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GENERAL ASSEMBLY.

Mr. Bryan's Speech continued.

Thus, sir, it will be perceived that the total acres of the public lands which are held by the General Government, for the common benefit of all the States, amount to the enormous number of one billion six hundred and twenty million four hundred and sixty three thousand one hundred and seventy one; which, at the minimum price of one dollar and twenty five cents per acre would yield the immense sum of one billion three hundred and twenty seven millions nine hundred and seventy eight thousand nine hundred and sixty three dollars, and seventy five cents. The share or proportion of North Carolina, even supposing the lands were equally divided among all the States, without regard to their size or population, would amount to four millions four hundred and twenty six thousand nine hundred and twenty three acres; but if federal population is assumed as the basis of the division, her share would nearly double that amount. With a fund like this, sir, what might we not do to advance the prosperity and welfare of our good old State? The blessings of education might be liberally bestowed upon all of our poor; her great resources might be called into active and useful operation; internal improvements, connecting the mountains and the ocean, the very means by which our great resources might be developed, and our citizens rendered an united, happy and contented people, would be constructed; and our own population, instead of seeking other climes and countries, where they may receive a reward for their labours and industry, might here "sit down under their own vine and fig tree," and become rich, prosperous and happy. Sir, I cannot dwell upon the enchantment of the scene which this act of justice, on the part of Congress, would produce upon my native State. I am a North Carolinian by birth, education and feeling, and "with all her faults, I love her still;" and I never, no never, an raise my feeble voice against her just and righteous claims to a share of the proceeds of the public lands. As has been truly remarked, she is "the Ireland of this Union," the disinherited child; and false must be her sons to their trust, and recreant to her cause who would, in this her hour of need, fail to assert her just and legal rights. Would that I could animate every Senator present with just sense of her wrongs and active conception of her rights. Would that I could, on this subject, excite them with the noble enthusiasm which animated Gustavus Vasa, as he became conscious of his desperate fortunes, and the great necessity of extraordinary exertion, when he exclaimed, "Here will I stand, and breast me to the shock, Till I, or Denmark fall."

Our own State has never received any of the favours even which the General Government could rightfully bestow, with the exception of an appropriation of twenty thousand dollars, to clear out certain obstructions near the mouth of the Cape Fear river, which were put there during the war, for the general good, and one or two smaller ones, not exceeding, in all, fifty thousand dollars, for the internal improvement of the State, since she became a member of the confederacy. I believe the whole amount is stated. Those works of a national character, such as forts, light houses, &c. cannot be brought into the computation, as they were constructed as much for the benefit of the other States of the Union, as for North Carolina. Whilst, on the contrary, millions upon millions have been lavished upon the other States, as their surpassing prosperity and improvement well attests; and Congress, even of the very lands ceded to it by North Carolina, granted one hundred thousand acres for the use of two Colleges, one in East, and one in West Tennessee; and one hundred thousand acres, in one tract, for the use of Academies, one in each county of the State of Tennessee, to be established by the legislature thereof.

Before I proceed to show the unjust manner in which the Congress of the United States has already disposed of a portion of the public domain, I would beg leave to submit to the Senate the system which was adopted for surveying and selling the public lands, as contained in a report to Congress.—According to that system, all public lands offered for sale are previously accurately surveyed, by skillful surveyors, in ranges of townships of six miles square each; which townships are subdivided into thirty six equal divisions or square miles, called sections, by lines crossing each other at right angles, and generally containing six hundred and forty acres. These sections are again divided into quarter sections; and prior to the year 1820, no person could purchase a less quantity than a quarter. In that year, provision was made for the further division of the sections into eighths, thereby allowing a purchaser to buy only eighty acres, if he wished to purchase no more. During the session of Congress of 1832, further to extend accommodation to purchasers of the public lands, and especially to the poorer classes, the sections were again divided into sixteenths, admitting a purchase of only forty acres. The Senate will now be better enabled to estimate the unbounded liberality of the General Government to the new States, when they are informed, that, by the existing laws of Congress, five per cent. of the net proceeds arising from the sales of the public lands, within their limits, are appropriate for their benefit, for purposes of internal improvement; and one section in each township, being one thirty sixth part of all, for Education. If then, sir, the General Government can appropriate the proceeds of the public lands to the new States, and they stand on terms of equality, according to the Constitution, with the old States, where is the just-

or correctness of the argument, that she cannot do the same for the old States?

But this I not all. The munificence of the General Government towards the new States does not stop here. Appropriations, to a very large amount, for the purposes of internal improvements, Colleges, Academies and Universities, common schools, religious and charitable institutions, and for seats of Government, of the public lands, have been made to the new States, according to a statement prepared for the House of Representatives, up to January 25, 1832, as follows:

Ohio,	1,787,838
Indiana,	1,012,592
Illinois,	1,712,235
Missouri,	1,181,248
Mississippi,	733,44
Alabama,	1,216,450
Louisiana,	920,053
Michigan,	599,973
Arkansas,	996,338
Florida,	947,724
	11,057,685

The Senate will perceive that up to January, 1832, the new States had received, for these important purposes, eleven millions fifty-seven thousand six hundred and eighty-five acres of the public lands; whilst the old States, whose blood and treasure were poured out to acquire and defend them, have not been enriched by the donation of a single acre. Those lands, to say nothing of the additional five per cent. to which they are entitled upon the net proceeds of the sales, of all that are sold, &c. would yield, at a moderate price, the enormous sum of sixty millions of dollars. According to an assessment of all the lands in North Carolina, made in the year 1815, (when they were far more valuable, and there were fewer inducements to leave the State,) they were valued at fifty-two millions of dollars; and thus it would appear that the General Government, in its prodigality, has actually given away, to the new States, a territory far exceeding in value and fertility, &c. that of the whole State of North Carolina. I will not stop to enquire whether the Legislature of North Carolina did not exceed the bounds of its authority, when it ceded these lands to the General Government; whether the lands did not belong to the people in their sovereign capacity; and whether they could be disposed of by the legislature, without an express delegation of power, to that effect, from the people, or only by a Convention called for that purpose. Suffice it sir, to say, that the Legislature, having taken upon itself the authority to do so, and thus deprived the State of a valuable part of its domain, it is but just and right that the legislature should now demand of the General Government the share or proportion of the proceeds of them to which our State is entitled.

The gentleman from Surry, (Mr. Waugh) has introduced a series of resolutions, which, like the prostrations made by the conspirators against Caesar, on the morning of his death, at the foot of his throne, are only intended to conceal their true meaning, and to disguise the purpose which they are intended to effect. They are not intended to remedy the existing evils complained of; they seek nothing from the General Government; they do not assert the claim of the State to a share of the proceeds of the public lands; they do not admit even the authority of Congress to dispose of them; but they deal in "generalities," couched in such ambiguous and equivocal terms, that, like the responses of the oracle, they involve the true question in such uncertainty and doubt as to mean—nothing; and still the gentleman has ingenuously enough so to expound them as make them suit his purpose. The first resolution, like any other abstract proposition, is purely passive in its character; the first branch of the second resolution contains a political axiom, which meets with my hearty concurrence, viz. "that all the public revenues are collected from the people directly or indirectly, and ought never to exceed the amount of expenditures necessary to an economical administration of the Government." But, sir, I should be glad to know what the gentleman means by his political corollary, "and, therefore, whenever the proceeds of the sales of the territory or public lands of the United States are not required (in aid of other revenues) for the legitimate purposes of the national Government, we believe it the duty of Congress to devise and recommend some safe method for distributing among all the States any surplus proceeds of the public lands which may from time to time remain in the treasury of the United States after defraying its expenditures."

Does the gentleman from Surry expect "to throw dust in the eyes of the people" thus, by making them blind to their interest? If the proceeds of the public lands are not to be distributed until they are not required for the legitimate purposes of Government, they never will be distributed. What are the legitimate purposes of Government? If they embrace a magnificent and expensive system of internal improvement, the construction of light houses and forts, the building of a navy, the investment of millions in a national Bank, and all the expenses of an extravagant Government, why, sir, the proceeds of the public lands will be as dust in the balance, to answer even these purposes. The share of the States will be nothing; and the power of the General Government, having the unlimited control of the sword, will, millions at its command, will swallow up and destroy the very sovereignty and liberty of the States.

If the States are entitled to the proceeds of the public lands, after the payment of the debt for which they were ceded to the General Government, Congress has no right to appropriate them to any other purposes. Why is the gentleman from Surry, so disposed to mystify this subject, and so unwilling to come out openly, and assert the right of the State? He believes, after the proceeds of the public lands are exhausted, in these legitimate purposes, that

is the duty of Congress to devise and recommend some safe method for distributing among the States." I pledge the gentleman from Surry that he shall have an opportunity of giving "a local habitation and a name" to these mysterious words, "devise and recommend." If he believes that it is unconstitutional for Congress to dispose of the proceeds of the public lands among the States, why does he not so state it in his resolutions, and say at once that the meaning of his safe method is to devise and recommend an amendment to the Constitution? This, sir, is his meaning; and it would have saved an unnecessary debate, if, in plain language, he had stated, "it is the opinion of this General Assembly that Congress has no Constitutional power to distribute the proceeds of the public lands among the States." If, according to his resolution, only "the surplus proceeds of the public lands, which may from time to time remain in the treasury of the United States, after defraying its expenditures, are to be distributed, he had better not recommend to Congress to incur the expense of amending the Constitution; for nothing will remain in the treasury, after satisfying the horde of hungry political cormorants who hang upon the Government, and defraying the lavish expenditure of the public money upon all and any objects which may be deemed legitimate purposes.

The third resolution requires no action on the part of the Government, and, as the assertion of an opinion, is not objectionable. But, sir, I should be glad to know for what purpose this General Assembly is called upon to send on to the Congress of the United States the fourth resolution. I thought that the object of all legislation was to remedy some grievance, or to assert some right, and provide means to maintain it. What does the Congress of the United States care about our "resolving further, that we deprecate all attempts on the part of the citizens, of this State to increase the difficulties, and magnify the jealousies, already exhibited upon national questions, in respect to our public lands, by giving to them a party character, which does not properly belong to the subject, and thereby holding out inducements to the new States to put forth arrogant and unreasonable demands—and on the other hand, by denouncing their claims with bitter reproaches, so as to kindle a blaze of discontent in the nation, which, however intended by those who raised it, must ultimately endanger the peace and prosperity of the best Government on earth?" What have they to do with it? What remedy can they give us for such a state of things? Sir, the gentleman from Surry surely does not intend to fix a libel upon the character of our good old State. When have its peaceable citizens ever attempted to increase the difficulties, and magnify the jealousies already exhibited upon national questions, in respect to our public lands, by giving to them a party character? Or to what act of their lives can you point which can be construed into a denunciation of the claims of the new States, with bitter reproaches, so as to kindle a blaze of discontent in the nation, and to endanger the existence of our Government? This resolution does great injustice to the good people of our State; and the gentleman from Surry should have spared them the deep mortification and exposure. There can be but one opinion in North Carolina, among the people, upon the subject of the distribution of the public lands; and it will be easily discerned who among us are for giving this matter "a party character;" for "by their fruits ye shall know them;" and it requires no sagacity to distinguish those who are ready and willing to assert and maintain this just claim upon the General Government, in behalf of North Carolina.

The resolutions introduced by the gentleman from Surry made no demand of the General Government, and assert no claim, on the part of our State, to a share of the proceeds of the public lands. They are, therefore, perfectly useless, and can afford no relief to the people. The resolutions introduced as amendatory to these, by the gentleman from Anson, meet with my approbation. They declare, in substance, that Congress ought not to reduce the minimum price at which these lands are now sold, nor give the public lands to the States in which they are situated, as thereby the prosperity of the old States would be seriously affected, and great injustice done to those States which ceded them; and moreover, that such disposition should be made of them, or the proceeds thereof among the States, according to their respective sacrifices, &c. or in proportion to their federal population. The minimum price is now one dollar and twenty-five cents per acre. If this sum is reduced, they will scarcely pay the expenses of surveying, &c. and consequently cease to be a source of revenue to the Government; and great will be the consequent inducement to remove, that the old States will be drained if their population and the value of their lands be degraded to a mere nominal value. A general ruin and distress must be the natural consequence of this great impoverishment, whilst

Westward the star of empire rings its way; and being supported and fostered by the General Government and the vast contributions from the old States, both in wealth and population the sceptre of power will be transferred there; too, and the destinies of this great and mighty nation will be in the vergerown influence of the West.

The reduction of the minimum price would only open the field to the rich Speculators of the country, who, by combining together, would be sure to deprive the poor man of all his advantages, and engross all the better lands, which would be afterwards sold out to purchasers at their own prices. Besides, sir, it would be doing injustice to those who have already purchased of the Government the present prices, and sold the terms of the new law, at the expense of the old ones, and thus defeat the excellent provision which provided for the common use of benefit of all.—It would not increase the demand, as experience and observation have shown us that the supply of lands, at the present prices, is inadequate to the demand, so great is the migration; and that our migratory population, in their eagerness and avidity for territorial possessions, have even passed beyond the

boundaries of the United States, and are fast peopling the hitherto wild, and desert territory of Texas. I have already shewn to the Senate that if Congress should give the public lands to the States in which they are situated, it would not only be a gross and palpable violation of the terms of the compact or deed of cession, and a breach of faith, but a clear and manifest infringement and evasion of the Constitution of the United States. The enormity when we call to mind that Louisiana and Florida were purchased by the common treasury, and for the common benefit of all the States; and to give these lands to the States in which they are located would be an act of political robbery of the share or proportion of money contributed, by the old States, for their purchase. And, as has been remarked, the inequality of this gratuitous cession among the new States would be marked as its injustice to the old would be indefensible. Thus Missouri, with a population 140,000, would acquire 33,292,451 acres; and the State of Ohio, with a population of one million would only obtain 5,696,834 acres. Supposing a division of the lands among the citizens of those two States respectively, the citizen of Ohio would obtain less than six acres for his share, and the citizen of Missouri upwards of two hundred and seventy-two acres as his proportion.

The revenue of the General Government is not now collected from the States in their sovereign character, but from each individual composing the community at large, in all the States; and what would, therefore, be impossible now to ascertain what each State has contributed to the general charge and expenditure, and the only just and equitable plan that could be devised, is to distribute the proceeds of the public lands among the States according to their federal population. By the "compromise Tariff law," which is in full force until 1842, a sufficient revenue is raised to meet all the expenses of the Government; and according to the message of the President of the United States to the present Congress, (1835,) "all the remains of the public debt have been redeemed, or money has been placed in deposit for this purpose, whenever the creditors choose to receive it.—All the other pecuniary engagements of the Government have been promptly fulfilled, and there will be a balance in the treasury of about sixteen millions of dollars, at the close of the present year. It is believed that, after meeting all outstanding and unexpended appropriations, there will remain near eleven millions, to be applied to any new objects which Congress may designate, or to the more rapid execution of the works already in progress. In aid of these objects, and to satisfy the present expenditures of the ensuing year, it is estimated that there will be received from various sources twenty millions more in 1836." In the same message, he remarks, "among the evidences of the increasing prosperity of the country, not the least gratifying is that afforded by the receipts from the sales of the public lands, which amount, in the present year, to the unexpected sum of eleven millions of Dollars." I think, sir, which it is not pretended is needed for the General Government, were distributed among the States, as in justice it ought, according to their federal population, the share of North Carolina would amount to five hundred thousand dollars. And but last week, sir, we passed an act, pledging the faith of the State, her bank stock, &c. for the purpose of borrowing the sum of 400,000, to enable our State to take stock reserved for her in one of her own Banks! This money must be raised by taxation, from our citizens, because our Legislature refused to demand of the General Government a share of the proceeds of the public land, to which, I have already shewn the Senate, we are so justly entitled.

Our annual revenue from the sales of the public lands, would amount to several hundred thousand dollars. With this annual sum we might regenerate the State, relieve the people of taxation, and dispel the despondency and gloom which hang over our good old State like an incubus of despair, and retard her progress of improvement and prosperity. If we do not now assert our right to the public lands, in a few years more it will be too late. The west is daily increasing in numbers and power. Michigan is already knocking at the door of the Union for admission; Florida and Arkansas are following her wake; and the empire of the West, with her majority in both houses of Congress, will gain the ascendancy in the nation, displace the public lands among the States, as they shall happen to be located, and the North Carolina will be forever barred of her just and lawful rights. Such, sir, will be the fruits of this division among ourselves; such the consequences of the madness and folly which prevent us from securing to our State, this much needed aid.

Mr. Speaker, I have trespassed already too long upon the kind indulgence of the Senate; but I cannot resume my seat without once more advertising to the argument that these lands belong to the North Carolina, will be Sir, if we abandon our claim, and admit the uncontrolled right of the Government to them, I will shew you how they will be disposed of, by reading an extract from the Journals of Congress: it is as follows, viz: "In the Senate, Friday, February 12th.—Mr. Rufus King, of New York, rose and said, in offering the resolution he was about to submit, though it was a subject of great national importance, he did not desire to debate it, nor did he offer it with a view to the present consideration. He submitted it as a matter for future consideration, and hoped it would be received by all parts of the house, as one entitled to its most serious attention. He then laid on the table the following resolution:

Resolved by the Senate of the United States of America, That as soon as the portion of the existing funded debt of the United States, for the payment of which the public lands of the United States are pledged, shall have been paid off, and there shall remain in the treasury of the United States, with the net proceeds of all future sales thereof, shall constitute and form a fund which is hereby appropriated, and the faith of the United States is pledged that the said fund shall be inviolably applied to aid the emancipation of such slaves, within any of the United States, &c.

Now is the time for the abolitionists of the north, and all who are actuated by a false and mistaken philanthropy, on the subject of slavery, to consider this resolution. Are we prepared for this limitation and officious interference with our rights? Sir, the old Constitution is nearly dead. Let not the energies of the State expire with it; let the remembrance of the deeds of those who formed it awaken us to a sense of our just rights; let the voice of North Carolina be heard, not in the language of a suppliant, but, trumpet-tongued, with the authority of one who asserts a right. My exhaustion, sir, overpowers me. I, for one, can never consent to give up this claim of my native State, to a share of the proceeds of the public lands—no, never, never.

For Sale,

PART OF LOT No. 83, on Middle St Newbern, with the improvements thereon, being two Dwellings and Store Houses, with sufficient out Houses, lately occupied by the subscriber.

—ALSO—

500 acres of Pine Land, lying on Brices Creek, about nine miles from Newbern. Terms made known on application to Wm. S. Morris, or to JAMES DAVIS, Newbern Jan. 22, 1836.

Ten Dollars Reward.

RAN away from the Subscriber on the night of the 19th inst. a Negro Woman named SUKEY, about 55 years old, of low stature, and formerly belonged to William Hancock, Esq. Whoever will apprehend said Negro and lodge her in any Jail, or give such information that I get her again, shall receive the above reward, and all necessary charges. Any person found harboring her, will be prosecuted.

WILLIAM BROWER.

Newbern, Jan. 25th 1836

OFFICIAL DOCUMENTS.

ANSWER TO MR. CLAY'S CALL.

Report from the Secretary of State to the President, DEPARTMENT OF STATE, Washington, Jan. 13, 1836.

To the President of the United States:

The Secretary of State has the honor to lay before the President a copy of a report made to him in June last, and of a letter addressed to this Department by the late Minister of the Government of France, with the correspondence connected with that communication, which, together with a late correspondence between the Secretary of State and the French charge d'affaires, and a recent correspondence between the charge d'affaires of the United States at Paris, and the Duke de Broglie, already transmitted to the President to be communicated to Congress with his special message relative thereto, are the only papers in the Department of State supposed to be called for by the resolutions of the Senate of the 12th instant.

It will be seen by the correspondence with the charge d'affaires of France, that a despatch to him from the Duke de Broglie, was read to the Secretary, at the Department, in September last. It concluded with an authority to permit a copy to be taken if it was desired. That despatch being an argumentative answer to the last letter of Mr. Livingston to the French Government, and in affirmation of the right of France to expect explanations of the message of the President, which France had been distinctly and timely informed could not be given without a disregard by the Chief Magistrate of his constitutional obligations, no desire was expressed to obtain a copy: it being obviously improper to receive an argument in a form which admitted of no reply, and necessarily unavailing to enquire how much or how little would satisfy France, when her right to any such explanation had been, beforehand, satisfactorily and formally denied.

All which is respectfully submitted.

JOHN FORSYTH.

DEPARTMENT OF STATE,

Washington, June 18, 1836.

I have the honor to present for the examination of the President three letters received at the Department from—, dated at Paris, the 19th, 23d, and 30th of April. The last two I found here on my recent return from Georgia. They were received on the 9th and 10th of June; the last came to my own hand yesterday. Several communications have been previously received from the same quarter, all of them volunteered; none of them have been acknowledged. The unsolicited communications to the Department by citizens of the United States of facts that may come to their knowledge while residing abroad, likely to be interesting to their country, are always received with pleasure, and carefully preserved on the files of the Government. Even opinions on foreign topics are received with respect for the motives and character of those who may choose to express them.

But holding it both improper and dangerous to countenance any of our citizens, occupying no public station, in sending confidential communications on our affairs with a foreign Government, at which we have an accredited agent, upon subjects involving the honor of the country, without the knowledge of such agent, and virtually substituting himself as the channel of communication between that Government and his own, I considered it my duty to invite Mr. Pageot to the Department to apprise him of the contents of Mr.—'s letter of the 23d of April, and, at the same time, to inform him that he might communicate the fact to the Duke de Broglie, that no notice could be taken of Mr.— and his communications.

The extreme and culpable indiscretion of Mr.— in this transaction was strikingly illustrated by a remark of Mr. Pageot, after a careful examination of the letters of 23d April, that, although without instructions from his Government, he would venture to assure me that the Duke de Broglie could not have expected Mr.— to make such a communication to the Secretary of State.

Declining to enter into the consideration of what the Duke might have expected or intended I was satisfied with the assurances Mr. Pageot gave me, that he would immediately state what had occurred to his Government.

All which is respectfully submitted, with the hope, if the course pursued is approved by the President, that this report may be filed in this Department with the letters to which it refers.

JOHN FORSYTH.

To the President of the United States.

No. 50.—Mr. Forsyth to Mr. Livingston.

[Extract.]

DEPARTMENT OF STATE,

Washington, 5th March, 1836.

Sir: In my note, No. 49, you were informed that the last letter of M. Serurier would be made the subject of separate and particular instructions to you. Unwilling to add to the irritation produced by recent incidents in our relations with France, the President will not take for granted that the very exceptional language of the French Minister was used by the orders or will be countenanced by the authority of the King of France: You will, therefore, as early as practicable after this reaches you, call the attention of the Minister of Foreign Affairs to the following passage in M. Serurier's letter: Les plaintes que porte M. le President contre le pretendu non-accomplissement des engagements pris par le Gouvernement du Roi a la suite du vote du 1er. Avril, 1834, ne sont pas seulement etrange par leur inexactitude des allegations, sur lesquelles elles reposent, mais aussi parce que les explications, qu'a regues a Paris, M. Livingston, et celles que le sous-signé a donnees directement au cabinet de Washington, semblaient ne pas laisser meme la possibilite d'un malentendu, sur des points aussi delicats.