

the said bill was ordered to be enrolled. The bill vesting the power to authorize the erection of gates across public roads in the county courts, passed its last reading, and was also ordered to be enrolled.

The bill to amend and suspend for a time the several Acts prohibiting the circulation of due bills and notes under five dollars; the bill to emancipate Waller; the bill to amend an Act of 1745, for the better observation and keeping of the Lord's day, &c., and the bill directing the manner in which suits shall be brought hereafter in this State, were rejected.

Bills presented—By Mr. Beard, further to amend an Act entitled "An Act to establish a Bank of the State of North Carolina." Read the first time and passed. By Mr. Sawyer, supplemental to an Act passed at the present session, concerning a Convention to amend the Constitution of the State. Passed its first and second readings, and laid upon the table. By Mr. Caldwell, regulating the time of holding the Superior Courts in the counties of Rutherford, Lincoln, and Iredell. Read three times, and ordered to be engrossed.

HOUSE OF COMMONS.

Mr. Marsteller, from the Committee to whom was referred the resolution concerning the powers and immunities of the Cape Fear Navigation Company, reported a bill to repeal in part an Act of 1832, amending the several Acts of Assembly incorporating the Roanoke and Cape Fear Navigation Companies, and prescribing the mode of enforcing the collection of tolls; which passed its first reading.

Mr. Graham, from the Committee on Education, to whom sundry resolutions on the subject had been referred, reported a bill to authorize the President and Directors of the Literary Fund to sell certain portions of the Swamp lands; which was read the first time and passed, and, with the report accompanying, ordered to be printed.

Some time was spent in the consideration of the amendments proposed by the Senate to the engrossed bill concerning a Convention to amend the Constitution of the State; and, after various ineffectual motions further to amend the bill, the said amendments were concurred in, and the Senate so informed. Ordered that 50 copies of said bill be printed for each member of the Legislature.

The House resumed the unfinished business of Saturday, being Mr. Henderson's resolutions relating to a distribution of the public lands. The question (raised on Mr. Haywood's motion to amend) to strike out the original resolutions, was decided in the negative—64 to 53. Mr. Bragg moved that the resolutions lie on the table; which was negatived—70 to 38. Mr. Bragg moved to add the following after the second resolution, which was rejected—68 to 41:

Resolved, That this General Assembly highly approve of the message of Andrew Jackson, President of the United States, transmitted to the Senate of the United States on the 4th December, 1833, containing his reasons for withholding his assent to a bill passed by Congress at its preceding session, usually denominated "Mr. Clay's Land Bill."

Those who voted in favor of the amendment, were Messrs. Boddie, Bragg, Braswell, Brown, Byrum, Byrum, Carter, Coor, Dayton, Fitzgerald, Foushee, Guinn, Gwyn, Hamrick, Haywood, Hilder, Hutchison, Iron, Jordan, Judkins, Lee, Lyon, Marsteller, Potts, Powell, Riddick, Register, Roebuck, Slade, J. L. Smith, Swanner, Tatham, Taylor, Tomlinson, Wadsworth, Walker, Whitfield, Wiley, Jacob Williams, Zigar.

Those who voted against the amendment were Messrs. Albritton, R. H. Alexander, G. H. Alexander, Baker, Barringer, Battle, Bedford, Bell, Blatchford, Blalock, Brandon, Bray, Brummell, Candler, Clement, Craige, Crump, Dockery, Dudley, Fleming, Foreman, Gorrell, Graham, Hawkins, Harper, Harrison, Hartly, Henderson, Harris, Hoke, W. Horton, J. Horton, Howard, King, Kittrell, Latham, Lilly, Lindsay, Locke, Long, Loudon, Manly, Manney, Martin, Matthews, Monk, M'Clane, M'Lean, M'Neil, M'Pherson, Norcom, Ousby, Outlaw, Perkins, Poindester, Rush, Seawell, Sloan, Smallwood, G. Smith, Tillet, Watson, Waugh, Weaver, Welch, Williams of Greene, Williams of Richmond, Witcher.

Mr. Haywood moved to add to the second resolution the following words: "And such distribution ought not to be made so as to give any preference to the new States like that proposed in the bill commonly called Mr. Clay's Land Bill, which was vetoed by President Jackson." Mr. Dudley moved to strike out all of said amendment after the words "new States;" which was not agreed to—66 to 51. The question then recurring on the adoption of the amendment offered by Mr. Haywood, it was decided in the negative—59 to 57. The original resolutions, as submitted by Mr. Henderson on the 29th ultimo, were then adopted and ordered to be engrossed—yeas 82, nays 32.

Yeas—Messrs. Albritton, R. H. Alexander, G. H. Alexander, Allison, Baker, Barringer, Battle, Bedford, Bell, Blatchford, Blalock, Brandon, Bray, Brummell, Candler, Clement, Coor, Craige, Crump, Daveport, Dockery, Dudley, Fleming, Foreman, Gorrell, Graham, Guinn, Hamrick, Harper, Harris, Hartly, Henderson, Henry, Hoke, W. Horton, J. Horton, Houlder, Howard, King, Kittrell, Latham, Lilly, Lindsay, Locke, Long, Loudon, Manly, Manney, Martin, Matthews, Monk, Mullen, M'Clane, M'Lean, M'Neil, M'Pherson, Norcom, Ousby, Outlaw, Perkins, Poindester, Rush, Seawell, Sloan, Smallwood, G. Smith, Stockard, Swindell, Taylor, Tillet, Tomlinson, Wadsworth, Walker, Watson, Waugh, Weaver, Jacob Williams, Williams of Greene, Williams of Richmond, Witcher, Zigar.

Nays—Messrs. Boddie, Bragg, Braswell, Brown, Byrum, Byrum, Carter, Fitzgerald, Foushee, Frink, Gwyn, Harris, Haywood, Hutchison, R. Jones, Judkins, Keosh, Lee, Lyon, Marsteller, Perry, Potts, Powell, Register, Roebuck, Slade, J. L. Smith, Swanner, Tatham, Whitfield, Williams.

Tuesday, January 6, 1835.

SENATE.

Mr. Hawkins, from the Committee on Internal Improvement, to whom a resolution on the subject had been referred, reported in favor of granting a charter for a Rail Road from the seaboard to the Seat of Government, to the Yadkin; but against the State taking two-fifths of the stock. Laid on the table. Mr. H. also reported against the expediency of granting an appropriation to cut a Canal from Goose Creek to Jones's Bay, and recommended the rejection of the bill to amend the road laws. Contained in.

Mr. Wyche, from the Committee on Finance, made a report, stating that Samuel F. Patterson had executed the bonds required by law, &c., and

entered upon his office as Public Treasurer; setting forth the condition of the Treasury; and recommending the adoption of a resolution authorizing the Treasurer, should it become necessary during the fiscal year, to borrow, on behalf of the State, a sum not exceeding 40,000 dollars; which resolution was read three times, and ordered to be engrossed.

Mr. Wellborn presented a bill to repair, alter, and amend, the road leading from the ford of the river Yadkin, where Cass formerly lived, to the Ashe county line; which was read three times, and ordered to be engrossed.

The engrossed resolutions from the other House, relative to the distribution among the States of the public lands, was laid upon the table—yeas 33, nays 24.

Yeas—Messrs. Arrington, Baker, Brittain, Burns, Cooper of Martin, Cowper of Gates, Dobson, Durham, Edmonston, Edwards of Person, Edwards of Warren, Eanett, Flynt, Flowers, Gavin, Hawkins, Holmes, Howell, Hussey, Kerr, Lindsey, Lockhart, M'Cormick, Montgomery of Hertford, Moyer of Greene, Staley, Spaight, Stephens, Wilder, Whitaker, Whitehurst, Wyche, Wilson.

Nays—Messrs. Barco, Bateman, Beard, Caldwell, Dowd, Fairley, Harrison, Hogan, Kendall, Little, Lowry, M'Millan, M'Queen, M'Williams, Martin, Mast, Montgomery of Orange, Moyer of Pitt, Parker, Phelps, Sawyer, Sherrard, Shipp, Wellborn.

The bill concerning a Convention to amend the Constitution of the State, was ordered to be enrolled.

The engrossed bill from the other House, to establish the Merchants' Bank of Newbern, was rejected—26 to 25.

HOUSE OF COMMONS.

Bills presented—By Mr. Henry, to establish the Sulphur Spring Academy, in Buncombe. By Mr. W. Horton, for arming volunteer companies. By Mr. Marsteller, to repeal part of an Act of 1819, to provide a revenue for the payment of the civil list and contingent charges of Government for the year 1820. By Mr. Blalock, to authorize and empower the County Courts of Yancey county to alter the dividing line between the two regiments of said county. These bills passed their first reading.

Mr. Houlder presented a resolution recommending to the people specifically to instruct their delegates to the Convention to vote for or against the borough representation in the Legislature; which was postponed indefinitely.

Mr. Haywood presented the petition of R. M. Saunders, asking compensation for certain professional services, together with a resolution to carry into effect the prayer of the petitioner. Referred. The engrossed bill to make an appropriation of \$75,000 for completing the Capitol in this city, passed its second and third readings, and was ordered to be enrolled—yeas 94, nays 21.

The following bills were postponed indefinitely: Providing a reward for the taking up of runaway slaves in Pennsylvania, New York, &c.; concerning the exercise of suffrage by free persons of color; additional to the Acts now in force directing how fenses covert may pass lands; altering the number of company musters from two to four in a year; and giving to the Superior Courts of Law exclusive original jurisdiction in all applications for divorces.

The engrossed resolutions to print the Bill to provide a fund for the establishment of Free Schools, and append the same to the Acts of Assembly; and authorizing the Governor to procure and transmit the Acts of Assembly in certain cases therein named, and for other purposes, were read and ordered to be enrolled.

Wednesday, January 7, 1835.

SENATE.

The bill to subject legacies, distributive shares, &c., to attachment in like manner as other property, and the bill to incorporate the Montgomery Gold Mining Company, were postponed indefinitely.

A great many bills were matured and ordered to be enrolled.

HOUSE OF COMMONS.

The bill to amend the Charter of the Raleigh and Wilmington Rail Road Company, was laid on the table until the 3d Monday of November next, on motion of Mr. Smallwood—Yeas 71, Nays 30.

Mr. Long presented the following Resolutions: Whereas, by the Constitution of the United States, Congress alone is clothed with authority to borrow money, on the credit of the Government: And whereas, the Postmaster-General has taken upon himself the exercise of this high power, involving the right to tax the people of these United States without the authority of their Representatives:

Be it therefore Resolved, by the General Assembly of North Carolina, That the Postmaster-General, in borrowing money without the consent of Congress, has violated the plain meaning of the Constitution, and that therefore the loans made to him are not binding upon the nation.

Resolved, That the Senators and Representatives from this State, in Congress, be requested to continue the investigations, already commenced, into the abuses and corruptions of that Department; and that they endeavor to secure for the future a more economical and faithful administration of its concerns.

The said Resolutions were read, and, on motion of Mr. Swanner, laid on the table—Yeas 70, Nays 49.

Thursday, January 8, 1835.

SENATE.

Several bills of a private nature—among them the bill to incorporate the Bible Society of North Carolina, and the bill to incorporate the Howard Gap Turnpike Company—were read, and indefinitely postponed.

HOUSE OF COMMONS.

The resignation of Judge Seawell and R. M. Saunders, as Commissioners for re-building the Capitol, were read and accepted.

The bill to provide for a fair valuation of the lands in this State, and prescribing the mode in which the said lands and other taxable property shall be given in by the owners thereof for taxation—the bill to alter the time of holding the election for Members of the Assembly—the bill authorizing the entry of the unsurveyed lands acquired, by treaty, from the Cherokee Indians; and the bill to extend the limits of the City of Raleigh, were severally read, and, on motion, indefinitely postponed.

A large number of bills were finally passed.

Friday, January 9, 1835.

SENATE.

The bill authorizing the entry of the unsurveyed Cherokee Lands; concerning Coroners' fees; the bill to provide for the temporary appointment

of Registers in certain cases; the bill to repeal an Act, passed in 1826, to reduce the license the Pedlars on the south side of the Albemarle; the bill to amend the several Acts of Assembly, vesting the right of electing the Sheriffs in the People; the bill amendatory of the Act to establish a Bank of the State; and the bill to improve the Cape Fear river above Fayetteville, were severally read, and, on motion, indefinitely postponed.

The Resolution declaratory of the opinion of the Senate on the Right of Instruction, was read and laid on the table.

HOUSE OF COMMONS.

The bill to repeal in part an Act, passed in 1832, amendatory of the several Acts of Assembly incorporating the Roanoke and Cape Fear Navigation Company; the Resolution authorizing the Governor to employ an Engineer to survey a Rail Road route from Beaufort to the Western limits of the State; the bill imposing a tax on Physicians, Lawyers, and Dentists; the bill giving to the County Courts the power of abolishing the offices of County Trustee and the Treasurer of Public Buildings; the bill authorizing the Governor to subscribe, on behalf of the State, for 1000 shares of the Stock of the Cape Fear, Yadkin, and Pedee Rail Road; and the bill to encourage the discovery of Mines in the State, were severally read, and, on motion, indefinitely postponed.

Saturday, January 10, 1835.

SENATE.

After some unimportant business, on motion of Mr. Beard,

Resolved, unanimously, That the thanks of the Senate are due, and they are hereby tendered, to the Hon. William D. Moseley, Speaker thereof, for the able, dignified, and impartial manner, in which he has discharged the duties of Speaker of the Senate during the present session.

The Speaker then declared the Senate adjourned sine die.

HOUSE OF COMMONS.

The House met for the ratification of bills; having done which, the following Resolution was unanimously adopted, and the Speaker adjourned the House sine die:

Resolved, That the thanks of this House be tendered to William J. Alexander, Esq., the Speaker thereof, for the able, impartial, and prompt manner, in which he has discharged the duties of the Chair during the present Session.

CAPTIONS OF THE LAWS PASSED BY THE LEGISLATURE OF NORTH CAROLINA, at the Session of 1834-35.

PUBLIC ACTS.

1. An Act concerning a Convention to amend the Constitution of the State.
2. Supplemental to an Act, passed at the present session, concerning a Convention to amend the Constitution of the State.
[For the provisions of the above Acts, see the first page of this paper.]

3. To amend the Charter of the Bank of Cape Fear. [Provides that Stockholders, who are citizens of other States, shall be entitled to vote for themselves or by proxy, at all meetings of the Stockholders; and that the Bank and its Branches shall receive public money in deposit.]
4. To amend the Act of last session, to establish a Bank in the State of North Carolina. [Provides that the corporation shall deal in promissory notes, expressed on the face of them to be negotiable and payable at the Agency of the Bank; and shall also receive such of the public money as the Treasurer of the State shall offer in deposit.]

5. Giving further time to pay in Entry money. [Allows until the 15th of December, 1835.]
6. Prohibiting Lotteries in the State. [Prohibits Lotteries of every description, except those already authorized, under a penalty of \$5,000.]
7. To quiet the titles to certain lands in this State.

8. Vesting the power to authorize the erection of gates across public roads in the County Courts. [Gives this power to the Courts—a majority of the Justices being present.]
9. Making an appropriation for completing the Capitol in the city of Raleigh. [Appropriates the sum of \$75,000.]
10. To amend an Act vesting the right of electing the Clerks of the County and Superior Courts in the free white men of the State, passed in 1832. [Provides that, in case of the resignation or death of the Superior Court Clerk, the Judge shall appoint until the next regular election; and the County Courts shall appoint in like manner.]

11. Giving compensation to Sheriffs and Coroners for executing writs of capias ad satisfaciendum, in certain cases. [Sheriffs or Coroners compelled, by such writs, issued by, and returnable to, any Court beyond their own County, to carry any person to the Jail of the County from whence the writ issued, to receive at the rate of three dollars for every thirty miles in going to and from the said jail.]
12. Regulating costs in certain cases. [Provides that Clerks shall not charge any State tax or Attorney fees on bonds returned under the Act of 1832, for the relief of honest debtors, except an issue shall be made up; in which case, the party cast shall pay all costs; and that officers shall return all bonds and papers, taken under said Act, on or before the second day of the Court to which they are returnable, under the penalty of \$50.]

13. Authorizing the several County Courts to appoint one or more Surveyors in their districts for each County. [Provides that they shall not appoint more than two for any one County.]
14. Concerning divorces. [Gives the Courts of Equity concurrent jurisdiction with the Superior Courts of law, in granting divorces.]
15. Appointing Commissioners for rebuilding the Capitol. [Appoints Duncan Cameron, B. Daniel, S. F. Patterson, Charles Manly, and Alfred Jones. Governor to fill vacancies.]

16. Amendatory of the Act of 1833, concerning the injury done by the erection of mills. [If damage assessed under said Act do not amount to 5 dollars, petitioner shall not recover more costs than damage.]
17. Prescribing in what manner copies of Administration or returns of property of deceased persons in another State shall be read in evidence. [When properly certified according to Act of Congress of 1790, or by the proper officer of the State, with the testimonial of the Governor, the said papers shall be admitted in evidence in the same manner as copies from Clerk's Office in this State.]

18. To repeal the second section of the Act of 1832, making additional compensation to the Secretary of State for certain services.
19. For turning or altering roads in certain ca-

ses. [Provides that persons through whose land a public road passes, may turn or alter the same; and if the Court sanction the alteration, may then close up the old road.]

20. To authorize the Governor to procure a new Great Seal of the State.

21. To establish the Merchants' Bank of the town of Newbern. [Establishes a Bank, under this title, in Newbern, with a capital of 300,000 dollars. Books to be opened on the second Monday of February next, at Newbern, Washington, Bath, Caswell, Waynesboro, Beaufort, Swansborough, and Snow Hill. One fourth of each share to be paid at the time of subscribing; one fourth within 60 days after the Bank shall have commenced business; and the remainder within 9 months thereafter. When 100,000 dollars are paid in, the Bank may go into operation, and continue until 1855. Seven Directors to be appointed, who shall elect a President and other officers. Bank to pay a tax of 25 cents per share. No branches or agencies allowed.]
22. Amending the Act of last session, regulating the times of holding the Superior Courts in the 6th Judicial Circuit. [Provides for the payment of the Judge for holding Court for the second week in Mecklenburg county.]

23. Concerning the Wardens of the Poor. [Provides for paying expenses of removing a pauper from one county to another.]
24. To enable any two of the Judges of the Supreme Court to hold the same. [When any one of the Judges is unable to attend, the other two may hold court.]
25. To prohibit hauling seines or drag nets within two miles of certain bars and inlets within this State. [The places provided for in the Act are Ocracoke Bar, New Inlet, north of Ocracoke, and Roanoke Narrows or Marshes.]

26. Concerning the publication of the Acts relative to a Convention, and payment thereof by the Governor. [Governor to draw on the Treasurer for a sum sufficient to pay each printer who publishes said Acts ten dollars, and to cause 400 copies of said Acts for each county to be printed, and transmitted to their Members of Assembly.]

PRIVATE ACTS.

2. To repeal, in part, an Act of 1831, to prevent obstruction to the passage of fish up the Pedee and Yadkin rivers.
5. Authorizing Michael Brown, of Rowan, to erect a gate or gates on his own land.
15. Incorporating the Burke County Gold Mining Company.
20. Concerning the appointment of Commissioners of a public road in Haywood county.
21. Providing for the holding a Superior Court in the county of Yancey.
23. To prevent the obstructing the passage of fish up Roaring river, in Wilkes county.
24. Amending the Act of 1826, to establish and regulate a turnpike road in Haywood, called the Tennessee River Turnpike.
25. Establishing the Germantown Academy, in Stokes county.
27. For the better regulation of the County Courts of Yancey.
28. Authorizing the appointment of two Surveyors in the counties of Montgomery, Haywood, and Ashe.
31. Incorporating the Iredell Manufacturing Company.
32. Granting to persons, therein named, certain lands for the use of the Methodist Episcopal Church at Franklin, Macon county.
33. Appointing commissioners to lay off a road from Morganton, in Burke county, by Burnsville and Barnett's Station, to the Tennessee line.
34. Amending the Act of 1822, for the division of Rowan county.
36. To prevent the obstructing the passage of fish up Highwassee, Nottaly, and Valley rivers, in the county of Macon.
41. Giving exclusive jurisdiction to Superior Courts for the counties of Anson and Montgomery in all cases where the intervention of a jury shall or may be necessary.

43. Concerning the County Courts of Haywood.
45. Authorizing John Sudderth and Patrick Hennessee to erect gates on their own lands across a public road in the county of Burke.
46. For the better government of the town of Lawrenceville, in Montgomery county.
52. Repealing part of the Act of 1833, better to promote the administration of justice in Macon county.
53. For the better regulation of the militia of Buncombe county.
56. Amending an Act to incorporate a company in the County of Mecklenburg, under the name of the Franklin Gold Mining Company.
58. Authorizing the County Courts of Burke and Yancey to appoint Commissioners for laying off roads.
60. Incorporating the North Carolina Gold Mining Company.
61. Supplemental to the Act of last session, to improve the State Road from the bank of Tuckasega river, by the way of Franklin, to the Georgia line.
62. To prevent the felling of timber in, or otherwise obstructing the run of, Lower Little river, in Iredell county.
63. Altering the times of holding the County Courts of Buncombe and Yancey.
64. Incorporating the Lincolnton Light Infantry Company.
67. Authorizing A. R. T. Hunter, of Macon county, to erect a bridge across the Highwassee river, near the mouth of Valley river.
69. Amendatory of an Act authorizing the citizens of the town of Haywood to appoint Commissioners.
73. Incorporating the Tuckaleicha Smoky Mountain Turnpike Company.
76. Incorporating Millard Creek Classical School, in Mecklenburg county.
81. Incorporating the Pioneer Mills Gold Mining Company, in Cabarrus county.
90. Regulating the times of holding the Superior Courts of Rutherford, Lincoln, and Iredell.
91. Authorizing the appointment of two Surveyors in Anson, Wilkes, and Richmond.
93. Directing the conveyance of the commons adjoining the town of Franklin, to the chairman of Macon County Court.
94. Authorizing the Northampton Blues to draw on the Adjutant General for a stand of arms.
96. Appointing commissioners to run and establish the boundary line between Bladen and Cabarrus.
97. Supplemental to the Act to incorporate the Cape Fear, Yadkin, and Pedee Rail-Road Company.
104. Repealing an Act of 1832, appointing lay days on Rocky river, joining Anson and Montgomery counties.

105. Authorizing the completion of the Tennessee river road, in the county of Macon, and to incorporate a company for that purpose.
106. Empowering the County Court of Yancey to lay a tax to encourage the destruction of wolves and panthers in said county.
108. Incorporating Poplar Grove Academy, in Iredell.
110. Establishing the Sulphur Spring Academy, in Buncombe.
113. Granting to the Mecklenburg Gold Mining Company an amended charter.
115. Authorizing the making a turnpike road in Haywood, and to incorporate a company for that purpose.
116. Attaching the militia of Yancey to 15th brigade.
117. Relative to the lands called to work the State road from the Old Fort to Asheville.
118. For the preservation of the public buildings in Buncombe, and the improvement of Asheville.

123. Regulating drill musters in the 88th regiment of militia, in Davidson county.
125. For the better regulation of the county and superior courts of Rutherford, Buncombe, Haywood, and Macon.
127. Repealing an Act of 1833, concerning the Wilkes volunteer artillery company.
130. Incorporating the Northampton Manufacturing Company.
132. Granting to persons therein named certain lands for a burying ground and place of public worship for all denominations of Christians, in Macon county.
133. Authorizing the county court of Yancey to alter the dividing line between the two regiments of said county.
134. Amendatory of an Act of last session, granting to persons therein named certain lands for the use of the Methodist Episcopal Church at Franklin, in Macon county.
138. To repair, alter and amend, the road leading from Holemon's Ford to the Deep Gap.
139. To repair the road from the Yadkin, where Cass formerly lived, to the Ashe county line.

RESOLUTIONS.

2. Relating to a map of the Cherokee lands.
3. Directing the Adjutant General to collect the public arms.
8. In favor of Wm. Kenly, of Davidson.
13. In favor of John Hyde, of Haywood.
16. Instructing Mr. Mangum, one of our Senators in Congress, to vote for expunging from the journals of the Senate of the United States the resolution censuring the conduct of the Executive in relation to the deposits.
19. Relative to the outrage committed at Nassau, on the property of American citizens.
23. Directing a new roll of the Justices of the Peace.
25. To append a bill to provide a fund for the establishment of Free Schools, to the Acts of Assembly.
26. Authorizing the Public Treasurer, should it become necessary during the fiscal year, to borrow, on behalf of the State, a sum not exceeding \$40,000, at not more than 6 per cent interest.
29. In favor of the Hon. James Martin.
39. Directing the Report of the Committee of Finance to be appended to the Acts of Assembly.
44. In favor of Asa Delozier and Henry Roagan.
45. Directing the Treasurer to commence suits on bonds for Cherokee Lands.

[From the Phil. Gazette and Intelligencer.]

CONSEQUENCES OF A WAR WITH FRANCE.

One of the certain consequences of a war with France, would be the re-election of Mr. Jackson to the Presidency for a third term; and we are not quite sure that the desire to bring about that result has not been at the bottom of the counsels of those bad advisers, whose influence has unhappily prevailed in reference to the course that he has pursued in regard to that nation. Since the suggestion a few months ago, of Judge White's name as a candidate for the Presidency; in opposition to Mr. Van Buren, by the Jackson papers of Tennessee, a portion of the office holders have no doubt become alarmed lest the tenure of their places might be changed from what they now suppose it to be, for life, to one for a term of years; and they naturally desire to prevent a splitting up of the party to which they owe their share of "the spoils of victory." Nothing could be so likely to prevent such an occurrence as the re-election of the man upon whose personal popularity they have rode into office, and as he has been reported to have said that "to save the country he might be induced to be a candidate for a third term," it became necessary to create the emergency which would afford a pretext for requiring his interposition. How was this to be brought about? The only way with which we had relations that could be tortured into a cause of war, was France, and towards that nation the feelings of the American people were of the most kind and friendly character. Unfortunately, however, it was remembered that in the month of May last, when the news of the rejection of the treaty by the French Chamber reached Washington, the President flew into one of his ungovernable passions, and threatened to send a special message to Congress, recommending hostilities. Such a rash proceeding was never at that day too little in accordance with the wishes, even of his most zealous partisans, to receive their approbation, and he was prevailed upon to postpone his intentions, for the time. The spirit of vengeance, however, displayed on this occasion, of beholding the treaty rejected which Mr. Kinn had publicly boasted through the newspapers had obtained for the American claimants more than their own commissioners had awarded, furnished a key for future operations, and we have no doubt that it has ever since been stored up, as the conservative measure of the continued cohesion of the party.

Every one who has viewed the proceedings at Washington in person on the spot, and is at all conversant with the secret machinery by which our Government is carried on, must be convinced that the President is a mere instrument in the hands of men not responsible to the Constitution of the country for their conduct. These individuals, actuated by private and selfish considerations alone, may be regarded as the representatives of the office-holding interests of the country, and their recommendations to the executive, as the concentrated result of their views of expediency. A man so eminently open to flattery as Mr. Jackson, becomes an easy prey to designing men, and the slightest appeal to his thirst for notoriety, by the back-street cabinet, would be sufficient to knock in the head the most prudent and sagacious counsels that could be urged by his constitutional advisers.

A greater calamity could not, we think, befall the country, than the measure to which we have adverted, as it would break down the only barrier that exists against a Presidency for life. Let the example so patriotically set by Washington, and so scrupulously followed by all successors, of refusing to serve beyond a second term, be set aside, and especially by a popular soldier, we would soon discover that the power of perpetuating itself, possessed by an existing dynasty, would be irresistible, and that the duration of the would be the future term of the Executive tenure, as it was in France when Bonaparte was made Consul for life as a step towards the crown. The patronage which belongs to the Executive influence which necessarily accompanies the power of bestowing some thousands of offices of honor or of profit—the tendency to corruption inherent in the very nature of a government which owns no bodies of land, and has a large revenue to expend over a wide surface of territory—the machinery of the Post Office department, which enables the party in power to operate upon ten thousand postmasters, and perhaps twenty thousand clerks, and contractors, inn-keepers, and stage drivers, and command the active support of that large portion of those who are more devoted to their own interests than to those of the public, constitute a combination of elements, which, when systematically