive to the question; and before I take my seat, if this House is so disposed, I will certainly endeavor to shed what light on the subject circumstances have enabled me to accumulate.

In order to observe some method in handling this subject, I will—1st proceed to show the original claim we once had to these Lands—2dly, the circumstances which led to the conditions on which they were ceded to the General Government—3dly, some reasons for present and prompt action on this subject, with our present wants and the uses to which this fund could be applied.

Those who are acquainted with our Colonial history well know, that Charles II granted to certain gentlemen known as "Lords Proprietors," a charter for all lands within the Northern limits of this State and the Southern line of S. Carolina purporting to extend from the Atlantic to the Pacific Ocean. These Lords Proprietors had vested in them, not only the right of the soil, but the right of government; and for causes not now necessary to be adverted to, they surrendered to the crown the right of government, and subsequently gave up the right of the soil, except Earl Granville, who retained the right in property in the soil. Hence it is, all the titles to our lands are derived from Lord Granville, the crown, and since the year 1776, from the State. In the mean time, the French had settled Canada, and on the Mississippi, and they claimed to hold all the Lands west of the Mississippi River, and North of the Lakes and the River St. Lawrence; a war ensued between England and France, and by the treaty of 1763 or 5, which terminated it, the claims of the French were admitted, and afterwards our limits west were confined to the Mississippi river—South Carolina was separated from the rest of this grant; and we held at that time all of that land now constituting the State of Tennessee; a country many years ahead of her ancestor in moral and physical improvement, and in a fit of generosity we parted with that better half, from which we are destined never again to realize a dollar of revenue.

Virginia, New-York, Connecticut, Georgia, &c. acquired other large tracts of land under circumstances varying in no substantial degree from our acquisition. So if discovery, conquest and purchase, united, can give title to a country, beyond any question we once had the title to these lands—and

by virtue of a successful Revolution the States succeeded to the rights of the Crown in this immense domain.

The circumstances which led to their cession to the Federal Congress were principally these: In the defence of that liberty which we now enjoy in peace, and in the struggle for that independence of England which was attained by so great a sacrifice of blood and treasure, we necessarily had to borrow large sums of money to support the war waged to secure these ends, as our country was not only new, but destitute of that large floating capital to be found in these times. The successful termination of a war so protracted, left us with an immense debt, which hung upon this patriotic land like an incubus, and threatened to sever at some day, the feeble ties which then connected the 13 old States. During the conflict, the question was frequently agitated, what should be done with these lands in the event of a successful termination of the war;—the States holding them contending for all within their chartered limits, and those without any holding, that as they were to be gained by mutual sacrifices and losses they were entitled to a part of them. This question was pregnant with paralyzing divisions and jealousies, when the patriots and statesmen of that day stepped forward to check the progress of discontent and arrest the serious consequences to which this question was about to lead, and by a resolution of Congress in 1780 recommended to the States to surrender their waste lands "for the common benefit of the United States." This recommendation was ultimately adopted by all the States holding land. So much for the condition which led to their relinquishment.

The conditions on which they were ceded, must be ascertained from looking to the causes which induced the surrender, and by an examination of the deeds of cession. Some of the causes have already been adverted to; but one more I will now press into service a little further, to wit: the payment of the public debt. Under the articles of confederation, to liquidate this debt, contributions were made by the States of specific sums, apportioned "to their usual respective proportions in the general charge and expenditure;" but there was no means nor power to coerce any state into the payment of her part, either for this purpose or for the support of government. The wisest men were puzzled to devise the ways and means of discharging this debt; the attention of the patriot, the statesman, and philosopher was directed to it, as a subject of disquietude that might lead to results fatal to that state which they had just attained after a long and desperate struggle. These lands were at last pointed to, as the source from whence might be derived the requisite funds.

From one of these great causes then arose which led to their cession, it is not difficult to ascertain the conditions on which they were relinquished. North Carolina and Virginia surrendered without remuneration; all the other states received a pecuniary compensation in part, or made large reservations for themselves. The deeds, though varying in words, are substantially as follows: "For the use and benefit of all the States composing the Union (N. Carolina included) according to their proportion in the general charge and expenditure; and they shall be faithfully disposed of for that purpose, and for no other use or purpose whatsoever." If then these historical facts be true, it is perfectly clear we once had title to this domain; we ceded it for a particular purpose, to wit: "to constitute a common fund for the common benefit," and by the covenant they were to be disposed of for that purpose and no other.

Now I need not ask, Mr. Speaker, any legal gentleman in my hearing, but I will submit to any mind capable of comprehending the import of words, that if "that purpose and none other" for which they were granted is answered, ought they not to revert back to us? If those burdens are removed, and those debts paid off, for which purposes they were conveyed to the General Government, does it not follow beyond the reach of doubt, that the trust having been satisfied, the trustee should now pay over to those who made the conveyance? Sir, it is too plain to require any thing more than a statement.

I do not wish to be understood as claiming for the States that ceded these lands, exclusively, all the proceeds arising from their sale, for two reasons—1st, because a large portion of the lands unsold were acquired by treaty from France and Spain, which cost in all about 30 millions of dollars and of course were paid for by the people at large—2dly, I do not think that a native of North Carolina or any other old state, by removing to Alabama or Missouri thereby surrenders his interest in those lands which were acquired by the blood and treasure of his ancestors. It is but fair the net proceeds should be divided as indicated in the resolutions; and since the General Government now holds these lands, and can survey and sell them, and collect the proceeds with more uniformity and des-

patch than the separate states could, it is certainly expedient that the present system should be adhered to, and the net proceeds divided among the States, rather than the lands.

Let us enquire whether the state of things has arrived, which was anticipated, and by the operation of which this branch of revenue is no longer needed by the General Government. We are informed by the President and the Secretary of the Treasury, that on the 1st day of January, 1835, every cent of the national debt will be paid off, and a surplus of some millions be left in the Treasury. So then, the great end having been attained for which they were granted, they are no longer wanted for that purpose, and that astonishing epoch has arrived in the history of civilized nations and is now presented to the world, of a nation of 13 to 15 millions of freemen, living under the happiest form of government known to man, after having gone successfully through two wars with the most powerful and enlightened nation of the world, is not burthened with one cent of public debt. Are there any other causes for retaining this revenue? Let us see. The reports from the Treasury Department inform us, that the ordinary revenues of the Government arising from duties on imports now amount to from 3 to 5 millions, more than is necessary to pay the current expenses of government—so from the 1st of this month, we will have in the Treasury a surplus of from 5 to 10 millions of dollars annually over the legitimate wants of the country, for the support of the Federal Government; and I know of no other object to which this fund could be applied that would bring the application within the objects of the grants—to wit: "to be applied to the common benefit of all the States and no other."

I will now, Mr. Speaker, anticipate two objections to this measure, which as they have with some plausibility been made elsewhere, it is to be presumed they may be urged here. It is held by some, that Congress has no power (under the Constitution) to dispose of these lands, or of their proceeds among the States, because they were conveyed before the Constitution was adopted. There are two effectual answers to that objection—1st, there is nothing in the deeds themselves to prohibit such a disposition, but they show on their face it was a trust fund created in the General Government and the right to return what is left after accomplishing the object of the grant, to the grantees, follows necessarily. 2d, the Federal Constitution was adopted it is true, since these lands were conveyed, but the States that ceded them have subsequently ratified and adopted the Constitution; so that being the last act must govern, supposing the two to be inconsistent, which I deny. Again—all the land ceded by Georgia, as well as that purchased from Spain and France, which now constitutes the greater part of the unsold public lands, were obtained by the general government since the adoption of the Federal Constitution; and if there can be any doubt in regard to this question as a Constitutional one, the plain words of the 3d section of the 4th article of the Constitution will dispose of that doubt—it reads thus—"Congress shall have power to dispose of and make all needful rules and regulations respecting the territory and other property of the United States," &c. I must say, Sir, in candour, I can scarcely believe any man of sense speaks the truth, when he professes to doubt the constitutional right of Congress over the public lands as herein recommended.

Another objection urged against this measure was that we should reduce the duties on imports below the wants of government, and make up the deficiency out of the sales of the public lands. That was a plausible argument perhaps at the time Mr. Hayne resorted to it—but it no longer applies, for now the Tariff is settled and fixed by a compromise, at a certain rate of duties for ten years; and on the principle too, that the rates shall be fully adequate to the wants of government; no person in his senses is disposed to disturb that question now; nor would he be so permitted I presume, if the attempt were made. The principle and rate of duties being now fixed by compromise for ten years at least, if not forever, it is useless to expect that they will be reduced. Is then this 5 millions to be idle in the Treasury, or to be expended by the general government in purchasing up districts of country, by the adoption of a system of internal improvement that recognizes no object as national, where votes cannot be bought? or should it be paid over to its real and original owners, the States, who stand in need of its aid, and with it might effect valuable purposes?

I come now, Sir, to the reasons which should induce us to act at present, and promptly on this matter. An opinion or idea is now prevalent in the West, gaining ground daily, and now advocated by the President, that these lands ought to be surrendered to the States in which they are located, or be sold to them, which is the same thing in the end as giving them. If

this question is not settled before the members from the new states take their seats in Congress under the census of 1840, the West will have so decided a majority, that all hope of this resource will be cut off forever. It requires no prophet to foresee, that before many years shall pass over our heads, the inhabitants of the great valley of the Mississippi and its tributaries, will, (by their numbers) completely control the destinies of this country.

I have said, to sell these lands to the new States would be tantamount to giving them, for how under heaven are they to pay for them. Take one State as an example. Illinois had 150,000 population, but about 31½ millions of acres of public lands. Now if we sold this to her at the minimum price it would amount to nearly 40 millions of dollars, or at half price to 20 millions of dollars. Could she possibly pay for it? Sir, could she ever pay the interest on that sum, which would exceed a million annually? And pray how could we enforce payment? for if you retained a mortgage on the land they would not sell. To talk then of selling them is to me perfect nonsense, if I may be pardoned the word;—and to give them away, (dropping the constitutional right so to dispose of them,) what reason on earth can be assigned for making such a donation to these States? For whilst I admit that a native of Virginia or North Carolina does not relinquish or impair his right to this domain by removing south or west 1,000 miles, I am at a loss to conceive by what rules of induction any one can infer by so moving he acquires any new claims. Again, Sir, let us now see what has already been done for these new States. I will read from a report made on an official call from Congress. Grants of Lands to the Western States.

1 The 16th section for Public Schools	8,000,000
2 For Int. Improvement in W. States	2,200,000
3 For Colleges and Universities in do	500,000
4 For Religious & charitable institutions	90,000
5 For seats of State Governments	21,000
6 For Saline Reservations	295,000
Total no. of acres granted the West	11,100,000

It is to be kept in mind, that in all these grants, they are permitted to select the lands and sell them on any credit they please. On these terms they may be fairly valued at 10 to 15 per acre. About one hundred million of dollars then these States have already received; add now the pre-emption right, and the 5 per cent. on the amount of the sale in their boundaries, and a reasonable man would suppose them completely satisfied;—but this it appears only increases the appetite for further indulgences. They come forward and ask appropriations of money to clear out every river and creek in the Western States, and to such an extent is this avaricious spirit carried, that last winter it is said, a large appropriation was made to clear out a river that had no water in it, but the bed of which was completely dry. They are not content with having all their roads and rivers cleaned out, colleges, public schools and capitals erected by the public lands, and then a large portion of the land to boot, but they now begin to cry out for the whole! Can any one be surprised at the extraordinary prosperity of the Western States under these circumstances? Was ever a country on earth opened to emigrants on such favorable terms? Why sir we might as well be surprised at the prosperity of a young farmer who had a father standing by with a heavy purse, out of which he bought him land, bought him the hands, cut his ditches, made his roads, and built his houses.—Under such a state of things could he help prospering? The only thing that surprises me is, that the old States are not depopulated almost entirely under such a system.

No doubt, Mr. Speaker, those who have paid no attention to these things believe I am laboring under a mistake, but sir, did I not have the facts before me in print, officially communicated to Congress, I would not believe it myself. All who are in the habit of regarding the action of Congress on this subject; know too well, the facts here stated; and those who are not have but to turn to the acts passed at any session of Congress for many years past, to see the donations of land made for some asylum, college, or creek, that is not considered national; for if it be a national river or creek, they can get the money voted directly; but if it be not national, then they get the amount in land. I hope I will not be understood as complaining of the western members for obtaining these donations; but I do complain, sir, at that policy, which takes from a fund created by all and for the "common benefit" of all, to apply it exclusively and for a period of years to the benefit of a few States only. And I cannot look with compassion or even with a proper feeling of respect on those members from the old States who have for the last two years opposed the measures introduced into Congress on this same subject; I fear sir the opposition in a certain high quarter, proceeded more from enmity to the distinguished statesman who originated the bill that passed by so large a vote, than from what was stated in the paper signed by his hand; as a man on such occasions must