

# NORTH CAROLINA SPECTATOR

## AND WESTERN ADVERTISER.

VOLUME I.

RUTHERFORDTON, SATURDAY EVENING, FEBRUARY 12, 1831.

NUMBER 52.

PUBLISHED EVERY SATURDAY EVENING BY  
ROSWELL ELMER, JR.

Terms of subscription. Two dollars and fifty cents, per annum, if paid in advance; or three dollars, if paid within the year;—but if delayed after the close of the year, twenty-five cents will be added.

No paper will be discontinued until particularly ordered and all arrears paid, or at the discretion of the publisher.

Advertisements inserted on the usual terms.—All persons advertising will please note the number of times they wish to have them inserted, or they will be continued and taxed accordingly.



MY professional engagements in the Superior Court of Buncombe County in all cases, where other arrangements have not become and notice given to those concerned, will be confined to BARTLETT SHIPP, Esq., of Lincoln, and JOHN HALL, Esq., of Rutherfordton, the latter of whom will hereafter reside at Asheville.  
D. L. SWAIN.  
Jan. 10, 1831. 49f

### NOTICE.

THE subscribers, Executors of the last Will and Testament of WILLIAM K. KERR, deceased, late of this county, hereby notify all persons having demands against the Estate, to present them for payment, authenticated according to law, on Wednesday the 16th day of February next, at the late residence of the deceased.

All persons indebted to said Estate are also requested to make payment at the same time and place.  
HENRY M. KERR, } Ex.  
KATHERINE KERR. }  
Rutherford, Jan. 25, 1831. 50 3w

### Look at this!

THE compass has been so long in use, that I hope its utility will ere long find its way into Rutherford county, and put every man in possession of his own land marks—they may then escape the judgment denounced in a certain book.

This is therefore, to notify all persons, (that they may not plead ignorance in future,) that I am determined to prosecute all and every individual, who shall be found trespassing, by cultivating the soil, removing timber, or in any otherwise committing waste upon any of the various tracts of land belonging to COL. RICHARD LEWIS, situate in the Rutherford county—lots and land adjoining the village of Rutherfordton, unless with my written or verbal consent; and it is presumed that all leases and permissions granted by him, for any of those purposes, have expired.

Persons holding bonds on for titles, would do well to present them.—Also persons having made purchases of land, in which he is interested, are hereby notified that no titles will be executed, unless satisfactory evidence is adduced, that his proportion of the purchase money has been actually paid, or secured to be paid, either to himself or his properly authorized agent.

J. OVERTON LEWIS, Agent.  
Rutherfordton, 25th Jan'y, 1831. 50 1y p

### NO QUACKERY.

THE subscriber, conversant with the profession and practice of Medicine for several years past, and of late having studied the new Thompsonian System and having underwent an examination by the Examining Committee, and being approved, as qualified for general practice.—Takes this method of tendering his Professional Services to his friends and the public as a PHYSICIAN and SURGEON,—combining when necessary, the old and new System together; but, with the weight of confidence in the Thompsonian System.

HUGH QUIN.  
Near Lincolnton, Jan. 10, 1831.

### COPARTNERSHIP.

THE undersigned have this day entered into copartnership in the TAILORING BUSINESS.

They respectfully inform their friends and the citizens of this and the adjoining counties, that they will be always ready to execute any order in their line of business, at the shortest notice, and on the most reasonable terms. They deem it unnecessary to speak of their ability. They flatter themselves, however, that by their long practice—the facilities they have of obtaining the latest fashions, and their constant exertions to please, that they will receive a due share of the public patronage.

They will occupy, as a shop, a room over Twitty & Miller's Store.  
VALENTINE MOONEY.  
JAMES V. JAY.  
Rutherfordton, Jan. 6, 1831.

### COACH FACTORY.

THE subscriber respectfully informs the public in general, that he continues to carry on COACH MAKING, in its various branches, at his extensive establishment in Lincolnton. (Main street, a few doors west of the Court House), where he has considerable work finished, and a number of hands in his employ, both in the wood, blacksmith and other branches of the above business. Mail Coaches, Stages and Carriages of almost every description are kept on hand, or made to order on the shortest notice. Repairing of every description in the above line, punctually attended to.

M. C. PHIFER.  
Lincolnton, Jan. 10, 1831.

### HOUSE AND ORNAMENTAL PAINTING.

THE subscribers take this method of informing the citizens of Rutherford and its vicinity, that they expect to be at Rutherfordton, on or about the first of February next, prepared to execute any Job in their line of business with despatch and neatness not inferior to any in the Northern or Southern States. Business will be attended to on the shortest notice.

G. W. DAVIS.  
SAM'L D. PEUGH.  
Rutherfordton, Dec. 15, 1830. 44f

### \$10 REWARD!!

RUNAWAY from the subscriber, on the 27th December, a light colored MULATTO BOY, named GIMBO, about 5 feet 5 inches high, slender made. He is well known by a great many in this County, and it is probable that he may be lurking about in that neighborhood. The above reward will be given to any person who will deliver him to me, in this place.  
WALTER B. RUTHERFORD.  
Rutherfordton, Jan. 20, 1831. 49f

### PLEASANT RETREAT ACADEMY. LINCOLNTON, N. C.

THE Trustees of this Academy take pleasure in announcing to the public, that the exercises of this institution have closed for the present year, under the tuition of Mr. Benjamin B. Dye, with much satisfaction to all concerned; and that they will be again resumed, under his care, on the first Monday in January next. Mr. Dye, since his residence at this place, having devoted his whole attention to teaching, we believe no one has ever surpassed him in regular attendance, and that few if any, are better qualified to teach all the branches of Literature, which are usually taught in such Institutions. This Academy is situated in one of the most healthy villages in the western part of North Carolina, where boarding can be obtained in good and respectable families, either in town or in the adjoining country, on moderate terms.

The prices of tuition, per session, will be as follows, viz:—  
Reading, Writing and Arithmetic, \$5.00;  
English Grammar, and Geography, \$7.50;  
Latin & Greek languages & Sciences, \$10.00;  
By order of the Board of Trustees.  
JAMES P. HENDERSON, Secretary.  
December 6, 1830. 45 6w

### State of North Carolina, Rutherford County.

Superior Court of Law, October Term, 1830.  
James J. Hoyt, John Ward and William Ward  
vs.  
Petition and sci. fa. to vacate Grant.

It appearing to the satisfaction of the Court, that Waitman Dishroon one of the defendants, resides beyond the limits of the State: It is therefore Ordered by Court, that publication be made six weeks in the North Carolina Spectator and Western Advertiser, that unless the said defendant appear at the next Term of said Superior Court, to be holden in Rutherfordton, on the third Monday after the fourth Monday in March next, that Judgment will be taken pro confesso against him.

Copy Teste. JAMES MORRIS, Ck.  
Nov. 18, 1830. 42 6w pr. adv. \$2.50

### State of North Carolina, Rutherford County.

Superior Court of Law, October Term, 1830.  
James J. Hoyt, John Ward and William Ward  
vs.  
Petition and sci. fa. to vacate Grant.

It appearing to the satisfaction of the Court, that George Russel one of the defendants, resides beyond the limits of the State: It is therefore Ordered by Court, that publication be made six weeks in the North Carolina Spectator and Western Advertiser, that unless the said defendant appear at the next Term of said Court, to be holden in Rutherfordton, on the 3d Monday after the 4th Monday in March next, that Judgment will be taken pro confesso against him.

Copy Teste. JAMES MORRIS, Ck.  
Nov. 18, 1830. 42 6w pr. adv. \$2.50

### State of North Carolina, Buncombe County.

Superior Court of Law—October Term, 1830.  
John Roberts  
vs.  
Petition for Divorce.

It appearing to the satisfaction of the Court, that the defendant, Agnes Roberts, is not an inhabitant of this State: It is ordered that publication be made for three months in the Raleigh Star and Western Advertiser, that the said Agnes Roberts appear at the next Superior Court of Law to be held for the county of Buncombe, at the Court House in Asheville, on the 2nd Monday after the 4th Monday in March next, then and there to answer, plead or demur to the petition filed against her by John Roberts, or the same will be taken pro confesso, and heard ex parte.

Witness, Joshua Roberts, Clerk of said Court, at Office, the 2nd Monday after the 4th Monday in September, 1830.  
J. ROBERTS, Clerk.  
43 3m Pr. adv. \$4.50

### State of North Carolina, Buncombe County.

Superior Court of Law—October term, 1830.  
Alexander Henry  
vs.  
Happy Henry.  
Petition for divorce.

It appearing to the satisfaction of the Court, that the defendant is not an inhabitant of this State, it is ordered that publication be made for three months in the Raleigh Star, and North Carolina Spectator, that the defendant, Happy Henry, appear at the next Superior Court of Law, to be held for the county of Buncombe, at the Court House in Asheville, on the 2d Monday after the 4th Monday in March next, then and there to plead, answer or demur to the petition filed against her by Alexander Henry, or the same will be taken pro confesso and heard ex parte.

Witness Joshua Roberts, Clerk of said Court, at Office, the 2nd Monday after the 4th Monday in September, 1830.  
J. ROBERTS, Clerk.  
43 3m Pr. adv. \$4.50

### State of North Carolina, Buncombe County.

Superior Court of Law, October Term, 1830.  
Sarah Wicaser  
vs.  
George Wicaser.  
Petition for Divorce.

It appearing to the satisfaction of the Court, that the defendant is not an inhabitant of this State: It is Ordered, that publication be made for three months in the Raleigh Register, and North Carolina Spectator, that the defendant George Wicaser, appear at the next Superior Court of Law to be held for the county of Buncombe, at the Court House in Asheville, on the 2nd Monday after the 4th Monday in March next, then and there to plead, answer or demur to the petition filed against him by Sarah Wicaser, or the same will be taken pro confesso, and heard ex parte.

Witness Joshua Roberts, Clerk of said Court, at Office, the 2nd Monday after the 4th Monday in September, 1830.  
J. ROBERTS, Clerk.  
42 3m Pr. adv. \$4.50

### NOTICE.

THE several kinds of grass seeds purchased at the North, by and for the use of the members of the Rutherford Agricultural Society, have been received and are ready for delivery, to those interested.  
By order of the Corres. Secretary.  
January, 7, 1831.

### POLITICAL.

#### EXTRACTS FROM THE DEBATE ON THE THE RUSSIAN MISSION.

Jan. 13. The House resumed the consideration of the general appropriation bill—the question being on the motion made yesterday by Mr. Stanberry to strike out the appropriation for the salary of the Minister to Russia.

Mr. CARSON said he heard with surprise the motion made yesterday by the gentleman from Ohio; and it was with still more surprise he had heard the reason which the gentleman assigned for his motion; which was that the House had been informed by the message of the President, that we had no Minister at the Court of Russia. The gentleman had mistaken the Executive message; he had mistaken the information which it conveyed to the House, and if the motion originated in that mistake, it fell to the ground. When a motion is submitted by a member, said Mr. Carson, courtesy requires that we suppose it to be prompted by a high sense of duty to this House, or to the country: It is for those who hear it to judge, if it has any other motive. If any other design gave rise to the present motion—if it was made as a covert blow at the Executive, it was a feeble one; the arm that struck it was too nerveless to reach its object. Mr. C. here read the following passage from the President's Message:

“Our relations with Russia are of the most stable character. Respect for that empire, and confidence in its friendship towards the United States, have been so long entertained on our part, and so carefully cherished by the present Emperor and his illustrious predecessor, as to have become incorporated with the public sentiment of the United States. No means will be left unemployed, on my part to promote these salutary feelings, and those improvements of which the commercial intercourse between the two countries is susceptible, and which have derived increased importance from our treaty with the Sublime Porte.”

“I sincerely regret to inform you that our Minister lately commissioned to that Court, on whose distinguished talents and great experience in public affairs I place great reliance, has been compelled by extreme indisposition to exercise a privilege, which, in consideration of the extent to which his constitution had been impaired in the public service, was committed to his discretion of leaving temporarily his post for the advantage of a more genial climate.”

“If, as it is to be hoped, the improvement of his health is such as to justify him in doing so, he will repair to St. Petersburg, and resume the discharge of his official duties. I have received the most satisfactory assurance that, in the mean time, the public interests in that quarter will be preserved from prejudice, by the intercourse which he will continue, through the Secretary of Legation, with the Russian Cabinet.”

Now, said Mr. C. does this justify the motion, and as a measure of policy, would it be right to strike out the appropriation? What inference could be drawn from our refusing the appropriation, but that we were about to suspend our intercourse, and all amicable relation with the Court of Russia! Sir, Gen. Jackson and the administration need no support from me. The Administration speaks for itself, and can support itself.

Mr. STANBERRY rose and replied that the motion was dictated by those principles which brought Gen. Jackson into office. During the preceding Administration, great clamor was heard about the profligate expenditure of the public money, and about constructive journeys; and a change of Administration was urged for the purpose of correcting these abuses. But, Mr. S. saw no difference between paying an officer for a constructive residence and for a constructive journey. The House had just heard read, that the Minister sent to Russia does not reside there—we have all seen him here—we know him, and know that he cannot reside there—if he receive the public money as Minister to Russia, without residing there, he will be paid for a constructive residence. We know, as far as we know any thing about him, that he resides in England, or in France—we know, at any rate, that he does not reside at his post in Russia, and have reason to believe that he will not reside there. Is it right to pay for duties thus performed? Might he not as well reside at home, and still be considered minister to Russia, as to reside in England or France in that capacity? Mr. S. said that in making the motion, he had aimed no covert blow at the Administration; he had made the motion in pursuance of what he deemed his duty to the public. In doing so, he was acting as the individual in question would himself have

acted, under similar circumstances, were he now a member of this House. If we are to pay that individual for the public services, which it is said he had performed, let us do so directly, not indirectly; not pay him for those services by giving him a salary for an office which he fills but in name. These principles I learned, said Mr. S. from that gentleman himself, in here listening to him with delight, while denouncing the abuses of other Administrations in misapplying the public money.

Mr. ARCHER said, there were purposes, covered by the motion, which would induce him to trouble the House with a few observations. The gentleman aimed at by the motion, was from his own State; distinguished by a large share of its esteem, and some degree of sensibility might be supposed to be awakened by the attacks upon him, and on the Executive for his appointment, circulated very extensively, and now disclosing themselves here. Exception had been taken to the appointment. With what propriety? The House might exert a restraining judgement, through the incidental operation of its power to deny appropriations on the institution of missions. But in relation to the persons by whom they were to be filled, or the conduct of the incumbents in their discharge; it was not the province of the House to exercise judgment and discretion, but of the Executive. We intruded on that discretion, if we made any supposed conduct of the incumbents, as we did upon decency, if we made newspaper fabrications the ground of our proceeding on such subjects here. But where was the ground for imputation, in any view in the present instance?—As regarded the nomination, for which the Executive had been arraigned with censure so widely diffused, and unsparing, the person receiving it—who was he? How many filled so large a space of reputation? Who was there remaining on the public theatre, who had filled so long and unbroken a space of public service—a career of active, and sedulous, and brilliant exertion, extending beyond the period of thirty years? His talents—where was any to be found superior, ripened in this long period of service, to the fullness, yet not beyond it, of the most fruitful maturity? His political attainments—they were not inferior to his talents. This was the nomination which had brought vehement vituperation on the Executive, as an extravagant abuse of its discretion of appointments!

But consider the matter in another view. A tried public servant, who, in a most active career, of thirty years, has never sought appointment (as he did not this, which has now received) nor other reward, than the favor of his immediate constituents, and public esteem; retires, with health in some degree impaired, but his faculties and capacity of usefulness unbroken. Is it matter of just imputation on an Executive, which his exertions contributed to bring into the public service—representing a great political division in the nation, of which he has been an eminent ornament—wholly unsolicited when he had left the situation, which might bring the motive of this proceeding into question—that it has been desirous to extend to a public servant so circumstanced, an acknowledgment of merit—a mark of regard—a recall to renewed exertions of his abilities? Had not, Mr. A. would not say the individual, but had the country a right to expect this?

The complaint disclosed by the present motion, however, was not directly to the appointment of Mr. Randolph, but his absence at the present moment from the scene of his duties. The first suggestion in the party vituperation which had prevailed—that he had assumed this privilege of absenting himself, unpermitted. This suggestion had been repelled by the message of the President which had been read by the gentleman from N. Carolina, (Mr. Carson.) The exercise of a discretion in this respect, had been accorded to the minister, on what grounds? His health, though better at the time of his acceptance of this mission, than for a considerable period, had been impaired. With a feeble constitution, and such a state of health, he distrusted the extreme rigour of the climate of Russia.—Permission had, in this view, been accorded to him, in the event of his health failing, to remove to a more favorable climate. In the actual occurrence of the contingency, he had availed himself of the permission, with the purpose of returning to his situation, with the removal of the cause of his departure.

An erroneous impression, Mr. A. believed, had been taken up, that the departure of Mr. Randolph from St. Petersburg, had given occasion of dissatisfaction to that Court. Mr. A. had seen the correspondence ensuing the announcement to the Russian Government, of his intention to be temporarily absent, and its grounds. The announcement has been received in the best temper, and responded to in a spirit of the utmost courtesy and politeness. But, whatever might be the character of the absence of the Minister at St. P. from his station, it furnished no colorable support, Mr. A. maintained to the present motion. It did not belong to the House to supervise in this mode, the demeanour of our diplomatic functionaries. This was the uncontested function of the executive. Were the intentions of this function warranted, could any man conceive the present a proper case for it, and the ground alleged adequate? And in the worst view, were we to suspend diplomatic relations with Russia, because we were not entirely satisfied with the conduct of the functionary who had been deputed there? For that such would be the effect of the denial of the entire appropriation, no one could contest. If we did not like the Minister the Executive had selected, were we therefore to determine that we would have no Minister; which we could not have, if we made no provision for the payment of a Minister. This was the simple question to be decided in the vote on the motion. It was a false inference that, because we had competence to determine the continuance of a mission we were invested with the same competence to determine the propriety of continuing a Minister; or if we were invested with it, that we should exercise such a competence on grounds that were inadequate, and in a form that would derogate from the dignity of the House.

Mr. MALLARY stated that there were some great considerations connected with this question which demanded notice. He was not disposed to speak of the gentleman who holds the appointment of Minister to Russia as a gentleman from Virginia. He thought there were higher considerations to be viewed. We well know the influence which the Autocrat exercises. He puts his foot on the neck of 9-10ths of the physical power of Europe; his thumb is on Kamtschatka, his little finger touches the Aleutian Islands; it is well known also that he feels or pretends to feel great friendship for the United States. It is our duty to cultivate this feeling. We know our situation is delicate as regards the European Powers. What is to be done! How are we to improve our condition. Not by confiding our affairs to persons who have no higher qualifications, than that they are gentlemen of Virginia. We want some body at the Court of Russia to hold intercourse with the Autocrat—to meet him face to face not on bended knee—to be there on the spot, and honestly to communicate our honest wishes. We do not wish a Minister who is to be continually an absentee? He intended no disrespectful reflection on the gentleman, but we want a man who can talk to the Autocrat, in reference to the mutual interests of the two countries. Such a one do we want at the Court of Russia. The gentleman from Virginia tells us that Mr. Randolph has done great services to the country, that he is distinguished for his talents, and so forth. Well let that pass. But it was not merely because a person had figured well on the floor of Congress, that he is to be selected as a Minister. We want a man who can do the business of the country—who can present himself before the Emperor, and tell him what we deem to be the suitable relations between us. It is merely because Mr. Randolph has, in a certain fashion, distinguished himself on the floor of Congress, that he has been selected as a Minister. (Mr. M.) believed that he understood the character of Mr. Randolph as well as any man; and valued his talents about as high as any one, but here is a plain matter of business; and we want a man who will be on the spot, and stand by our interests. He understood that the gentleman was in delicate health, and could not stand the rough winter of a Muscovite climate. Well, we want some one who can; and not a Minister who is obliged to retreat from the inclemency of a Russian atmosphere, to the more congenial climate of France, and to leave the interests which have been entrusted to him in the hands of the Secretary. Something to this effect had been stated to us in the newspapers, as well as in the Message. Mr. M. then referred to the clamor which was raised when Mr. Rufus King was sent to England by the late Administration, because his state of health was such as to render it impossible for him to remain—yet, we are now called upon to vote a salary for a minister who has merely made his bow at Court, and stayed ten days, & then left the business of his mission to a Secretary and we are told the purposes of his mission were successfully fulfilled while he remained there!—If all which is required to