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DAVID OUTLAW, Editors.
THOS. J. LEMAY, }
Proprietor and Publisher.

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THOMAS J. LEMAY,
Proprietor and Publisher.

TERMS.
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Raleigh, Nov. 30, 1836. 59 3w.

From the Baltimore American.
THE UNITED STATES & MEXICO.

Believing that the occupation of the part of Nacogdoches by a portion of the U. S. troops under General Gaines, & the sudden departure of M. Gorostiza, who had been sent to this country, Extraordinary and Minister Plenipotentiary by the Republic of Mexico, to lay before the President such representations as might express the views of his government in regard to the matter, are subjects which claim great interest with the people of this country, we have translated the following letter of M. Gorostiza, written at the time of his departure, together with the note of Mr. Dickens in answer to it. They are given in the "Courier des Etats Unis" of Saturday.

Note of Mr. Gorostiza, transmitted to the D. part of State.

It is with great regret that the undersigned learns, from the note of the Honorable Ashbury Dickens, dated the 13th inst. that the President, taking ground on the principle of self defence, has not thought it his duty to accede to the just demands of the undersigned, relative to the invasion of the Mexican territory by the troops of General Gaines, and that notwithstanding all his efforts, the President persists in his intention of maintaining as a principle, the pretended right to invade friendly territory whenever he may think fit to do so, in defence of the frontiers of the United States.

It is plain that the undersigned cannot, for a moment admit the existence of such a right, because it would be to acknowledge that every nation may take armed possession of the territory of its neighbors, without any other reason than an apparent necessity of so doing, and because such a right would be a constant attack upon the sovereignty and independence of all nations. In fact, what nation would not endeavor to fortify its own, at the expense of a neighbor's frontier, if, to establish the lawfulness of the proceeding, it were only necessary to assert the right.

The undersigned cannot assent to the latitude which the President of the United States gives to the principle of self defence, in the case in question. This principle cannot exist except if it is founded in justice and reason; if it is not spring, like all other principles which, united, constitute the law of nations, from that law of nature which the ancients denominated the divine right; that law which, whilst it imposes upon us the obligation of watching over our own preservation and defence, forbids us to do so to the injury of another; unless the danger be imminent, unavoidable, or infinitely greater than the evil which we may inflict.

Can it be said that the invasion of the Mexican territory has been called for by any necessity of this kind, in the conditions desired? After a full facts which have come to the knowledge of the undersigned; the pretended hostilities premeditated by the Indians, have only existed in the imagination of the Mexicans and of those who favor them; other words, are inventions founded upon a wish to injure Mexico. A simple narration of facts will be sufficient to prove the truth of this assertion. So long as the colonists of Texas remain subject to the laws of Mexico, hostilities committed against the United States by the Indians we never heard of, although, since the year 1832, there was not a Mexican soldier stationed at Nacogdoches or any other point on the frontier, no mention has been made of the Indians, during the occupation of Texas, either before or since Bexar was captured by the Texas. When, however, in the month of March last, the Mexican army, victorious on all sides, passed without difficulty the river Brasos, and no one

doubted that it would reach the Sabine, for the first time, fifteen hundred Indians and Mexicans are spoken of, as being within some miles of Nacogdoches, putting every thing to fire and sword, in order to induce General Gaines to approach the Sabine with all his troops, as he in fact did. Owing to the battle of San Jacinto, the danger which had threatened the revolutionists disappeared, and strange to relate, the Indians disappeared with it. Gen. Gaines, who a few days previously asked for thousands of mounted men to meet an enemy which he represented as very formidable, then confessed that there had been a false alarm, and that the reinforcements were unnecessary. No mention was made of the Indians, so long as it was thought in Texas that the Mexican government would sanction the treaty extorted by violence from General Santa Anna, but, near the end of June, it was known that Mexico was preparing for a new campaign, and, as if by enchantment, the Indian aggressors reappeared upon the scene. There was only a rumor of an Indian invasion; the Texian commissioners who had repaired to Matamoros to treat for the exchange of prisoners, reported that the Texian General Rusk, informed of their presence by Texian individuals, communicated it to General Gaines, who was equally well advised of it, as well as of the assassination of two whites at Nacogdoches, through the Texian Major Sterling C. Robinson. Then this General perceived the necessity of recalling, to oppose them to the principal enemy (principal belligerent,) the mounted men whom he had sent back after the battle of San Jacinto, and it appeared to him necessary for the defence of the United States' frontier, to take possession of Nacogdoches, a Mexican town, fifty miles from that frontier. Can any thing be more clear?

If General Gaines had, to justify him in the course he has taken, any other information than that communicated to him by the enemies of Mexico and by persons who were interested in seeing the United States compromise their neutrality on the Texian question, let it be produced to the undersigned.

If there has never been any danger— if such unfounded rumours have never been able to inspire the least fear— if these same rumours have been renewed several times, during the lapse of seven months, and have been constantly contradicted by facts, how can they be believed? How could such a danger ever have appeared imminent? how has it been made unavoidable? Where, in fine, was the absolute necessity which caused, on this occasion, the principle of self defence to be introduced, trampling under foot, as has been done, in its name, the most sacred rights of a friendly nation?

But, adds Mr. Dickens, the President should believe the information received from the General commanding the frontier, and is ready to punish him, if he has, in any way gone beyond his instructions. The undersigned answers, in the first place, that the partiality of Gen. Gaines in favor of the Texans has been notorious, and his credulity during his command of the frontier so great that his information should never have had much weight with so enlightened a man as the President of the United States, especially since the Governor of Louisiana and General Macomb have so well depicted the character of that officer and the influences to which his conduct has been subjected.

In the second place, the undersigned answers, that the punishment of Gen. Gaines, or any other officer, who may hereafter transgress the orders of the President, cannot be of any avail to Mexico, or repair the immense injury already done, and which may be done here by the discretionary power with which the commanding general of the frontier has been invested by the President; and, in effect, what difference does the dereliction of a General make to Mexico, if by his fault the Mexican territory has been invaded? If this invasion has inspired Texas with greater confidence? If, through it, their ranks have been augmented by several thousands of volunteers, who never would have gone to Texas, if they had not expected to find an important support in the soldiers of the United States? In fine, if such an invasion, being extended or renewed, at the approaching campaign, the presence alone of the United States troops in Texas, should cause embarrassments and collisions, which will interfere with the best concerted plans of the Mexican army. Mr. Dickens will agree with the undersigned, that his government cannot deem sufficient, a guarantee which does not protect Mexico from danger, to which it is exposed in consequence of the presence of the troops of the United States upon her territory.

On this subject Mr. Dickens pretends that the instructions lately sent by his government to Gen. Gaines, were more precise and positive than those before given, and that thus his successor, Gen. Arbuckle, will be enabled, in conforming with them, to carry out the views of the President.

But if the instructions to which Mr. Dickens alludes, are the same as those made known in the letter of the President to General Gaines of the 4th September, the undersigned cannot agree with the Secretary of State *ad interim*; on the contrary, the undersigned finds that these instructions are a thousand fold more arbitrary than the first, for those designate at least the point at which the invasion is to stop, whilst these give entire liberty to the commanding general of the frontier to pursue the Indians—who, according to his views, may show themselves hostile towards the United States—wherever he may find them, and then to take position on the Mexican territory wherever he may think proper. It is true, the President exhorts the General not to suffer himself to be deceived by false reports, and not to act except when he shall be morally certain that the Indians enter upon the Mexican territory to accomplish hostile objects. But were not the orders given by Mr. Cass, Secretary of War, to General Gaines on the 4th May and 11th July, the same, in different words? The power which similar orders have had upon his successors has been already seen, if they yield to the same influences, or permit themselves to be taken in by the same machinations. It is not probable that such will be the result, since all the information which the commanding generals receive comes from a country inimical to Mexico, disfigured by animosity and malevolence.

Such are the reasons for which the undersigned has constantly protested, since his answer to the memorandum of Mr. Forsyth of the 20th April, against the discretionary power with which the commanding general of the frontier had been invested. His knowledge of men enabled him to foresee that, sooner or later, such a power would become, in the hands of him who might be clothed with it, an instrument of peace or war between Mexico and the United States—and the undersigned valued too highly the friendship which united the two nations, not to tremble at the thought, that their relations were hereafter to depend upon the will or ignorance of a single individual. Mr. Dickens explains and attempts to justify so much confidence on the part of the United States, by saying that the distance at which the President is from the seat of war, does not permit him to employ any other means to meet the exigencies of events. But France was also distant from the United States, at the time when difficulties occurred between the two countries, and the United States would have demanded satisfaction, if an admiral had come from Martinique to break up the negotiations which were commenced. Would they not have said, with reason, that transactions of such importance required responsibilities paramount to those which a single man, let him be admiral or general, presents?

The undersigned has found it his duty to direct his attention to the desire manifested by the United States to take possession of Nacogdoches at all hazards, and had it not been for the repeated assurances which he received from the department of state that this measure had nothing to do with the settlement of boundaries, he confesses he would not have known what to think of such a course. The undersigned recollects that this same town of Nacogdoches has been proclaimed to be the property of the United States, by the Secretary of War, when he wrote to General Gaines to authorize him to repair to that place. The undersigned also remembers, that when he addressed to Mr. Forsyth a protest against so strange a pretension, that gentleman, by order of the President, refused any sort of explanation.

He also remembers to have observed, as well in the notes of this department, as in the correspondence which has taken place between the Secretary of War, General Gaines, and some Governors of States, a certain studiousness not to designate the Mexican territory which is beyond the Sabine, by any other title than that of "repoules de territory," or other similar names, as if actual treaty had not put an end to all disputes about limits, when the line of ancient Louisiana was extended between the rivers Marmonto and Cascarn, that is to say, 30 or 40 miles on this side of the Sabine.

But the undersigned repeats, that the assurances respecting the nature of the movement of Gen. Gaines appeared sufficient not to permit him to dwell longer upon the importance of such strange coincidences. Such then, were the constructions which determined the undersigned to write his notes of the 28th July and 4th August. He discovered then, as now, and for the same reasons, that the invasion of the Mexican territory by the U. S. troops was an insult perfectly gratuitous, since there had been no offence on the part of Mexico, nor any legitimate cause on the part of the United States. He demonstrated the immense losses sustained by Mexico in consequence of the invasion. At length he announced that, if the President reject his just demand, he should be under the painful necessity

of withdrawing with his embassy extraordinary. Nevertheless, the undersigned flattered himself that he would not be driven to this extremity, thinking that his reasons would be weighed in the balance of equity, and not that of a pretended right of convenience.

Unfortunately, it has not been so; the note of Mr. Dickens has left the undersigned no hope. The explanations moreover, given in the name of the President, convince him of the little which Mexico is to expect from the United States, since the most sacred rights and most positive interests are sacrificed to the shadow of imaginary danger. Mexico is insulted and wronged through mere precaution.

Under circumstances so painful, the undersigned would fall short of his duty, if, as the representative of Mexico, he did not avail himself of the only means left him to express at least how much he has been hurt by the wrong done to his country on the part of the United States; he therefore declares on his own responsibility, that from this instant, he considers his mission as at an end.

The undersigned requests Mr. Dickens to have the goodness to cause his passports to be sent to Philadelphia, whither he will repair to-morrow. The undersigned also requests Mr. Dickens to present his respects to the President, and to thank him in his name for the individual attentions which he has received whilst he has had the honor to be accredited near his person.

Finally, the undersigned repeats to Mr. Dickens what he has had the pleasure to state to him orally, that he will recollect always with gratitude, the frank and noble manner in which Mr. Dickens has conducted the relations with the undersigned, at times and in regard to matters which were far from agreeable.

(Signed) M. E. DE GOROSTIZA.
To His Excellency,
Washington, 15th Oct. 1836.

Note of Mr. Dickens to Mr. Gorostiza.

DEPARTMENT OF STATE,
Washington, October 20, 1836.
The undersigned, Secretary of State, *ad interim* of the United States, having informed the President of the contents of the note of Mr. Gorostiza, Extraordinary and Minister Plenipotentiary of the Republic of Mexico, dated the 15th inst., has received orders to transmit to Mr. Gorostiza the passports which he has demanded, and sends them accordingly.

The President regrets that an erroneous appreciation of the measures which he has deemed it his duty to take for the defence of the frontier, should have induced Mr. Gorostiza to terminate his mission. The President hopes, however, that the Mexican government will do him more justice. To prevent all misapprehension, he will take proper steps and will send to Mr. Ellis such instructions as will enable him to make the necessary explanations.

The undersigned avails himself of this opportunity to renew to Mr. Gorostiza the assurance of his most distinguished consideration.

(Signed) ASHBURY DICKENS.
To His Excellency,
SENOR D. MANUEL E. DE GOROSTIZA.

EXTENSIVE BANK ROBBERY.—The vaults of the Oneida Bank, at Utica, were entered on Sunday the 20th inst. and the sum of one hundred and eighty thousand six hundred dollars extracted therefrom, besides about six thousand dollars in notes and checks. The money stolen consisted of notes on the Banks of Rome, Albany, and New York, and the other safety fund banks in this State, with about \$6,000 on banks in the Eastern States.

In order to effect the robbery six locks had to be unbolted, five of which were effected by keys, and the other broken open.

The Directors offer a reward of \$6,000 for the recovery of the money, and the arrest and conviction of the thief, or \$2,000 for the arrest and conviction of thief alone.

The above is the Bank (chartered last winter) about which so much has been said in relation to the unfair distribution of the stock.

Albany Evening Journal of Nov. 22.

The Washington Telegraph recently said something about the usurpation of the Presidency, by Van Buren, which has mightily alarmed Mr. Ritchie. The object of the Telegraph was only to show, that, according to the reasoning of the Van Buren men in Maryland, if Van should be elected by a majority of electoral votes, representing a minority of the people, it will be tantamount to an usurpation—nothing more! Strange that the Enquirer, who has tacitly approved of the conduct of the Maryland anarchists, should show fire so promptly when "our bull goes his ox."—*L. Virginian.*

Perjury at Elections.—A man named Thomas Davis, has been sent to the penitentiary for 18 months, for swearing falsely, that he had a right to vote at the recent elections in Pennsylvania. He has paid pretty dearly for his whistle.—*Id.*

Legislature of North Carolina.

SENATE.
Wednesday, Nov. 30.

Mr. Bryan of Carteret and Jones, presented a petition in favor of Isaac Hart of Carteret county, praying the Legislature to grant him a duplicate warrant for lands which was read, and on his motion referred to the committee of propositions and grievances. Mr. Davidson presented the petition of Jas. Thompson of Leelell county, praying the Legislature for restitution of a certain sum of money; which was read, and on Mr. D's motion, referred to the committee on propositions and grievances.

On motion of Mr. Fox, the resolution that the two Houses adjourn *sine die* on Monday the 2d of January 1837, and that the clerks of the two Houses make up their estimates accordingly, was taken up for consideration and adopted.

Mr. Montgomery, from the committee on propositions and grievances, to whom was referred the petition of Eliakin Cox and Tilman Vestal, praying compensation for having arrested one James Meadows, a fugitive from justice, charged with the murder of one Daniel Rush, reported a resolution in their favor, which passed three readings and was ordered to be engrossed.

Received from the House of Commons a message, informing that Messrs. B. Jordan, Gales, and J. W. Lave, form the committee on the part of that House, on the joint select committee on the subject of the public printing.

HOUSE OF COMMONS.

James H. Jyrran, one of the members from Duplin, appeared was qualified, and took his seat.

Mr. Clayton presented a petition from sundry citizens of Buncombe, together with a bill to erect a new county, by the name of Madison. Read first time.

A message was received from the Senate, informing the House of the non-concurrence of that branch to the amendment proposed by them to the Joint Rules. On motion of Mr. Graham, the House received from their amendment. Ayes 57—Nays 55.

On motion of Mr. Guinn, of Macon, the Judiciary Committee was instructed to inquire into the propriety of amending the law on the subject, so as to give to the junior Patentee the right of filing his petition, and suing out a *scire facias* in his own name to vacate a grant obtained by fraud and false suggestion of a prior patentee.

Mr. Graham introduced a Resolution in favor of James C. Turentine. Referred to the Committee of Claims.

The bill to lay off and establish a county, by the name of Jefferson, was read the second time. Mr. Graham spoke at considerable length, in favor of the bill; after which, on motion of Mr. Faison, it was laid on the table for the present.

The bill to lay off and establish a county, by the name of Davie, was also read the second time. Mr. Clement urged the passage of the bill with great zeal, when, on motion of Mr. Gilliam, it was laid on the table. Mr. G. said his motion proceeded from hostility to the bill, but he wished time to satisfy doubts which he entertained as to the policy of dividing counties.

Mr. Fisher introduced a bill declaring that the shares of Stock in joint Stock Companies, in this State, shall be deemed and taken as personal estate. Read and referred to the Committee on the Judiciary.

Mr. Petty, a bill to repeal an act of 1835, annexing part of Wilkes county to Ashe. Read first time.

Mr. Fisher introduced a Resolution directing the Public Treasurer to receive in payment for Cherokee Lands, Virginia, South Carolina, Tennessee and Georgia notes. Referred to the Committee on Cherokee Lands.

SENATE.

Thursday, Dec. 1.

Mr. Kerr presented the petition of George Williamson, sheriff of Caswell county, praying that insolvent bills be allowed him. Referred.

Mr. Reed presented the following resolution, which was read and adopted:

Resolved, That a message be sent to the House of Commons, proposing to raise a joint select committee, to consist of three on the part of each House, to take into consideration so much of the amended Constitution as requires the General Assembly to prescribe, by law, the manner in which it shall determine contested elections for Governor; and that the committee be requested to report a bill for that purpose.

Received from the House of Commons a message, proposing that a joint select committee, consisting of four on the part of each House, be raised, to enquire what alterations and amendments ought to be made in the revenue laws of the States and that to the said committee shall be referred so much of the Governor's message as relates to the law for the assessment of lands for taxation; which, on motion of Mr. Mosely, was ordered to lie on the table.

Mr. Barnitt presented the following resolution, which was read and adopted:

Resolved, That a select committee be appointed, whose duty it shall be to enquire whether the Banking capital of the State ought not to be increased; and if so, whether the better mode of increasing it be adding to the capital of the Banks already chartered, or by incorporating a new Bank or Banks.

Mr. Bryan, of Carteret and Jones, moved that a message be sent to the House of Commons, proposing to raise a joint select committee, consisting of five members from each House, to be selected from the Newbern Judicial District, to inquire into the expediency of altering the time of holding the Superior and County Courts in said circuit, and to report by bill or otherwise which was agreed to.

Mr. Moore presented the memorial of the commissioned officers of Stokes county militia, praying the Legislature that the said regiment be divided into two separate and distinct regiments, consisting each of six companies. Referred.

Received from the House of Commons a message, proposing to refer to a joint select committee of six on the part of each House, the report of the Commissioners appointed for revising and digesting the statute laws of the State which was concurred in, and the following gentlemen appointed as the committee on the part of the Senate, viz. Messrs. Taylor, Morehead, Mebane, Carson, Kelly and Arrington.

Received from the House of Commons a message, proposing that the two Houses of the Legislature on tomorrow at twelve o'clock, proceed to vote for a Senator of the United States to supply the vacancy occasioned by Mr. Mangum's resignation, and informing that the Hon. Robert Strange is in nomination. The message was, on motion of Mr. Bryan of Carteret & Jones, laid on the table. Ayes 25, noes 24; Mr. Hargrave demanding them.

Those who voted in the affirmative are: Messrs. Albright, Bryan of Carteret & Jones, Burnett, Boney, Carson, Davidson, Dockery, Gunder, Hargrave, Joyner, Jones, Kelly, Melchor, Montgomery, Moody, Moye, Morehead, Moore, Myers, Polk, Redding, Skinner, Spruill, Taylor and Williams—25.

Those who voted in the negative are: Messrs. Arrington, Baker, Bryan of Craven, Bunting, Cowper of Gates and Chowan, Cooper of Martin, Dobson, Edwards, Exum, Fox, Hall, Hawkins, Houlcker, Huxley, Kerr, Lindsay, Masteller, Mebane, Mosely, McCortick, Reid, Reinhardt, Sanlers, and Whitaker—24.

Mr. Dolson presented a bill to amend the law relative to receiving bonds of sheriffs which passed the first time and was made the order of the day for to-morrow. (Authorises 12 magistrates to do it.)

Mr. Bryan, from the Judiciary Committee, to whom the resolution heretofore offered directing them to inquire whether certain amendments in the case, as laws were not necessary was referred, made an unfavorable report thereon; which was concurred in, and the committee discharged from the further consideration of the subject.

A message was received from the House of Commons, disagreeing to the Senate's proposition to refer the memorial of a member of the citizens of Rutherford and Lincoln counties, relative to the erection of a new county to a joint select committee of three members from the counties of Lincoln and Rutherford, and proposing to refer it to a joint select committee of two on the part of the Senate and four on the part of the Commons, from the above named counties. Concurred in.

On Mr. Edward's motion, a message was sent to the House of Commons, proposing to raise a joint select committee of three members from each House to arrange and prescribe the time and manner for the assembling of the two Houses of the Legislature in order to compare the votes in the late election of Governor, and announce the result. Messrs. Edwards, Hargrave and Hall form the committee on the part of the Senate. Adjourned.

HOUSE OF COMMONS.

Mr. Graham, from the Committee on the Judiciary, to whom it was referred to inquire into the expediency of increasing the tax on Equestrian performers, &c. reported against any increase thereof. Concurred in.

Mr. G. from the same committee, to whom it was referred to inquire into the expediency of giving, by Act of Assembly, legislative construction to the 8th section of the Constitution, reported unfavorably thereon. Concurred in.

On motion of Mr. Blount,

Resolved, That the Committee on the Judiciary be directed to inquire into the expediency of passing a general law concerning Divorce and Alimony.

On motion of Mr. Graham,

Resolved, That his Excellency, the Governor, be requested to inform this House upon what terms, and from whom, the loan of \$400,000, which was directed by the Act of the last session of the Legislature, to provide for the payment of the instalments on the Shares reserved to the State in the Capital stock of the Bank of the State of North Carolina, had been obtained.

Mr. Patton introduced a Resolution in favor of Wm. D. Alexander. Referred to the committee on claims.

The Resolution from the Senate proposing an adjournment of the two Houses *sine die*, on the 2d day of January 1837, was read and adopted.