

Mr. Craig rose, at this point, and observed that had luck would have made even Washington a traitor. Mr. Hoffman rejoined instantly: "but in whose estimation, Mr. Speaker? Perhaps in that of the minions of absolute power,—but not in that of the lovers of liberty. They, whatever might have been the result of that fearful contest, would yet have embelmed that venerated patriot's name, even though, like Russell, Sidney, and Hampden, he had fallen upon the scaffold."

Mr. H. carried this idea out to some extent further, concluding that part of his speech by demanding: "and what is my own State, would have become of the fame of Dewitt Clinton, judged by this rule of good-luck, were his statue torn from its present proud pedestal, in the temple of Freedom, and banished to a narrow niche in that of Fortune?"

Mr. Hoffman's reply to some of Mr. Duncan's remarks, against the claims of Mr. Fulton to the gratitude and justice of the Republic was very fine. That gentleman, said Mr. H., had attempted to show by documents, and to prove by laborious arguments, that Robert Fulton was not the inventor of steam navigation. This was a new idea. It had been often ushered forth, in different countries, by men jealous of the laurels of their own governments in the peaceful walks of science and literature. But he had not anticipated such an argument from the lips of an American citizen, in the halls of the American Congress. He would bid the enquirer go to the western waters, and to ask there, who was the benefactor, to whom was due from posterity the honor and glory of that noble invention which filled these rivers with enterprise, and made them the avenues of so much wealth, prosperity, and national importance? The constituents of the gentleman (Mr. D.) himself, would, with one voice, give a response contradictory of that gentleman's argument.

It was by no means to be wondered at that such emulation existed among the nations, in the assertion of a claim to such a prolific source of national glory. Seven cities had contended for the fame of Homer's birth; and where is the wonder that other lands should strive to place within their boundaries the fountain-head of so many bountiful streams of posterity. England had told the world that it was Scotland that was the honor of this invention; and that it was on the Thames that the first experiment was tried. France, through her Institute had claimed that honor for the Seine; and Spain, degraded and enslaved, Spain, roused by the voice of emulation, had looked forth from her cloistered halls of superstition, and had raised her head from her blood-stained fields, and declared that it was her that this great glory was due. But America, proudly seated upon the monument reared for her by the genius of Fulton, laughs to scorn such pretensions, and looks serenely down upon the billows of strife that rage harmlessly at her feet; despising and defying the futile attempt to calculate the precise value of the very tools, with which the Architect had reared that pyramid of individual fame, and national glory!

But I forbear making further extracts from this admirable effort. It will be published at length in a few days.

The House are to-day engaged, exclusively with the Private Calendar.

No session of the Senate to-day.

Peremptory Mandamus was issued from the Circuit Court, in the Stockton and Stokes case upon Amos Kendall. He is to have till the first of the week to think of his answer. I learn from good authority that he says he shall not obey. The next step will be to commit him to prison: the very quarters to which he once consigned a man, who, compared with him, (whatever the faults of Watkins,) was "as Hyperion to a Satyr."

STENOGRAPHICUS

From the Charleston Patriot.

CHARLESTON & CINCINNATI ROAD.

The Editor of the Patriot is requested to re-publish the annexed article, which has appeared in the morning papers, and which presents some views entitled to the serious consideration of the Stockholders. On examining the Bank Charter, it appears that its great and valuable privileges, when once secured, (as it has already been,) will not be forfeited by any forfeitures on the part of the Stockholders in the Road. Those who pay up their instalments, however, will be exclusively entitled to the property in the Bank. If one half the Stockholders should forfeit, the Bank would belong to the remaining half,—and as it is a Charter granted in three States, for thirty-one years, without a bonus, and with a capital capable of being increased to twelve millions, there seems to be no doubt that it will be of incalculable value. It is morally certain that this bank will be put in operation before another instalment will be called for in the Road, and it may be taken for granted, that the Shares in the Road will then be increased in value. On former occasions, complaints have been made, that in securing Stock in our Banks, the privilege has been monopolized by a few, to the exclusion of a great mass of the people. With regard

to our Rail Road Bank, however, was soon as now open to all. Any one who wants Shares can now obtain them by applying at the Rail Road Office. Those only who neglect or refuse to avail themselves of the opportunity will be excluded. These facts thus made known to the whole community, must exclude all just grounds of complaint hereafter, at the good fortune of those who as Stockholders in the Road, will have secured to themselves the most valuable Bank Charter ever granted in the Southern States, as time will prove. To the Stockholders in the Louisville, Cincinnati and Charleston Rail Road Company.

You are called upon, on or before the 21 day of April next, to pay up a second instalment of five dollars on your share in the capital stock of this Company. Although I am far from distrusting that spirit of patriotism, which impelled you to come forward with your first subscriptions, yet as the gigantic character of the enterprise may have a depressing effect with some of you, I do not conceive that a sincere and devoted friend of the great work can be better employed, than by bringing to your view, a few of the extraordinary aids, benefits and privileges, which belong to us in our corporate capacity.

In the first place we have the legislatures of four States, pledged to our support. Appropriations amounting to upwards of sixteen hundred thousand dollars have been made by two of them, and the faith of our own generous and public-spirited South Carolina guaranteed in the shape of a loan for two million more. To which may be added the recent purchase of the Charleston and Hamburg Rail Road, which gives us 136 miles of construction done to our hands, and the means at once of establishing with the South-Western routes, a most valuable connection, which cannot fail to render the Hamburg Road one of the most profitable, if not the most profitable Road in the United States—an advantage, which gives us an instantaneous connection with the great Cotton growing South-West, before any other route to these can be completed, whilst gradually, according to the development of our resources, we shall be making good our communication with regions of dissimilar resources, but with which we cannot fail to establish commercial connections of incalculable value.—But there is one thing of which under the wise and amended provisions of our charter, you may be altogether certain. Every dollar you raise in South Carolina will be expended in South Carolina. If the Road never extends beyond our own limits, it will still be one of the most signal blessings, which our enterprise and patriotism can achieve for our own State, by giving us a noble highway from the mountains to the sea-board on which we may pass almost with the velocity of the wind, and with the certainty of the progress of light from its inexhaustible fountain. If, however it were necessary to throw out any temptations to your avarice, or the spirit of speculation, let me tell you that the banking privileges granted to your Company by the Legislatures of North Carolina, South Carolina, and Tennessee, have given you the most stupendously valuable Charter ever granted in the United States, and this without one cent of bonus!! A boon as inestimable as it is without previous precedent. These States have in fact incorporated a great Southern Bank of the United States, whose capital may reach 12 millions, but the expansion of which is graduated by a scale so safe, as to insure the highest rates of profits on the operations of the Bank with the most perfect security to its stock. Without a careful investigation of its charter, you cannot be fully sensible of the extraordinary privileges of this Bank. Independently of its notes passing in payment of the public dues in the States we have named, there is little doubt that its circulation will pervade the whole West, and centralise the exchanges of this great region, in South Carolina, making Charleston the second of Southern emporiums. Its profits must, therefore, from its circulation, vastly transcend that of any other Southern Institution, and we state advisedly, and with some experience on the subject, when we say that any set of Directors ought to be drummed out of office, who could not reserve an adequate surplus fund, and yet declare 12 per cent. besides, as a dividend on the Stock of this great Western Rail Road Bank, per annum—and this on a business perfectly legitimate, obnoxious to no scruples of the most fastidious Loco Foco who has ever warred against banks or bankers. I indulge in no unbecoming levity when I say, that such was the desire of the legislatures concerned, to enable the company to accomplish the great work, that the bank may do any thing, but the fraudulent or dishonest. It may buy the entire cotton crop of South Carolina, deal in real estate and merchandise to three times the amount of their capital, and purchase exchanges, foreign and domestic, at any discount, provided it charges but 6 per cent. on promissory notes. Fellow citizens, as certain as the morning star rises this Bank will be put in operation on the first of November next—I know the fact. Stand by your stock then, if you are wise and prudent. My life upon it, the Bank and the Charleston and Hamburg Rail Road, make our success certain, and South Carolina,

though the smallest, will be the most prosperous of the Southern States, and Charleston the Queen of their cities.

MARION.

From the Nat. Int.

The Mandamus Case.

In conformity with the decision of the Supreme Court of the United States in the case of Stockton & Stokes, Relators, against the Postmaster-General, a writ of Mandamus, was, on Friday last, issued by the Circuit Court for the District of Columbia, returnable on Tuesday, the 3d instant. To that writ, return was made to the Court on Tuesday, by the following endorsement upon the copy of the writ served upon the Postmaster-General:

Post Office Department,
April 3, 1838.

Having communicated the awards of the Solicitor of the Treasury, referred to in the writ, to the Auditor of the Treasury for the Post Office Department, who has the legal custody of the books in which the accounts of this Department are kept, I have received from him official information that the balance of said awards, viz. thirty-nine thousand four hundred and seventy-two dollars and forty-seven cents, (\$39,472 47) has been entered to the credit of the claimants on said books.

AMOS KENDALL,
Postmaster-General.

This being read in Court—

Mr. R. S. Coxe, for the Plaintiffs, gave notice that he should on the following day move to quash the return as unsatisfactory and insufficient.

[In the course of the day the Plaintiffs received at the Treasury the principal amount of the award made, under the act of Congress, by the Solicitor of the Treasury. So, to this extent, the act of Congress, and the decree of the Circuit Court, affirmed by the Supreme Court, were at length being carried into effect, though not respected, as it was the duty of the Postmaster-General, in common with all other good and orderly citizens of the United States, to have respected, at first, the act of Congress; secondly, the Mandamus of the Circuit Court; and, thirdly, the decision of the highest judicial tribunal.]

Yesterday, in accordance with the notice given, Mr. Coxe made a motion to quash the return upon the writ of Mandamus against the Postmaster-General. The manner of the return, Mr. C. argued, (in supporting this motion) was a gross contempt of Court; for the Postmaster-General puts himself, in his reply to the writ, on the very ground over-ruled by this Court, and abandoned by his own counsel before the Supreme Court. The Court he said, could hardly consider the return sufficient, without admitting that the Postmaster-General was right in his original ground, and that the Court was wrong in deciding against it. That the tenor of this reply on the part of the Postmaster-General was entirely inconsistent with his own previous actions; for that, when the award of the Solicitor of the Treasury, under the act of Congress, first came into his hands, he undertook to give instructions how, and to what extent, the award should be executed by the Auditor, and it was not until a fortnight after the decision of the Supreme Court in the case, that he found out he had nothing to do with it, and that the Auditor had exclusive control over it. Mr. C. further suggested that, with regard to this matter, the Postmaster-General had not certified any one thing which the writ of Mandamus required him to certify. This, however, he said, was a matter for the Court itself to decide upon, in which the Relators had no interest, further than to see the dignity of the Court sustained.

On the part of the Relators, he maintained that in one point of substance the return was wholly insufficient, because it had been now only certified that a balance was due which had been reported to be due sixteen or seventeen months ago, say in November, 1836. The award made by the Solicitor comprehended the interest due on the balance up to the date of the award. The Postmaster-General objected to the award of the Solicitor, that he had transcended the authority of the act of Congress, and one of the specific objections was the allowing of interest on these claims. This Court, by deciding that the Solicitor had not transcended his jurisdiction, and the Supreme Court by the unanimous adoption of the same doctrine, had decided that the plaintiffs were entitled to interest, and, consequently, the payments that have been made, including interest only to November, 1836, are payments on account, and not in full compliance with the writ of Mandamus.

For these and other reasons, Mr. Coxe moved to quash the return as insufficient.

The Court took time to consider the motion.

From the Picayune.

BY "OUR HORSE."

As the express was so barren of news, we kept our paper open till 3 o'clock this morning, in hopes of giving the latest intelligence by the timely arrival of our animal. Accordingly, we were not disappointed. He merely saved his distance, furnishing us with advices of all things every where, up to the latest moment.

Col. Webb is so rank for fight, that he has offered to take command of the exploring expedition, in hopes that he will thus discover some opportunity for exercising his organ of combativeness.

Mr. Adams presented a memorial

to Congress, praying that a minister might be appointed to go to Africa, to convert a large tribe of baboons, who are represented to be in a state of the greatest heathenism. Another, by the same gentleman—praying that the question may be settled "as to whether there be a man in the moon or not."

Mrs. Fanny Wright Darasmont has written a treatise, proving that human beings originally walked on their heads, and that the use of legs in locomotion was never known until the third century before the Hejira.

Late advices from Calcutta state that a Brahmin had found a manuscript, written in the Sanctrit language 10,000 years ago, predicting that in 1840 the U. States Government would subsist on sour krout for want of specie.

The Paris papers say that Louis Philippe met with a retort while conversing with an English prisoner.—"I am," said the king, "the greatest warrior on earth, and before me the nations quiver. The musmaman raised his hands, and turning in his toes, made the following reply: "Barah beth allakalla hibed, ben adel kadel busy fusty; moshemoth, el dar ahah, bah tah sah rufti pufti hoben ozeoktash kudel"—which is a very vivid specimen of that poetic style common in the Orient. Southey has elegantly translated it for the London Court Journal, as follows:

"If you tell me the truth, oh most terrible sire, Ev'ry Yankee on earth is a villainous liar; For they say that you quail'd at the sight of a Ricksy, And looked as if you had been run through a cotton gin or Pickery."

Correspondence of the National Intelligencer.

New York, April 2.

From Liverpool we have news to March 1, but the English papers are barren of news. Mr. O'Connell has been brought up before the House of Commons for charging the Election Committee with "foul perjury" in a speech he made at the Crown and Anchor; and the vote to reprimand him, which was large, is claimed by the party out of power as a victory. Mr. O'Connell will refuse, it is said, to appear at the bar, and thus compel the House to imprison him. All excitement respecting Canada affairs had subsided. The British public seem disposed to justify the Caroline (steamboat) affair, on the authority of despatches from Sir Francis Head.

From France we learn that the question of retaining the French possessions in Africa is seriously agitating the British Public. Eighteen millions of francs being already demanded for this year. From other parts of the Continent I see nothing remarkable.

The Cotton Market was falling off a little in Liverpool, and the money market was becoming "tighter." I am seriously afraid that our importation of specie will again injure the price of our staples and the value of our stocks in England. If we insist upon returns in specie, we must submit to hard-money prices. The United States must remember that they cannot derange the specie balance of the world with impunity.

It is said that a petition has been sent from Albany to this city, that the Legislature will vest the Governor with the power of putting off the day for the resumption of specie payments, provided the other States will not act with New York.

The Whig Young Men have a great meeting this evening in Masonic Hall. This will be a great week for skirmishing, and the next week for the fight. Tammany has a convocation on to-morrow night.

The Captain of the Leonidas, from Malaga, reports that when he left it was believed that the troops of Don Carlos were within 30 miles of that place, and an attack was expected.

Sir Francis Head sailed to-day. At a dinner party here, he expressed himself kindly of Gen. Scott, and gave his health.

The Money market is in a gloom. All stocks are dull and down to day. Our prospects ahead afford no encouragement for enterprise or speculation.

NEW YORK APRIL 4.

The compliments of the State of Connecticut, with a Whig majority of about five thousand, to Mr. Van Buren, his Honorable Cabinet, and Congress, I send, and by request, too, of many of the Sovereign People, who think my news will first greet the eyes of the tenants of the Capitol and the White House. The Whig victory is complete, with no ifs nor ands, but about it. The largest vote ever known in the State has been given. The Whig gain is over Seven Thousand.

Twenty of the twenty-one Senators elected are Whigs. The House will stand about thus.

Whig	154
Locofoco	50
Conservative	10
	214

But where there is such a complete route of a party, particulars are not necessary. Every thing is ours, unless it be Middlesex county, and there the run is so close, that there is some doubt. The gain is a State—a Senator in Congress—and, ultimately, of all the Members of the House from the State.

This news coming in upon our Charter Election has cheered our politicians here. The Connecticut

boats come in with flags, and the people on the wharves cheer them as they come.

This city is now in the height of the political ferment. The Locofocos held a very large meeting in Tammany last night, and afterwards paraded through several of the Ward's in procession, with drum, fife, trumpet, and all sorts of Locofoco clangor.—They will give us Whigs a good deal of trouble. Locofocism here is a fanaticism, a St. Simonianism, and the People who are infected with it seem to be as mad as the Indian prophets. But New York city is as firm as a rock, and they only howl around its base.

The question of the resumption of specie payments occupies public attention very much. The Boston Banks seem to be hesitating, and the Suffolk Bank there, the organ of the New England Banks, has resolved not to resume, unless New York and Philadelphia lead off. A memorial has been presented in the New York Legislature, asking for the credit of the State to sustain the New York Banks in the resumption. New York, I say again, is wavering on the proposed resumption. The law, as it is, compels the Banks to make the attempt, but alarming consequences are apprehended by many on account of it.

Things are a little better here to-day in the money market. Stocks have risen. We have rumors from Albany, that New York alone will not be driven into the resumption of specie payments.

The Sub-Treasury Bill—As amended.

—Mr. Calhoun's Speech on the amended Sub-Treasury bill as it passed the Senate, will attract attention. It is a clear exposition of unanswerable objections to the wretched abortion of the Party. It exhibits the absurdity and folly of establishing safes, vaults, Receivers General, Sub-Treasurers, &c. to keep bank notes, and it displays, in a strong point of view, the increase of power and patronage which the bill confers upon the Executive, by enabling him to control the banks. As represented by him, and we believe truly, the system proposed by the bill, is more corrupting, and in every respect in which it may be regarded, more objectionable, than the excluded Pet Scheme. The principle of divorce, the only feature of the original bill which had any claim to merit, is rejected, and a gigantic machinery of corruption substituted in its place.

This result, we have ever believed, was the object of the Administration leaders. They have not from the beginning contemplated any system, which would diminish—which would rather increase the already overwhelming power of the Executive. All their acts have forced this conviction upon us. Their recent course on the Sub Treasury bill, marked as it is with duplicity, will tend, we think, to produce the same conviction on the minds of those of our State Rights friends, who have been disposed to view with favour the financial scheme of the party.

We think some of our Whig contemporaries have been illiberal in their comments on Mr. Calhoun in respect to his vote against the Sub-Treasury bill in its present shape. His conduct on that occasion, as we have before observed, proved that he acted from principle and not from party; and requiring as it did a high degree of moral courage, deserved any thing rather than censure. The course of "the party" made him realize his anticipation, that they were men "in whose wisdom, firmness and patriotism he had no reason to confide," and as soon as he discovered that, he abandoned them and stood alone.—Rich. Whig.

ARKANSAS AND TEXAS.

Considerable difficulty has recently occurred between Arkansas and Texas, in relation to their boundary. It seems that Texas has laid claims to Fayette and Miller counties in Arkansas, and established Land Offices there; but what is still worse, a majority of the people of those two counties side with Texas—they have even elected representatives to the Texian Congress, organized counties, and elected sheriffs, coroners, clerks &c. They also refuse to pay taxes to, or to recognize the jurisdiction of, Arkansas.

In consequence of the symptoms of trouble, the Legislature of Arkansas has passed an Act "to sustain the sovereignty of the State, and enforce its authority within its Constitutional boundaries," the provisions of which are said to be remarkably rigid and severe.

Reg.

George Wolfe, who was some time Governor of the great Commonwealth of Pennsylvania, when he was defeated by the people, was taken up and provided for at Washington. He received there as a remuneration for his services to the party, the office of Comptroller of the Treasury, with a salary of \$2,500 or \$3,000. He has remained quiet and contented in this snug berth for the last two years—but recently, when his rival, Mr. Muhlenberg, was appointed to the dignified station of Minister Plenipotentiary to the Court of Vienna, his gander was roused—he chose to consider his dignity outraged, and threw up in disgust the petty office of Comptroller—This had a fair seeming and chivalrous bearing. But he was offered the Collier's ship at Philadelphia—an office subordinate to

the Comptrollership, but with a large salary appended. This he readily accepted, and saved his wounded honor.—Whig.

The Dayton (Ohio) Journal publishes the following letter from Washington, which purports to give the sentiments of Gen. McKean of the Senate, touching Ex-Governor Wolfe's course.

Gov. Wolfe has gone to Philadelphia to receive a remuneration for his wounded honor.

It is understood that Gen. McKean refused to see him when he left this city, and on being asked if he would call and take parting leave of his old friend Wolfe, he replied—"No! I say it with pain, I cannot. I have lost George Wolfe long, and have stood by him in good and evil reports, with the fidelity of a son. He knows that I know he resigned the office of First Comptroller because he believed his honor required him to do so, on account of the distinction conferred on Mr. Muhlenberg; and he knows that I think he could not, as an honorable man, accept the office he has as an equivalent, and that in doing so he has disparaged his State, his friends and himself. Under such circumstances, he cannot wish to see me, and I do not wish to see him."

THE STAR

RALEIGH, APRIL 11, 1838.

THE SWAMP LANDS.

We publish this week a part of the Report of Charles B. Snow, Esq., the Engineer of the Literary Board of this State, on the drainage of the Swamp Lands lying in its eastern section.

Mr. Snow's Report is very able; it exhibits a fund of interesting and useful scientific knowledge. We hope our readers will peruse it attentively.

The wisdom and sound policy of the Legislature in adopting this plan, cannot be too highly appreciated or commended. And we hope so fully that this great work—the various systems of internal improvement now springing into life—and the disposition to promote the manufacture at home of our great staples, all indicate the dawn of a brighter day upon North Carolina.

SUPERIOR COURT.

Our Superior Court was in session last week, Judge Pearson presiding. But little business was done. George W. Daily, of Richmond, Va. who was indicted for robbery at Gentry's Hotel, in January last, confessed his guilt, and was sentenced to receive forty save one on his bare back, which were duly administered.

¶ We regret to announce the death of another member of the National Legislature, the Hon. Isaac McKim, of Maryland, died on the 1st inst. He was (says the Intelligencer,) a wealthy and spirited merchant of the city of Baltimore, of exemplary private character, benevolent disposition, and urbane manners.

Editor's Correspondence.

WIXOM, March 27, 1838.

I intended to have given you a pretty full account of old Bertie, and my visit to the Fisheries; but the want of space will cut me short. I can only say, in brief, that I remained at Windsor from Sunday until Friday evening, as was Superior Court week. Judge STRAY presided. He is truly an excellent man, and an able jurist. Deeply high as he stood before, the dignity, impartiality, and ability with which he presided, added to the uniform and pleasing urbanity for which he is distinguished, elevated him still higher. The causes on the civil docket, which were few, and unimportant, with but one exception, were continued. There were only two criminal cases, both of which were tried. The first was, the State vs. negro Brown, the property of Thomas BERRY, Esq., charged with the murder of his fellow-servant, Tom. It appeared in evidence that Stephen acted as foreman on the farm, under authority from his master; and that on the morning of a certain day the deceased was engaged in a fracas with his wife and the mother of Stephen, as his child, that Stephen went for him to come to his work; that his delay in coming caused Stephen himself to start after him; that he met him on the way; when angry words passed between them, and a rencounter ensued, in which the deceased drew his knife, and inflicted two or more gashes upon the prisoner. They were then separated, and kept apart by the other negroes, until they reached their work, one or two hundred yards distant—Tom all the time with his knife open, and with a hoe in his hand. Stephen thereupon snatched up his own hoe, and inflicted the deceased to strike as soon as he pleased—he was then ready to receive his blow; when the deceased advanced in a threatening attitude; and the prisoner then struck him on the head with his hoe, and inflicted a wound, of which he died some months after. The prosecution was conducted, with great ability, by D. OUTLAW, Esq., Solicitor for the District; the defence by JAMES IRDELL, JAMES ALLEN, and WM. W. CHERRY, Esquires, who did ample justice to their client and the enviable reputation they sustain at the Bar. The negro was convicted of manslaughter, branded and released.

The other was the case of the State vs. negro Jim, the property of Dr. Mebane, charged with having committed a rape upon a respectable white woman. This atrocious crime was committed in open day, between 12 and 1 o'clock, in the house of the unfortunate victim, in the absence of her husband. The perpetrator of this daring outrage went into the house under pretence of desiring to have some clothes made. After a patient and impartial hearing, he was justly convicted, and sentenced to be executed on the 20th April. The Solicitor, D. OUTLAW, Esq., than whom there is not an able prosecuting officer in the State, sustained himself in a masterly manner. With a mind that grasps at a glance the whole ground, he seized upon the strong points, and with great clearness, directness and cogency, presents them to the jury. The counsel for the prisoner, Messrs. GIBNEY and ALLEN, made a very able and ingenious defence, on the question of the law