

SOUTHERN CITIZEN, & MAN OF BUSINESS.

BY BENJAMIN SWAIN.

WHAT DO WE LIVE FOR, BUT TO IMPROVE OURSELVES AND BE USEFUL TO ONE ANOTHER?

VOLUME I—NUMBER 2.

TERMS—\$2 IN ADVANCE.]

ASHBOROUGH, N. C. SATURDAY, JANUARY 7, 1837.

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**SOUTHERN CITIZEN,
AND MAN OF BUSINESS,**
BY BENJAMIN SWAIN,
Every Saturday Morning.

TERMS.

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ADVERTISEMENTS, inserted on the usual terms.

Man of Business.

IGNORANCE OF THE LAW EXCUSES NO MAN.

ASHBOROUGH, N. C.

Saturday, Jan. 7, 1837.

ATTACHMENTS.

When an attachment, returnable before a Justice, is levied on land, advertised according to law for thirty days, final judgment taken, &c. and the proceedings returned to Court, to obtain an order of Sale.—Query: Is it necessary to advertise in a newspaper, under an order of Court, before the *Venditioni Expositio* issues?

The practice is different in different Courts; and in fact, in different cases in the same Court. Our Query is respectfully addressed to the Profession, in order that the practice may be settled correctly.

This is a matter of some importance. For if it is not necessary to advertise, by so doing you delay the plaintiff three months at least, and incur additional expense. If, on the other hand, it is a necessary part of the process, and you omit it, the purchaser of the land acquires no title.

ARCHEMEDES.

About one hundred and forty years after the death of this *Pater of Mathematicians*, Cicero had a curiosity to find his tomb; which he, after great search, discovered by a pillar, on which was delineated the figure of a sphere, and that of a cylinder; with an inscription on the foot of it, pointing out the proportion that the surface of a sphere bears to that of a cylinder of the same base and altitude; which is *as 1 to 1 1/2*: a proportion discovered and demonstrated by Archimedes.

DETENTION OF LETTERS.

It has been decided by the Supreme Court of Maine, that an action on the case lies against the Post Master, for the detention of a letter, by one of his clerks, when called for by the owner. In this case the plaintiff recovered 530 dollars.

STAY OF EXECUTION.

When the Judgment of a Justice is founded on a former Judgment, no Stay of Execution is allowed.

Love—If you cannot inspire a woman with love for you, fill her above the brim with love of herself, and all that runs over will be yours.

SELECTED.

RULES FOR CONVERSATION.

By Thomas Jefferson

1. In stating the prudential rules for our government in society, I must not omit the important one of never entering into dispute or argument with another.

2. I never saw an instance of one or two disputants convincing the other by argument. I have seen many of them getting warm, becoming rude, and shooting one another.

3. Convincing is the effect of our own dispassionate reasoning, either in solitude or weighing within ourselves, dispassionately, what we hear from others; standing uncommitted in argument ourselves.

4. It was one of the rules, which made Doctor Franklin above all others, the most amiable man in society, never to contradict any body. If he was urged to announce an opinion, he did it rather by asking questions, as for information, or by suggesting doubts.

5. When I hear another express an opinion which is not mine, I say to myself he has a right to his opinion, as I have to mine; why should I question it? His error does me no injury, and shall I become a Don Quixote to bring all men by force of argument to one opinion?

6. If a fact be misstated, it is probable he is gratified by a belief of it, and I have no right to deprive him of the gratification.

7. If he wants information he will ask it, and then I will give it in measured terms.

8. If he still believes his own story and shows a desire to dispute the fact with me, I hear him and say nothing. It is his affair not mine, if he prefers error.

9. There are two classes of disputants most frequently to be met with among us. The first is of young students just entered the threshold of science; with the first views of its outlines, not yet filled up with the details and modifications which a further progress would bring to their knowledge.

10. The other consists of ill tempered and rude men who have taken up a passion for politics.

11. Good humor and politeness never introduce into mixed society a question upon which they foresee there will be a difference of opinion.

12. Be a listener only; keep within yourself the habit of silence, especially in politics. In the present fevered state of our country, no good can ever result from any attempt to set one of these fiery zealots to rights, either in facts or principles. They are determined as to the facts they will believe, and the opinions on which they will act.

13. Get by them, therefore, as you would by an angry bull; it is not for a man of sense to dispute the road with such an animal.

A once popular but now forgotten Essayist, thus describes his wishes. They indicate much good sense, and their attainment is within the power of almost every one, who is willing to act with common prudence:

Were I to describe the blessings I desire in life, remarks the writer to whom we have referred, I would be happy in a few, but faithful friends. Might I choose my talent, it should rather be good sense than much learning. I would consult in the choice of my dwelling, convenience rather than splendor; and for my circumstances, desire a competency rather than a fortune.—Business enough to secure one from indolence, and leisure enough to have always an hour for recreation or for rest. I would have no master, and desire but few servants. I would not be led away by ambition, nor be perplexed with disputes. I would enjoy the blessing of health, but would rather be indebted for its continuance to a regular and active life, and an easy mind, than to any disciple of the school of Hippocrates. As to my passions, since we cannot be wholly without them, I would hate only those whose manners and actions render them odious, and love only the virtuous and the kind. Thus would I pass cheerfully through

that portion of my life, which is the prelude to death, and with resignation wait for that which will last forever.

THE SOUTHERN AND WESTERN RAILROAD.

We have received a pamphlet containing the reports of the Commissioners and Surveyors of the Charleston and Cincinnati rail road, to the Knoxville convention. What may be called the central route is recommended by the engineers, passing up through the north west corner of South Carolina, through the south-west extremity of North Carolina, into the centre of East Tennessee, and thence by the valley of the Kentucky river towards the Ohio. This route touches neither Georgia nor Virginia. Besides presenting the most favorable location for a rail road, it has the advantage of penetrating into the heart of East Tennessee, a region says the report, lying between the Alleghany and Cumberland Mountains in which there are more unexplored sources of wealth, mineral and manufacturing; than are to be found within a similar extent in any other part of the United States. The route passes also through one of the most fertile portions of Kentucky.

Balt. Amer.

THE CHARLESTON, LOUISVILLE AND CINCINNATI RAILROAD.

One of the most interesting papers read at the recent convention at Knoxville, was that by Col. Blanding of South Carolina, pointing out in a brief sketch the immense connexions and resources of this great work. It passes through, or is immediately connected with a population of from two to three millions, 10 degrees of longitude, and 12 of latitude, comprising all the variety of soil, climate and productions of South and North Carolina, Georgia, Alabama, Tennessee, Kentucky, Indiana, Illinois and Ohio.

1. In Georgia—It will connect by a track through Rabun's Gap, with the following rail road and steam boat routes in that State: The Athens and Augusta rail road, and from Augusta to Charleston, and by steamboat with Savannah. The rail road from Forsyth to Macon—the central rail road to Savannah, the steam navigation of the Ocmulgee to Darien, with the rail road to Columbus, and thence the steam navigation of the Chatahoochie to the Gulf of Mexico in Alabama.

2. Alabama—From Columbus, (Geo.) there will be a rail road to Montgomery, Ala. from whence the steamboats pass by Alabama river to Mobile. A rail road is now being constructed from Wetumpka, the head of steam navigation on the Alabama river 70 miles to the upper part of the rapids of Coosa river, to be extended to the western branch or main trunk of the Georgia railroad leading to Columbus.

3. Tennessee—Connecting with the road as it passes through this State, will be the steam navigation of the Tennessee river from Knoxville to the Tusculum rail road, which passes around the muscule shoals—also with Cumberland river, Nashville and Middle Tennessee.

4. North Carolina—The road will probably connect with the works of this State at Beatty's Ford on the Catawba river—thence with the rail road to Fayetteville and Wilmington on the Atlantic, and Salisbury on the last mentioned road to Clinton, and thence to Raleigh thence to Weldon on the Roanoke and to Petersburg and Norfolk (Va.)

5. Virginia—Besides the above

connexions with the sea coast of Virginia, a company is chartered to construct a branch to pass down the valley of that state to meet the great trunk.

6. Ohio—At Cincinnati the road will be extended by Springfield to Sandusky Bay on Lake Erie. At Cincinnati the great road will meet also the canal from Ohio river to Dayton, and the canal contemplated from the White Water canal (Indiana) At Maysville the great road meets the Ohio River 7 miles below the entrance of the Ohio and Erie canal, which extends through Ohio to Cleveland on Lake Erie.

7. Indiana—Near the Lexington rail road in Kentucky, now progressing to Louisville, the great trunk comes within 20 miles of Madison in Indiana, whence a rail road is about to be constructed through Columbus and Indianapolis to Lafayette in that State at which latter place this road strikes the Wabash, and connects thence with the canal to Lake Erie. The Indiana road will be continued to Lake Michigan. Opposite to Louisville, Ky. the great trunk will connect with the proposed rail road from Jeffersonville to Columbus, Indiana, where it unites with the Madison and Lafayette. Thus connects again with the proposed canal from Lafayette down the valley of the Wabash to Evansville on the Ohio.

The Ohio River is thus reached at three points, on a space embracing 209 miles of that stream, which opens to the Charleston and Cincinnati rail road a steamboat navigation which extends without interruption to twelve States having floating on it as many steamboats as exist in all Europe.

TEXAS.

The following Message was received from the President of the United States, by the hands of Andrew Jackson, Jr. his Private Secretary:

To the House of Representatives of the U. S.

During the last session information was given to Congress by the Executive, that measures had been taken to ascertain "the political, military, and civil condition of Texas." I now submit for your consideration, extracts from the report of the agent who had been appointed to collect it, relative to the condition of that country.

No steps have been taken by the Executive towards the acknowledgment of the Independence of Texas; and the whole subject would have been left without further remark, on the information now given to Congress, were it not that the two Houses, at their last session, acting separately, passed resolutions "that the Independence of Texas ought to be acknowledged by the United States whenever satisfactory information should be received that it had in successful operation a civil government, capable of performing the duties, and fulfilling the obligations of an Independent Power." This mark of interest in the question of the independence of Texas, and indication of the views of Congress, make it proper that I should, somewhat in detail, present the considerations that have governed the Executive in continuing to occupy the ground previously taken in the contest between Mexico and Texas.

The acknowledgment of a new State as independent, and entitled to a place in the family of nations, is at all times an act of great delicacy and responsibility; but more especially so, when such State has forcibly separated itself from another, of which it had formed an integral part, and which still claims dominion over it. A premature recognition, under these circumstances, if not looked upon as justifiable cause of war, is always liable to be regarded as a proof of an unfriendly spirit to one of the contending parties. All questions relative to the government of foreign nations, whether of the old or the new world, have been treated by the United States as questions of fact only, and our predecessors have cautiously abstained from deciding upon them until the clearest evidence was in their possession, to enable them not only to decide correctly, but to shield their decisions from every unworthy imputation. In all the contests that have arisen out of the revolutions of France, out of the disputes relating to the crowns of Portugal and Spain out of the revolutionary movements in those kingdoms, out of the separation of the American possessions of both from the European Governments, and out of the numerous and constantly occurring struggles for dominion in Spanish America, so wisely consistent with our just principles has been the action of our Government, that we have, under the most critical circumstances, avoided all censure, and encountered no other evil than that produced by a transient arrangement of good will in those against whom we have been, by force of evidence, compelled to decide.

It has thus been made known to the world that the uniform policy and practice of the United States is, to avoid all interference in disputes, which merely relate to the internal government of other nations and eventually to recognize the authority of the prevailing party, without reference to our particular interests and views, or to the merits of the original controversy.—Public opinion here is so firmly established and well understood in favor of this policy, that no serious disagreement has ever arisen among ourselves in relation to it, although brought under review in a variety of forms, and at periods when the minds of the people were greatly excited by the agitation of topics purely domestic in their character. Nor has any deliberate inquiry ever been instituted in Congress, or in any of our legislative bodies, as to whom belonged the power of originally recognizing a new State; a power, the exercise of which is equivalent, under some circumstances, to a declaration of war; a power no where expressly delegated, and involved in some of the great powers given to Congress; in that given to the President and Senate to form treaties with foreign powers, and to appoint ambassadors and other public ministers, and in that conferred upon the President to receive ministers from foreign nations.

1. In the preamble to the resolution of the House of Representatives, it is distinctly intimated, that the expediency of recognizing the independence of Texas should be left to the decision of Congress. In this view, on the ground of expediency, I am disposed to concur; and do not, therefore, consider it necessary to express any opinion as to the strict constitutional right of the executive, either apart from or in conjunction with the Senate, over the subject. It is to be presumed that on no further occasion will a dispute arise, as none has heretofore occurred, between the Executive and Legislature in the exercise of the power of recognition.

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