In Error to the Circuit Court of the United States r the District of North Carolina. Mr. Justice McLean delivered the Opinion of

This case comes before the Court, on a W for to the Circuit Court of North Carolina. The Lessors of the Plaintiff brought their action ejectment, to recover the possession of forty-nine thou-sand, nine hundred and twenty acres of land, in Haywood County, and described in the declaration metes and bounds. On the trial, certain excep is were taken by the Plaintiff to the rulings of the Court; and the verdict being not guilty, a judgment in favor of the Defendant was entered. To revise this judgment, this Writ of Error is prosecuted.

The Lessors of the Plaintiff, to sustain their action,

red, in evidence, a grant from North Carolina to William Catheart, for the land described in the declafation, dated the 20th of July, 1796, and founded on entries made in the Entry-Taker's office of the county of Buncombe, in said State, in the year 1795, within the limits of said county. It was admitted that the title, if any, had descended to the Lessors of the Plaintiff, and that, at the commencement of the action, the Defendant was in possession. And also, that the land was within the limits of the Territory described in the 5th Section of the Act of North Carolina, 1783, entitled an Act for opening the Land Office for the edemption of specie and other certificates, &c. And the great questions arising out of the instructions are. whether at the dates of the entry and grant, the land was within the Indian country; and, if it was, wheth-

er the entry and grant were void.

The limits of the Indian country, within the State of North Carolina, were established, by treaties made between the United States and the Cherokee tribe of

The first treaty was concluded at Hopewell the 28th November, 1785. The 4th Article of this treaty declared—" that the boundary allotted to the Chero-kees for their hunting grounds, between the said In-dians and the citizens of the United States, &c., shall egin at the mouth of Duck river, on the Tennessee lence running North-east to the ridge dividing the aters running into Cumberland from those running finto the Tennessee, thence Easterly along the said ridge to a North-east line to be run, which shall strike the River Cumberland forty miles above Nashville; thence along the said line to the river; thence up the said river to the ford where the Kentucky road crosses the river; thence to Campbell's line, near Cumber-land Gap; thence to the mouth of Claud's creek, on Holston; thence to the Chimney-top Mountain; thence to Camp creek, near the mouth of Big Limestone, on Nalichuckey; thence a Southerly course six miles to a mountain; thence South to the North Carolina line: thence to the South Carolina Indian boundary; and along the same South-west, over the top of the Octhence a direct line to the top of the Currahee Mountain; thence to the head of the South-fork of the Oc-

begin at the top of the Currahee Mountain, where the Creek line passes it; thence a direct line to Tugalo river; thence North-east to the Occuna Mountain and over the same along the South Carolina Indian boundary to the North Carolina boundary; thence North to a point from which a line is to be extended to the river Clinch, that shall pass the Holston at the from those running into the Tennessee; thence up the river Clinch to Campbell's line, and along the same to the top of Cumberland Mountain; thence a direct line to the Cumberland river, where the Kentucky road crossfrom which a South-west line will strike the ridge hich divides the waters of Cumberland from those of Duck river, forty miles above Nashville; thence down the said ridge to a point from whence a Southwest line will strike the mouth of Duck river." "And, in order to preclude forever all disputes relative to the said boundary, the same shall be ascertained and marked plainly, by three persons appointed on the part of the United States, and three Cherokees on the part of their Nation.'

Another treaty was made with the Cherokees, at Philadelphia, the 26th June, 1794, in which it was stated that the treaty of Holston had not been fully carried into effect; and, in the second Article, it was "stipulated, that the boundaries mentioned in the fourth Article of the said treaty, shall be actually ascertained and marked in the manner prescribed by the said Artiele, whenever the Cherokee Nation shall have ninety days notice of the time and place at which the Commissioners of the United States, intend to commence their operation."

The whole extent of the line designated by this treaty, never appears to have been run and marked. Some parts of it were not run, because the country through which it passed, was mountainous and uninhabitable. On the 7th October, 1792, 1 Vol. American State papers, Indian Affairs, 630, Governor Blounthaving given the notice to the Cherokees required by the treaty, under the direction of the Secretary of War, instructed David Campbell, Charles McClung, and John McKee, Commissioners for extending the line between the United States and the Cherokees, according to the treaty of Holston, to meet the next day at Major Craig's on Nine-mile creek to extend the at Major Craig's on Nine-mile creek, to extend the line. And they were instructed, in case Commissioners appeared on the part of the Indians, to run the line; but, if the Indians did not attend, they were required to examine where the ridge, which divides the waters running into Little river from those running into the Tennessee, strikes the Holston; and extend the line from thence to Clinch river; and again from that ridge to the Chilhowee Mountain, paying strict regard to the treaty.

In their report the 30th November ensuing, the Commissioners say, that the Commissioners on the part of the Cherokees, did not attend; and we prowhich divides the waters of the Tennessee from those of Little river, and tracing it, found it a plain leading ridge, and that it struck the Holston at the mouth: but, having heard it suggested that the Indians had in contemplation, at the time the treaty was made, a ridge which they supposed would strike the Holston higher up, we did not content ourselves, but retraced the ridge, and examined well the South bank of the Holston, and the result was, that we were perfectly convinced that the ridge which divides the waters of Tennessee and Little river, strikes the Holston at the mouth:

I known and marked on the maps; and thence N east to the Occuna Mountains, and over the along the South Carolina Indian boundary. North Carolina boundary. This mountain is nated on the Map, and the boundaries called for ing established, were known. From the North olina Southern boundary, the line was to run to a point, from which a line is to be extend the river Clinch, that shall pass the Holston ridge which divides the waters running into the Tennessee.

The point at which the line shall strike the Foundation at the line and the result was, that we were perfectly convinced that the ridge which divides the waters of Tennessee and Little river, strikes the Holston at the line and the result was, that we were perfectly convinced that the ridge which divides the waters of Tennessee and Little river, strikes the Holston at the line and the river Clinch, that shall pass the Holston river, from those running into the Tennessee.

would intersect the Tennessee, shortly after it crossed the Chilhowee Mountain, consequently take away all the lindian Towns lying along the South side of Tennessee. This showed the necessity of turning the direction more to the East and West; and, it is our opinion, that a line extended from the point of the dige, aforgesaid, South sixty degrees Vest, will form the point North sixty degrees of the constant in the Clinch, between the United States and "We then proceeded to run, but not mark, a line of experiment, from the point of the ridge, in a Southeast direction, to Chilhowee Mountain, (distance se-Cherokees, according to the treaty of Holston. The more fully to elucidate this report, we present you with a Map which we believe is nearly correct, on which both the lines are laid down."

tlements can be formed; hence I conclude it will not be essential to extend it. That which the line reported on will intersect, if continued—meaning that which runs South from the North boundary of North Cororuns South from the North boundary of North Coro-lina—I caused to be run and marked, about sixty miles from the mouth of McNamee's creek to Ruther-ford's War-trace, by Mr. Joseph Harden, in the counse of last winter." "Harden did not run North as re-quired by the treaty of Holston, but South, according to the treaty of Hopewell." The writer then states

In a letter from Governor Blount to the Secretary of War, American State papers, Indian Affairs, 1 Vol. 629, dated July 15, 1791, in reference to the treaty of Holston, concluded the 2d of the same month saysthe Indians would not agree to it, but insisted on a straight line, which should cross the Holston where that ridge should strike it; and were so firmly fixed or their determination, that I could not prevail on them agree to any other." And, in another letter from Governor Blount to the Secretary, same page, dated 2d of March, 1792, he says-"I can't help remarking, that proposed at the treaty, that the ridge should be the ine. You will recollect that I was so instructed; and the Chiefs were unanimously opposed to it, saying it should be a straight line, and that it was an evidence that my heart was not straight-that I wanted a crook ed line. The difficulty will be in running the line to ascertain where the ridge that divides the waters of Little river and Tennessee will strike the Holston for it seems the white people cannot agree on it, a circumstance unknown to me at the time the Indians proposed it; but, from the best information I can obtain. I am induced to believe it will prove to be lower down than they expected; and, in that case, it is my opinion that the words of the treaty ought not to be so strictly adhered to as to give them any great de- part of the year 1797." gree of dissatisfaction." In his answer of 22d April 1792, the Secretary of War says—"I am commanded by the President of the United States, to whom your letters are constantly submitted, to say, with respect to your remarks upon the line at Little river. that you will be pleased to make a liberal construction of that Article, so as to render it entirely satisfactory to the Indians, and, at the same time, as consistently as may be, with the treaty."

On the 2d October, 1798, the Treaty of Tellico was entered into, which contained the following pre-"Whereas, The treaty made and concluded on

Holston river on the 2d of July, 1791, between the United States and the Cherokee Nation of Indians. had not been carried into execution, for sometime thereafter, for reason of some misunderstanding which had arisen; and, whereas, in order to remove such misunderstanding, and to provide for carrying the said treaty into effect, and for re-establishing more fully the peace and friendship between the parties, another treaty was held, made and concluded, by and between them, at Philadelphia, the 26th of June, 1794; in which, among other things, it was stipulated that the boundaries mentioned in the fourth Article of the said treaty of Holston, should be actually ascertained and marked, in the manner prescribed by the said Ar-The treaty of Holston, which was concluded the ticle, whenever the Cherokee Nation should have ninety days notice of the time and place at which the in carrying the said fourth Article into complete effeet did take place, so that the boundaries mentioned and described were not regularly ascertained and by citizens of the United States upon the Indian ands over and beyond the boundaries so mentioned and described in the said Article, and contrary to the intention of the said treaties; but which settlers were removed from the said Indian lands, by authority of the United States, as soon after the boundaries had been so lawfully ascertained and marked, as the nature of the case had admitted." The 4th Article declares-"In acknowledgment

for the protection of the United States, and for the considerations hereafter expressed and contained, the Cherokee Nation agrees, and does hereby relinquish and cede to the United States, all the lands within the following points and lines, viz: From a point on the Tennessee river, below Tellico Block-house, called the Wildcat rock, in a direct line to the Militia Spring, near the Maryville road leading from Tellico. From the said spring to the Chilhowee Mountain, by a line so to be run, as will leave all the farms on Nine-mile creek to the Northward and Eastward of it; and to be continued along Chilhowee Mountain, until it strikes Hawkins line. Thence along the said line to the great Iron Mountain; and from the top of which, a line to be continued in a South-easterly course to where the most Southerly branch of Little river crosses the divisional line to Tugalo river. And from the place of beginning, at the Wild-cat rock, down to the North-east margin of the Tennessee river, (not including Islands,) to a point or place one mile above the junction of that kins' line, leading from Clinch. Here is another reriver with the Clinch, and from thence, by a line to be drawn in a right angle, until it intersects Hawkins' line leading from Clinch. Thence down the said line to the river Clinch; thence up the said river to its junction with Emmery's river; and thence up Emmery's river, to the foot of the Cumberland Moun-

The 5th Article provided that this line should be run and marked under the superintendance of Commissioners appointed by both parties; and that Maps should be made, one of which was to be deposited in river." The Indian boundary, established by the treaty of

Holston, calls for certain lines and natural objects, which, it would seem, give as much certainty to a boundary as could well be given short of a marked

It was to begin at the top of the Currahee Mountain, where the Creek line passes it. This Mountain is in the State of Georgia, and is designated on the Map of that State, and "where the Creek line passes it," is easily ascertained. From this point the line ceeded to examine, with great attention, for the ridge was to run direct to Tugalo river, an object well known and marked on the maps; and thence Northeast to the Occuna Mountains, and over the same along the South Carolina Indian boundary, to the North Carolina boundary. This mountain is designated on the Map, and the boundaries called for, being established, were known. From the North Carolina Southern boundary, the line was to run North to a point, from which a line is to be extended to the river Clinch, that shall pass the Holston at the ridge which divides the waters running into Little The point at which the line shall strike the Holston,

the Indian Towns lying along the South side of Tennessee. This showed the necessity of turning the direction more to the East and West; and, it is our opinion, that a line extended from the point of the ridge, aforesaid, South sixty degrees East to Chilhowee Mountain: again, from the point North sixty degrees West, will form the true line from Chilhowee Mountain to Clinch, between the United States and the Clinch, between the United States and the Clinch of the treaty of Tennessee."

But that this was not the construction given to the treaty, by the parties to it, is clear, from the letters of Governor Blount, who negotiated it, to the Secretary of War. The same day the treaty was concluded, he writes—"I have concluded a treaty which includes all the white settlers, except those South of the ridge dividing the waters of Tennessee."

And again, July 15, 1791, he says—"I nessee." And again, July 15, 1791, he says—"I proposed that the ridge dividing the waters of Tennessee from those of Little river, should form a part of the boundary; but the Indians would not agree to which both the lines are laid down."

This line left several white settlers within the Indian lands.

In transmitting this report to the War Department, Governor Blount remarks, as the Geography of the country generally cannot be known to you, there being no correct map of it, I think it necessary to inform you, that the country to the East, or rather Bouth-east of Chilhowee Mountain, through which the line reported upon, if continued beyond it, will pass, for fifty or sixty miles, is an entire bed or ledge after ledge of Mountains, that is, until it intersects the

was expected; and, in that case, it is my opinion that the words of the treaty, ought not to be so strictly adhered to, as to give them any great degree of dissatisfaction." In his answer, the Secretary of War says, by command of the President—"You will make a liberal construction of that Article, so as to render it entirely satisfactory to the Indians." The Indians re-monstrated and required the white settlers South of

In the talk of the President, dated the 27th August, 1798, to the Cherokees, which was sent to them prep aratory to the treaty of Tellico, he says it was expected that the Holston treaty-line would have included a great proportion of the Frontier white settlers, but it proved otherwise, when the line was run. The words-"shall pass the Holston at the ridge which "According to my instructions, I proposed that the ridge, dividing the waters of Tennessee from those of Little river, should form a part of the boundary; but ply that the line shall cross the Holston at the point where the ridge terminates. Little river falls into the Holston, and the general course of the ridge would strike the Holston some distance above its mouth. And when we consider that the Indians refused to make the ridge the boundary, and would agree to no other than a straight line; and that neither party seems to have considered the place of crossing at the mouth of the Holston, we think, in the language of the President, through the Secretary of War-" that a liberal construction of this clause of the treaty should be given."

But it is unnecessary to consider the correspondence of Governor Blount, the report of the Commissioners of 1792, or the words of this Article of the treaty, with the view to give to it a satisfactory construction; as the parties in the treaty, near Tellico, have given to it a particular construction.

In this treaty, the parties say that for certain causes enumerated, the boundaries mentioned and described in the 4th Article of the treaty of Holston, "were not regularly ascertained and marked, until the latter

The 2d Article provides that the treaties subsisting between the present contracting parties, are acknowledged to be of full and operating force; together with the construction and usage under their respective Articles, and so to continue. And, in the 3d Article, it is declared that the limits and boundaries of the Cherokee Nation, as stipulated and marked by the existing treaties between the parties, shall be and remain the same, where not altered by the present treaty.

The object of the Governmen, in entering into this treaty, was to purchase the Indian territory into which white settlers had intruded at and near Nine-mile creek, and perhaps at other places. The line established was run and marked, and we have the original Map, or a copy of the survey before us, which was returned to the War Department.

That this purchase was of territory not included in the boundaries of the Holston treaty, will not be disputed. And, from the language of the 3d Article, it is clear, that the parties did not intend to establish an entirely new boundary; but to make such alterations of the Holston boundary as should secure the object of the United States.

The land lying South-west of the Holston boundary belonged to the Indians; and it was a part of this land that was purchased by the treaty of Tellico. Of course this purchase extended from the Holston treaty line Southerly. For no one can suppose that a strip of Indian land would be left between the treaty lines mence their operation. And, whereas, further delays that the Tellico purchase was up to the Holston line, and that the part of that line to which the purchase did not extend, was designated; and the point where the Tellico line varied from it, so as to include the marked, until the latter part of the year 1797; be- lands purched, is marked on the Map. And this fore which time, and for want of knowing the direct shows the propriety of the language used in the third course of said boundary, divers settlements were made Article of the Tellico treaty; that "the boundaries should remain the same as established by existing treaties, where not altered by the present treaty."

The line of this treaty was to begin "at the Wild-cat Rock, in a direct line to the Militia spring, near the Maryville road leading from Tellico. From the said spring to the Chilhowee Mountain, by a line so to be run, as will leave all the farms on Nine-mile creek to the Northward and Eastward of it; and to be continued along Chilhowee Mountain, until it strikes Hawkins' line," This line is laid down on the Map, & although it is not called the Southern boundary of the Holston treaty, yet it is recognized as the Northern boundary of the territory purchased; and consequently must be the Holston boundary. Hawkins' line extends from Clinch, crossing the Holston some miles above its mouth, and runs between the waters of Little river and those of the Tennessee, as appears from the Map, and continues until it reaches the summit of the great Iron mountain. At this point a monument is erected, but if the line were extended beyond this Easterly, it was not probably marked, and it is not laid down on the plat. It is probable that the original survey of this line was destroyed when the War Of-

From the Wild Cat Rock the Tellico treaty calls to run down the North-east margin of the Tennessee river. to a point or place one mile above the junction of that river with the Clinch; and from thence by a line kins' line, leading from Clinch. Here is another recognition of this line as the Northern boundary of the Indian lands, and, consequently, the line established by the Holston treaty.

And the Tellico treaty calls again, after striking Hawkins' line, by running near nine mile creek and along Chilhowee mountain, to run with it to the top of the great Iron Mountain. From this point the new treaty line varies from a direct course, and continues "South-easterly to where the most South-easterly branch of Little river crosses the divisional line to Tugalo

It is only necessary to compare the course and ob jects here designated, with the South-eastern calls of the Holston treaty line, to see, that the Tellico line includes a large tract of country not included by the Holston line. The Holston line, after striking the Tugalo river, runs North-east to the Occuna mountain and over the same along the South Carolina Indian boundary, continuing a North-easterly direction until it strikes the North Carolina boundary; thence north to a point which shall intersect a line to be extended from the river Clinch, that shall pass the Holston at the ridge. The Tellico line runs South-easterly, until it strikes the divisional line to Tugalo river. The Holston line calls to run along this divisional line Northeasterly; so that from this point these lines diverge until the Holston line shall reach the point of connexion with the line drawn from the Clinch. These boundaries from the point of intersection on the top of the great Iron mountain, to the point of intersection on the South Carolina Indian boundary, include a large tract of country. And this tract, with the one designated by Hawkins' line, the Tennessee, Nine Mile creek and the Clinch, &c., constituted the territory purchased by North Carolina boundary."

those lands up to it; and by tracing it as the boundary beyond the purchase on Nine Mile creek, to the top of the great Iron mountain. It could then be no other than the Holston treaty line, for in that part of the country there was no other Indian boundary before the

reaty of Tellico. Whatever doubt may have existed as to Hawkins line being the true Indian boundary, independently of this treaty, there would seem to be no ground for doubt under the recognitions of that line, in this treaty. It is contended that the Holston line should run from the Clinch, crossing the Holston river at its mouth and continue on in the same direction, until it shall strike

the North Carolina boundary.

This would not only disregard the solemn acts and ledge of Mountains, that is, until it intersects the line which is to be extended South from the North ing it should be a straight time." And he says that—

gard the language of the former treaty. It calls for a line age of sixty!

ry to a point that shall intersect a line drawn from the Clinch, crossing the Holston river at the ridge. This call to run North, by this construction, is wholly disregarded. And on what ground is this construction attempted to be maintained?

The answer must be simply, on the call for the line to cross the Holston river at the ridge. A call in it self somewhat indefinite, and which was never construed by the Indians to mean the mouth of the Hol on; nor was such a construction insisted on by the nited States, either at the time the treaty was conclud or afterwards.

The Hopewell treaty line in running a Southerly turse, strikes the Northern boundary of North Caroas near Nolichuckey, and extends South to the North Carelina line, and thence to the South Carolina Indian

From a point in the Hopewell line, near where it strikes the Southern boundary of North Carolina, a line seems to have been run by Gen. Pickens North 76 West to the State road leading from Ashville to Clayton in Georgia. But this line has no connexion with any other, and does not appear to have been regarded, either by the United States or the Indians, as any part of the line established by the Holston treaty. It was chrtainly not run agreeably to the treaty.

The evidence establishes very satisfactorily that Haw-

kins line, so far as it goes, is the boundary of the Hol sion treaty; and it is very clear, from the language of the treaty, that from the Clinch, crossing the Holston river at the ridge to the point at which this line will it tersect a line run North from the Southern boundary of North Carolina, a straight line was intended.— Of this no doubt can exist; and it is only necessary to extend Hawkins' line from the top of the great Iron pountain Eastward to the point where it shall interse & a line run North from the place where the South Cirolina Indian boundary strikes the Southern boundary of North Carolina. This, we feel authorised to say, from the evidence before us, constitutes the boundary of the Holston treaty.

It is argued that it was not in the power of the Uniof Holston, so as to affect private rights or the rights of North Carolina. The answer to this is, that the Tellico treaty does

not purport to alter the boundary of the Holston treaty, but by the acts of the parties this boundary is reognised. Not that a new boundary was substituted, Int that the old one was substantially designated. Will any one deny that the parties to the treaty are

impetent to determine any dispute respecting its limsatisfactorily determined as by the contracting pares. If their language in the treaty be wholly indefi-ite, or the natural objects called for are uncertain or ontradictory, there is no power but that which form-I the treaty can remedy such defects. And it is a sound principle of National Law, and applies to the eaty making power of this Government, whether exercised with a foreign nation or an Indian tribe, that all questions of disputed boundaries may be settled by the parties to the Treaty. And to the exercise of these high functions by the Government, within its constitutional powers, neither the rights of a State nor those of an individual can be interposed.

We think it was in the due exercise of the powers of the Executive and the Cherokee nation, in concluding the treaty of Tellico, to recognise in terms, or by acta, the boundary of the Holston treaty. It is agreed that if Hawkins' line shall be extended, as the Holston treaty line, the land in controversy lies within the In-And we are now to consider whether, in this view.

the Entry and Patent are void. The Indian title being only a right of occupancy the State of North Carolina had the power to grant the fee in the lands subject to this right. The land was entered in 1795; and patented 20th July 1796.

By the 5th section of the act of North Carolina, or opening the Land Office for the redemption of st ecie and other certificates, and discharging the arreirs due to the army, passed in 1783, it is provided" that the Cherokee Indians shall enjoy all the lands lyin t within certain bounds, forever. And the 6th Secin provides that no person shall enter and survey any la ds within the bounds set apart for the said Cherokee Is dians under the penalty of fifty pounds specie for every such entry so made, to be recovered in any Court of Law in this State, &c.; and all such entries and gents thereupon, if any should be made shall be ut-In 1784, North Carolina Laws 482, ch. 14, the

Nove act was amended by authorising the appointment three Surveyors, "viz., one to survey those lands at lie between the bounds hereafter described for the arveyor of Green county and Cumberland mountain; ie to survey the lands that lie between the Cumberand mountain and the river Tennessee, and one to rvey the lands that lie between the Tennessee and ississippi rivers." The boundaries here described cover the land reserve

by the Act of 1783, for the Cherokee Indians; but ere is no express repeal of the 5th and 6th Sections dithat Act; and as the Act of 1784 can operate upon lands not reserved in the above sections, they cannot be held to have been repealed by implication. The Sapreme Court of North Carolina have decided in se wiral cases, that the above sections remained in force and that the entries and grants made for lands within the territory described, before the Indian title was extinguished, were void. 1 Murphy 162, 164; Con.

We come now to examine the exceptions of the Plaintiffs in the Circuit Court. And having considered and decided the controverted points, it will not be necessary to examine the exceptions in detail.

The first exception was to the refusal of the Court to instruct the Jury that the 6th Section in the above A's of 1783 had been repealed, and we think the

art did not err in refusing to give the instruction. The second instruction asked was, "that the treaty lit of Holston ought to run with the South Carolina Ir lian boundary, called for in the treaty of Hopewell, m de on the 28th November, 1786, until it should re ch the termination of the line described in that trea-'ty running from the North Carolina boundary to the South Carolina Indian boundary; and on reaching that line should then run with the same reversed to the North Carolina boundary ;" which instruction was

Some doubt arises from the structure of this instruc-tion, whether the reversed line referred to is the Hopewell treaty line, or the South Carolina Indian boun-

From the Maps the latter line strikes the Southern boundary of North Carolina, and from the language of the Holston treaty, this fact seems to have been within the knowledge of the parties. The call is to run "along the South Carolina Indian boundary to the

Plaintiff's Counsel. Nor do we perceive any error of which the Plaintiff can complain, in the first, second, hird, fourth, fifth and sixth instructions given by the Circuit Court on the prayer of the Defendant. The Judgment of the Circuit Court is affirmed.

GEN. HARRISON has volunteered a solemn pledge to the People of the United States that he will not consent, if elected, to serve a second term. That pledge will be respected, and that pledge ought to go far in recommending him to his country .- Alex. Gaz.

"You'd SCARCE EXPECT ONE OF MY AGE." -The Springfield (Mass.) Journal, makes mention of a Mrs. Barrit, who had twins at COMMUNICATIONS.

FOR THE REGISTER. PRICES OF LABOR IN HARD MONEY, COUNTRIES, Ma Epiron The rathless attempts of the Van Buren party, to palm upon this country, the odious and loathsome Sub-Treasury, after it has been repeatedly rejected by the people, is without a parallel in the most corrupt administrations of the despots of Europe. Were the Ministry of England to urge such measure, after it had been rejected by the people, it would bring their heads to the block. It has been gravely asserted by the leaders

of the party, that American labor is too high; and that to bring it to an equality with the hard money despotisms of Europe, it is absolutely necessary to crush to the dust all Banks, destroy the Credit System, destroy Commerce, destroy the confidence of one portion of the Union with another: and entirely destroy all confidence between man and man; thereby annihilating the most vital principle in a Free Government—the confidence of one man in another. In a word, their object is to reduce the price of every thing, save the salary of the Office-holders, who boldly cry out-"Perish Credit, perish Commerce;" "All who trade on borrowed capital ought to break, &c." Look at this, and look at the Twentyfive Thousand Dollars a year! that the President gets for his services in GOLD and SIL-VER, and then look at this Table, for the mire their meek and humble spirit, but we certain rates for which they want you to labor. Fellow Citizens of North Carolina. The following Table will show the rates of labor in ted States and the Cherokee Nation, by the Treaty of Pellico in 1798, to vary, in any degree, the treaty line prepared by the British Secretary of State. Look for vourselves!

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Nantes	Laborers		17	without	without
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14	generally	3 to 8	ų .	with	with
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	do.	13	10820	without	without
Lombardy	do.		Sa10		with
Genoa	Farm s'v'ts	4 to 5	8a16		do
	Laborers		10a16	do	do
and the same	do.	1	10810	without	without
Tuscany	Farm s'v'ts		11 .	with	140 400
	Laborers		12		with
	Turoteta	S	1.0	without	without

These are the rates, to which the Van Buren party wish to bring the free labor of this country. Read, ponder, and examine this Table! See what a commentary this is on the hard money system ! Well might a distinguished Senator say-What hope is here in the Court House in Oxford, on Tuesday for a man, born the son of poor Parents, to the 3d instant, to express their approbation better his condition ?. What ray of hope is of the nomination of WILLIAM H. HARRISON there to stimulate him to exertion? None, for the Presidency, and JOHN TYLER for the none!-He who is there born a peasant, dies Vice-Presidency. The meeting was organa peasant-those born to the plough, die at the plough-tail; and all that the longest life of AM, as Chairman, and Howell G. PITTARD, laborious toil can procure for them, is coarse as Secretary. and scanty subsistence. Think you, sir.these people are made happy, because their's are appointed to draft Resolutions expressive of hard money countries? Is this the prosperity the sense of the meeting, viz: Dr. James boasted of, when we are triumphantly told of Russell, William Flemming, Turner Lawthe immense amount of Gold and Silver held by their great capitalists? Is this an example Hargrove, who, after retiring for a short time, worthy of imitation? Think you, sir, that reported through H. L. Robards, Esq., the Rep. 434; 2 N. Carolina Law Repository 451; 3 the high blood of American freemen will sub-following Preamble and Resolutions:

Will the Freemen of North Carolina submit to this? Will they quietly sit at home, and say "I don't believe it." Then I might ments of the General Government-its contempt for say, so said the man, who would not believe that he was going to be hung, until he had the halter around his part!

I hen I might the off repeated decision of the People on a question of great national policy, which, if adopted, will inevitable destroy the whole Credit system of the Country,

Is this the manner in which the freemen of the old North State intend to act? If it is, then I say they have lost the "breed of noble bloods" and are a degenerate race who, "know their rights, but dare not maintain COMMON SENSE.

A VOICE FROM JOHNSTON!

and supporters of that gentleman may be justly proud, Col. McLeod followed in his usual happy vein of indignant and effective irony, which would have grated harshly on the delicate nerves of the meek disciples of the little Dutchman, had any been present. The following gentlemen were appointed

delegates to the Convention in Smithfield for the purpose of selecting an Elector for this district, viz: P. Richardson, John C. Smith. Nathan Williams, Jesse Holt and B. Bryan. The meeting adopted with acclamation, the following Preamble and Resolutions presented by W. H. Stevens, Esq.

Wk, a portion of the Whigs of Johnston County, contemplating the wide-spread desolution that has swept over our once happy land, and that has so completely paralyzed and prostrated the corries which once made us a proud and flourishing people—and believing that this ruin has been caused by the rash and reckless experiments of our presumptuous rulers—in-toxicated with success, and inflated with unworthy pride do

Resolve, 'I hat a change of rulers and of policy can-not make matters worse than they are. Resolved further, That our present rulers have an claim upon our support, as they have strangely and most unfeelingly abandoned the country to its fate & our most Democratic President has solemnly avowed, in a message to Congress, the determination of the Government to take cure only of itself during the storm,

refolected his resolution. *Pront does

restriction to elecate to the high station of President and Vice President of the United States, men who have kept then,
selves about from the partisan warfare which has been
so to the lessly waged for the last few years—and there

Resolved, That for such elevation above party mail. ness, and for his lofty Patriotism, his sterling integ rity, and his brilliant services as a soldier and state, man, we will give our cordial support to William H

Harrison for the Presidency of the United States.

Resolved, That we admire the Roman firmness the talents and the high devotion to his Country, of John Tyler; and that he is the man of our choice for the Vice t'residency; and that we now, in glorious hop, spread our banner to the breeze, with Harrison and Tyler inscribed in fixing light on its ample folds. Resolved, That we have no confidence in the in terested promises to the South of the 'Northern man with Southern principles:" we cannot forget that the tenor of his life, and every deliberate vote given be him are in direct opposition to Southern interests and Southern institutions He may keep his promise and then sgain he may not.

Resolved, That the habits of obedience and submis-

sion required by the great wool grower of Kinderhook may do for the Sheep that whiten his farm, but should never be transferred to Freemen. We protest against such exaction from American Citizens, as decident inapplicable and inexpedient, if not unconstitutional, Resolved, That we view with loathing and scom, the petry despotism so shamelessly exercised by the President of the United States in his attempt to abridge freedom of thought and of speech, the birth

Resolved, That if others will tamely submit to so degrading an estimate of the rights of freemen, with out repreach or murmer, we will not. We may adwill not imitate it.

right of every American.

Resolved, That whatever objections the unscrupe. lous managers at Washington City may have found in the late estimable Marshal of this State, the People and the Court will pronounce him a "good and faith" ful servant." Resolved, That in the election of John M. Mon.

head to the Chief Magistracy of North Carolina, w shall secure a continuation of the influence of that a deeming spirit which has hitherto protected this god old State from the disasters of unmitigated loco for Resolved, That if Ro nulus M. Sannders has no

yet learnt the difference between catching others and being caught himself—between poking a man of strav under the fifth rib, and grappling a Tartar, he cannot see as well as the blind man whom he once challenged to mortal combat.

It is confidently believed that brighter days are in store for old Johnston. It is certain that many are withdrawing their support from an Administration, that has promised them bread and given a stone. The belief is spreading among the ranks, that the condition of the country cannot be rendered worse-and may be improved by a change in the officers of Government. The merits of Gen. Harrison are boldly canvassed, and his splendid services and acquirements are freely contrasted with the narrow, cold, and calculating views of the present incumbent. There are in this county many sterling Whigs-men of influence and energy, who are determined, by the blessing of God, to redeem some from their bondage to the Dutch, whose unsuspecting honesty has made them a prey to the spoilers. The nomination of Harrison and Tyler has acted like a charm. The Whigs are now on a full tide-evidently on the ascendant-they are flushed with hope-brighter hope than has beamed upon them for years. They may perhaps be beaten. The Philistines may overpower them again - but if they fall in the struggle, in their last agony they will make the ears of the loco focos tingle with the war ery of "Down with the Dutch! Hurra for old Tippecanoe ! !

FOR THE REGISTER.

After a short notice, about six HUNDRED of the Freemen of Granville County assembled ized by the appointment of Dr. Jas. Worth-

On motion, the following gentlemen were rence, Col. Horace L. Robards and Hartwell Whereas, we have witnessed with alarm, the many

glaring encroachments which, during a few years past, have been made by the Executive on the other departtable destroy the whole Credit system of the Country, reduce the poor man's wages, depress the value of property, place the unfortunate debtor at the merciless disposition of his relentless creditor, by enabling him to extort specie for contracts made when a system of credit prevailed, and when specie bore no premium—which policy will place at the disposal of the President, the whole revenue of the Nation; thereby increasing his patronege and analysing him patronege and analysing him patronege and analysing him patronege. ing his patronage, and enabling him more effectually to corrupt the Press, influence Elections, and perpetuate his power, however corrupt and dangerous that power may be. And, whereas, we have seen with as A very spirited and well-attended meeting of Whigs was held at Smithfield, on the 14th of March, at which Ransom Sanders, Esq. officiated as Chairman, and H. W. Husted, Esq. as Secretary. On taking the Chair, Mr. Sanders made an Address, replete with sound republican doctrine, and with an independence and fearlessness, of which the friends and support of the General Government, as a Trustee for the benefit of all the States; and, whereas, we have seen with as tonishment, the extravagant expenditure of the people's money—in many instances, for base and profigate purposes—the dishonest and unjust exertions to sacrifice the property of the old States to gain the support of the new States—to surrender into the hands of the Western Speculators the lands for which our fathers fought and bled, and which was placed in the possession of the General Government, as a Trustee for the benefit of all the States; and, whereas, we have witnessed with indigenation the siection from the have witnessed with indignation the ejection from the House of Representatives of the Delegation of a Sovereign State, equally entitled to a voice in that body with the other States—and as we believe the prosperity and honor of our beloved country depend on the question. question, SHALL THERE BE A CHANGE OF OUR RULERS!
And we are firmly convinced that there wust be such a change, or there will be nothing left of our glorious Constitution worth preserving. Therefore,

Resolved, That we give our cordial sanction to the nomination of Gen. WILLIAM H. HARRISON for the Presidency, and Jons Trees for the Vice-Presidency,

and that we will use every honorable and proper exertion to promote their election.

Resolved, That the honesty and ability exhibited by Gen. Harrison, in every public station in which he has been placed—his devotion and ardent zeal for the honor and welfare of his country, both in the cabinet and the field, entitle him to the confidence and regard

and the field, entitle him to the confidence and regard of the whole American people.

Resolved, That the gallant stand which he made on the Missouri Question, when but two of the Representatives from the free States, besides himself, were found firm and honest enough to defend the rights of the South, should endear him to every citizen of North

Resolved, That the votes of MARTIN VAN BUREN to instruct Ruyus Kine to resist the admission of Missouri, without the Slavery Restrictions, and to prohibit the introduction of Slaves into Florida, should condemn him in the estimation of every citizen of a Slave-

Resolved, That we believe that John Tyler and JOHN M. MOREHEAD are honest, and well qualified for