# GEORGIA AND THECHEROKEES

We published in our last the interesting correspondence between Mr. Winr and Governm GILMEN, in relation to the controversy b tween Georgia and the Cherokees. Since then, we have read the Charge to the Grand Jury of Clark county, in that State, by Judge CLATTON, which is, to use one of Mr. WED-STER'S expressions, as " lotte a manifesto," at one need desire to see. If it be taken as an indication of the state of public feeling in Georgia, as it most probably is, we fear resuits more serious than have been apprehend ed, will eventually grow out of this question. We subjoin parts of the charge alluded to .-The portions omitted, contain violent personal reflections on Mr. FRELINGHUISEN of New Jersey and the Rev. Dr. Milson, of New. York, in consequence of certain remarks attributed to them, the republication of which might impose on us, the necessity of inserting any rejoinder which these gentlemen, or either of them, may feel disposed to make :--Gentlemen of the Grand Jury :

A circumstance of some interest to the community, of which we are a part, imposts upon me the necessity of departing from my usual silence in relation to Grand Jury charges.

The Legislature of this State, at their last session, passed an act "to add the territory lying within the chartered limits of Georgia, and now in the occupancy of the Cherokee Indians, to the counties of Carroll, De Kalb, Gwinnet, Hall and Habersham, and to extend the laws of this State over the same, and to annul all laws and ordinances made by the Cherokee nation of Indians, &c."

It will be perceived that three of the counties to which jurisdiction is given for executing this act, belong to the circuit over which I preside ; and although no duty in relation to it can devolve on you, vet there are two motives influencing me to embrace this the earliest occasion to take and express a' public notice of the

First-As it is my fixed and determined purpose to enforce the act, founded upon the most deliberate and conscientious belief of its constitutionality, which hes been so much questioned. I desire to know whether the Court will be supported in this resolution by the people of Georgia. This is a plain and perhaps a startling language, but the occasion requires it and none other. If the laws are to be enforced, and no law can be executed contrary to public opinion, the public sentiment must not falter ; it must come right up to the point, and be willing to meet all consequences ; some of which, as will be presently shown, possessing the most delicate character, are likely to occur. If it is not to be enforced, if it is to remain a dead letter, or what is worse, to be held out only as an expedient subject to all the indecision of such a condition, it nught to be repealed ; and, as the elections are at hand, the People will have a fair opportunity of settling the question through their representatives at the next session of the Legislature. Second-My other purpose is to apprize the Indians, that they are not to be oppressed as has been sagely foretold; that the same justice which is meted to the citizen shall be meted to them .--But, that they must not be deceived by talse friends, who care no more for them than for the wild beasts of their forests. any farther than it serves a miserable selfishness too hollow-hearted for an open ayonal, and too infamous for an honest discussion. If I am asked what has made it necessary to bring the public attention so strongly to a contemplation of the probable results of this law, I reply. 1st. Beside the fact officially announced in the council of the Indians, lately assembled, I have received information from the Executive branch of this government, that counsel have been employed by the Cherokee nation, to raise for the adjudication of the Supreme court of the most kindness, justice, and humanity .-United States. the question "whether the State has a right to pass laws for the government of the Indians residing within its limits." Now, without intending the least disrespect to that Court, to whose constitutional authority this and all other State Courts, I hope, will most cheerfully submit, this question can never go from a Court in which I preside, until the People of the State yield it, either from a conviction of error, ascertained by their own tribunals, or the more awful sense of their weakness to retain it ; and, it is useless to disguise the matter, to this issue the question must come. if the State is true to itseif. I shall try all cases which may come under the law, and wholly disregard all interference from a broad. The punishments, if any shall be necessary, will be promptly inflicted, save only such as the usual suggestions of humanity may otherwise require. 2d. There has been a most shameless intermeddling, in this matter, on the part. 1 will not say of other States, but by some of the people of other States, as utterly without right or pretext, as it has been wanting in decency and respect. Meetings have been held in all directions, to express opinions on the conduct of Georgia, and Georgia alone, when her adjoin-ing sister States had lately done precisely the same things ; and, in doing which, she and they have done no more than what the very States of these sensitive complainants had effected, from time to time, with an equal regard to their interests, and with infinitely less humanity and forbearance. And, what is conclusive of the fact, Georgia is an old. State, with one-third of ber tereitory yet in the possession of the Indians, while all the other States, old and new, have nearly nor, is charged with the ex cution of the present ordinance. rid themselves of this charge:

These meetings have not been cintent h the expression of opinions, on abstract principles, relating to the rights of the General Government, in respect for which. Georgia vields to none of them ; but they have most insolently attempted to dictate our course in reference to our private concerns. They have demonced the laws passed by our Legislature for. our municipal regulations, in matters perfectly unconnected with any dispute

with the Federal Government.

But what makes these circumstances the more insulfing, they have transpired under a character of inconsistency, of more unmixed hardihood than ever came from the front of the most unblushing impudence. Would any one believe that at the very moment Georgia was receiving such universal obloguy on account of the Indians, the State of New-York was removing her own Indians to the frozen regions of Green Bay, and making them pass through all the trying and affecting scenes which have been so compassionatey portrayed for the Cherokees? That in some of the other northern States the few scattered remnants of this unfortupate race, that were spared from the batchery of dogs, are now in a condition, compared with which. even slavery has nothing more oppressive.

Who says any thing against New-York and these other States ? Is Georgia the only State that has attempted to govern the Indians within her limits ? Indeed, where is the State that has not done it? Has not Alabama, Mississippi and Indiana lately done what Georgia has? Who complains of their conduct? No ! the truth is, Georgia has, submitted long enough to these outrages, it is high time to fling these calumnies back into the teeth lister Secretary of State of the Interior at Paris, of her'slanderers, and that it may be done with the best effect, it should proceed from the highest moral and political eminences of the State. Further submission will only provoke further insult; and as to reproach, on the score of recrimination, we have nothing to fear, for such is the character of their defamation it utterly contemns all relation, from any source which feels and acknowledges the authority of those well known courtesies that govern and refine the force of public opinion. In any thing I have said, or expect to say, I do not wish to be underespecially against the Federal Union .--This is too sacred a subject to be trifled with, and commands, at all times, and in all places, our most unqualified affection and support, so long as it moves within its legitimate sphere. Threats are idle and weak, and oftener betray a wrong than a right cause proceeding upon the idea that more is to be gained from physical than moral power, and that an adversary may be alarmed into compliance -this is not designed. But such is the nature and habits of our institutions, that they require and secure the utmost freedom of speech in relation to all our rights, and more particularly our wrongs. I have mentioned therefore, the foregoing matters to shew you what we may expect in attempting to carry our law into execution. If what we have witnessed be done "in the green tree, what may we not expect in the dry ?" We must be prepared for all events, if we dasign to asser our rights over the territory of the State the object must be pursued with a steady and unflinching purpose, or it ought to be abandoned altogether. So long, however, as the law remains unrepealed, the country has my solemn pledge that it shall be faithfully and partially administered, so far as I am concerned. I only

stood as intending to convey any threat, shall take place in conformity with the 4th arti-

CHARLES By the King ; the peer of France, ministe secretary of State of the department of the Inte-Comte DE PETRONNET.

### FIOT, The election of the Chamber dissolved

Given at HI: Cloud, July 25, of the year

Grace 1830, and of our reign

by this ordinance was just completed. It consisted of 270 members of the opposition, of whom 202 were among those who voted for the address in the late Chamber against the Ministers, 145 were for the Ministry and 15 were undecided, for either extreme. The 3d of August had been appointed for the Meeting of the Chamber, special summonses had been sent to the members elect, and other preparations had been made for the meeting.

Charles, &c. To all those to whom these presents come, greeting. Upon the report of our Council of Ministers, we have ordained and do ordain as follows :-

Article I. The liberty of the periodical press is suspended.

II. The dispositions of articles 1st, 2d and 9th of the title first of the law of Oct. 21, 1814, are fully restored.

Consequently, no periodical or semi-periodical Journal and writing, established or to be established, without distinction of the matters which shall be treated of therein, can appear either at Paris or in the Departments, but by virtue of the authorization which the authors and printers shall have obtained separately from us.

This authorization must be renewed every hree months.

#### It may be revoked.

III. The authorization may be provisionally granted to and provisionally withdrawn by the prefects from the Journals, and periodical and semi-periodical works published or to be published in the departments.

IV. The journals & writings published in con travention of art 2, shall be immediately seized. The presses and types which may have been used in printing them, shall be placed in a pub lic depot under seal, or shall be put out of use. V. No writing ender twenty sheets shall appear without the authorization of our Minand of the prefects in the departments. Every writing of more than twenty sheets which shall not constitute a complete work of itself shall be also required to be authorized. Writings published without authorization, shall be immediately seized. The presses and types which shall have been used in printing them shall be placed in a public depot and under seal, or put out of use.

VI. Memoirs of learned and literary societies shall be submitted to the previous authorization. if they treat in the whole or in part of political

ifform me that he was ready to submit, and that if I agreed to it he would come to me himself. This young Envoy segnitted himself of his mis-sion with a simplicity like that of the ages of an tiquity. I delivered to him a sale conduct for his father, who on the following day came to thaizing eye the vast crowd which had Algiers. I have left him at the head of the Government, of his province, on condition of his naving to us the same tribute as to the Dey.-The inhabitants appear to be convinced that the Beys of Oran and Constantia will speedily follow the example of the Bey of Titery.

" Confidence already begins to return. Many shops are opened. The markets are supplied with provisions. The prices are higher than in ordinary times ; but competition will soon put an end to this momentary dearness I have entrusted the direction of the police to M. d'Aubignose, a Frenchman, who has resided in the East. A commission, of which M. Deninee, the Chief Intendant, is President has been oharged to point out the modifications which the late events render necessary in the administration and form of government. Gen. Tholoze has been appointed Commandant of the place. His firm and honorable character renders him peculiarly proper for his important post.

"The line of communication beginning at Sidi Ferruch will soon be useless, and henceforward the supplies of the army will be sent to the port of Algiers. This will produce a great saving in the carviage. In a few days the redoubts which had been erected between Sidi-Ferruch and the camp of the besieging army, will be dismantled. Lastly, the depot itself will be abandoned immediately after the hospitals have been transferred to another place, and the provisions there either embarked or consumed.

"Orders have already been given to send back to France the material of the artillery which had not been landed. The train of artillery employed in the siege remains almost entire .---We have found here an immense quantity of powder, cannon balls, &c. and above 2,000 pieces of cannon, almost all of bronze. The value of these articles-that of the iron belonging to the Government-and above all, that of the treasure of which the Paymaster-General is taking an inventory, seem to be sufficient to pay a great portion of the expenses of the war.

" All the Freuch prisoners who were at Algiers were delivered to me on the 5th in the morning, before the French troops took posses sion of the place.

" The heat has been great for some days past Several times Resumur's thermometer has been at 28 deg. Though the siege continued only six days, the activity with which the works were carried on has caused the troops to sustain great fatigues. Dysenteries are become more frequent but those who are attacked by them are not so ill as to quit their corps. We have hardly 250 fever patients in the army. The number of men put hors de combat since the 14th, is 2,300; 400 are dead; 1,900 wounded have been sent to the hospitals. Here as in Egypt, they soon recover. Most of the fathers of those who have shed their blood for the country and the King, will be more fortunate than I amen. My second son had received a severe wound in the battle of the 24th. When I had the honor to inform your Excellency of this, I was full of hopes of preserving him; this hope has been deceived, he has just expired. The army loses a brave soldier, I lament an excellent son. I beg your ex cellency to tell the King', that though struck by this family mistortune, I shall in fil with no less vigor the sacred duties which his confidence imposes upon me.

session to the end, without change of col our or feature ; and surveyed with setu. gathered to witness his ignominious exit; tooking in vain, as he said, for his ... pretended friends," by whose evil sugges. tions he had been lured to ruin.

He died without a struggle-the only indications of suffering which he exhibit. ed, were, during the first three minutes five or six slightly convulsive shrugs of his shoulders. He was suspended about hair an hour, when his body was conveyed about a mile out of town, and given ov to his relatives for interment in Loudou He was attended in his last moments by the Rev. Mr. GILDEA and the Rev. Mr. GRACE, of the Catholic Church-the for. mer of whom had been visiting him for the last five months with pious assiduin.

He has left a minute confession, in la own hand writing, of the circumstances connected with the murder, in which he perseveres in implicating those persons whom he had formerly accused as the up vers and accessaries of the foul deed.

## RALEIGH REGISTER THURSDAY, SEPTEMBER 9, 1830.

The Colonial Trade.-No confirmation has yet appeared of the rumor, that the British Government had re-opened their West India ports to the trade of the U. nited States. The Editor of the New. York Albion, however, still thinks an ar. rangement between the two Governments very probable. The opinion of this Jug. nal is the more to be relied on, inasmuch as it has always been the steady advocate of the British Colonial interests.

### -900-

Mecklenburg Declaration of Independent dence.-Our attention is unexpectedlys. gain called to this subject by a public. tion in the last Newbern Spectator, of a extract from Judge Martin's History of this State, giving a faithful account of the Declaration in question, copied, we be lieve, almost literally, from the original article which appeared on the subject in this paper on the 30th of April, 1819; which extract is accompanied by the cupy of a letter from Mr. Jefferson to the elder Mr. Adams, dated July 19, 1819, er. pressing his disbelief of the truth and m ality of this Declaration. A copy of this letter we append to these remarks for the information of our readers. We do not wonder that Mr. Jefferson should have doubted the truth of this Declaration of Independence being made in Mecklenburg, having never before heard of it, and for the other reasons which he assigns. Indeed considerable doubt was publicly expressed at the time this Doce. ment was first published in the Register, not only in the Eastern papers, but else where. We, therefore, thought it our duty to make further enquiries on the subject, and for this purpose applied to our neighbour Col. Wm. Polk, of this city, (son of Col. Thomas Polk, who took t conspicyous part in the proceedings) who though but a youth of 17 or 18 at the time, was present at the meeting which made the Declaration. He assured By that the facts which we had published, were in general correct, though he th ught there was an error as to the name of the Secretary of the meeting, as well as others of a minor kind, but that he would makent his business to obtain from some of the old inhabitants of Mecklenburg, further particulars on this subject. Col. Polk accordingly made the neves sary enquiries, and in February, 1820, communicated to us for publication, Certificates from Geo. Graham, Win. Hulde inson, Jonas Clark and Rohert Robinson, all old inhabitants of Mecklenburg Coult ty, stating, that they were present in the town of Charlotte, in Mecklenburg County, on the 19th of May, 1775 ; that the order for the election of Delegates had manding officer of the Militia of the County; they believed the delegation was complete from every Company; that the Charlotte ; that Abraham Alexander with chosen Chairman, and Dr. Ephraim Brt vard, Secretary ; that the Delegates con tinued in session that day and the nell when Resolutions were brought formation and adopted, which declared the Citized of Mecklenburg County free and indepen dent of the King and Parliament of Great Britain ; and that from that day forth, all allegiance and political relation with them was absolved; which declaration was signed by every member of the delegar tion, amidst the shouts and huzzas of ty. These old men always believed that the Resolutions declaring the Independence of the Citizens of Mecklenburg were drawn up by Dr. Brevard, the Secwas conceived and brought about through the instrumentality and popptarity of Col. Thomas Polk, Abraham Alexander, Joha McKnit Alexander, Adam Alexander,

require the aid of public opinion and the arm of the executive authority, and no court on earth besides our own shall ever be troubled with this question.

To our citizens I would say, let us fal sify the prophecies that have been made as to the treatment which the Indians are to receive at our hands, by exercising to wards that unfortunate people, the ut Their personal rights must be respected. To the Indians I will repeat, they have nothing to dread, as far as they are concerned, either from the character of our laws, or the mode of administration, for if we can live under them, they surely can, and no distinction shall be made in their execution.

### FOREIGN INTELLIGENCE. ANOTHER FRENCH REVOLUTION PROBABLE.

matters, in which case the measures prescribed in Art. 3, shall be applicable to them. VII. Every disposition contrary to the present

or linance shall be void. VIII. The execution of the present ordinance cle of the ordinance of the 27th Nov. 1816, and of what is prescribed by that of Jan. 18, 1817. 1X. Our, Ministers Secretaries of State, shall be charged with the execution of the present ordinance.

Given at our Castle of St. Cloud, the 25th of July, 1830, and the sixth of our reign

CHARLES. By the King, The President of the Council of Ministers, Prince de POLIGNAC. The Keeper of the Seals, Minister Secretary of State and of Justice, &

CHANTELAUZE. The Minister Secretary of State for the Department of the Finances, MONTBEL.

The Minister of Ecclesiastical Affairs and of Public Instruction,

The Count GUERNON RANVILLE. The Minister Secretary of State of Public Works. Baron CAFELLE.

In addition to these decrees, there is a third and long Decree promulgated, making some alterations in the law of elections, to prevent, as is stated in the preamble, the manœuvres which have exercised a pernicious influence over the late operations of the electoral colleges. This decree is said to be contrary to the provisions of the charter, and very much limits the right of suffrage. About onethird of the voters only were to be allowed to vote.

We also learn, that the editors of the newspapers and other periodicals in Paris, had a meeting on the promulgation of the decree suspending the freedom of the Press, and with but one exception had agreed to disregard the decree. France was in a state of political excitement ;the Ministers had sent a representation to the King of the state of the country, and a revolution was even anticipated, as a not remote event, especially if the present Ministry should be relained in office.

The following Official Report of the conquest of Algiers will be read with interest. " PARIS, July 19.

To his Excellency the President of the Council of Mimsters.

" LA CASSAUBA, July 8. " Prince-The taking of Algiers seemed ne cessarily to lead to the submission of all parts o the Regency. The more the Turkish soldiery was feared, the more has its prompt destruction raised in the minds of the Africans the power of the French army. The soldiers themselves have set the example of obedience. In each of their barracks a few soldiers have sufficed to disarm The following important Intelligence is them. At the first orders that they received all have brought their muskets and their yatagans to the place appointed. It has been intimated to them, that the fathers of families would be permitted to remain at Algiers, but that the unmarried men would be conveyed by sea to whatever place they should choose. This deci sion appeared to make but little impression upon them. Most of them are natives of Asia Minor, and have requested to be taken there .----The number of soldiers collected in the barracks is about 2500. These are all unmarried; many of them are old and unfit for military service .-The bravest and most robust have perished in the late campaign. The married soldiers are lodged in private houses ; their number does not seem to be above 1000. For the last three yesrs the blockade made it almost impossible to obtain recruits. A considerable reduction in the strength of the military force was the consequence. "The Dey came vesterday to see me at La Cassauba. He expressed a desire to go and sertle at Leghorn. He will be conveyed thither on board a frigate. Admiral Duperre is taking measures that the unarmed Turks may be embarked almost at the same time. The Moors and the Jews look for their departure, with impatience, Then, and not before, they will think their yoke The Bey of Titery has been the first to perwe that it was impossible for him to continue e struggle. The day after that on which the French troops took possession of Algiers, his on, who is hardly sixteen years old, came to

#### " I have the honor to be, &c. " Count de BOURMONT."

Every thing is said to be quiet at Algiers ; the troops peaceably submitting to be disarmed, and the inhabitants appear ing to be well satisfied with their new masters, and are already very friendly towards the French, frequently amusing themselves with music and dancing.

Private accounts state that the Foreign Legations had not quitted Algiers on the 3d of July, and that the Dey intended to take up his residence at Leghorn.

The Bey of Titery had submitted to the French, promising to pay tribute; and the Beys of Oran and Constina were expected to follow his example. Count Bourmount says they have already taken public property enough nearly to reim burse the expenses of the expedition.

The news of the refusal of the Greek Throne by Prince Leopold has caused a great sensation at Constantinople, and there were frequent conferences between the Reis Effendi and the Ambassadors o the three Powers.

It is said that Prince Philip, of Hesse Homburg, is a candidate for the Throne of Greece.

The Porte has concluded an arrangement with Baron Rothschild for a loan of eight millions of ducats.

The squadron of Mamelucks, belonging to the Dey's Body Guard, has offered to enter the service of France.

The papers do not as yet furnish any intelligence of the number of killed and wounded in the expedition, but it is the general opinion that the neat loss is greater than is stated in the official report .-The Messager computes the loss at from 4 to 5,000 in killed, wounded. &c. The Algerines state their own loss at more than 10,000 in killed and wounded.

The Gazette de France mentioned the been given by Col. Thomas Polk, the comabsence of the American Minister from the performance of the Te Deum for the cap ture of Algiers, and that it was on ac count of the friendly relations subsisting between the Dev and America. This meeting took place in the Courthouse, # was contradicted the next day and the true reason assighed-his being confined at home by a painful though transient in disposition.

## A LATE ARRIVAL.

brought by the Clematis, arrived at Boston, and is copied from the Boston Daily. Advertiser.

The intoxication of the recent successes at A giers has hurriet the King of France into measures which are more than likely to work a revolution in his kingdom. The Paris papers received by this vessel up to the SOth July, contain the important news of the dissolution of the newly elected Chamber of Deputies, and the suspension of the liberty of the Press. The following is the ordinance of the dissolution of the Chamber of Deputies :-

CHARLES, Sc. To all those to whom these precents may come-Greeting :

In consequence of article 50, of the Constitutional chapter.

Being informed of the Macuvres that have been practised in many quarters of our king-dom, to deceive and misle id the electors during the last operations of the electoral colle-

Our council being heard,

We have ordained and do orda Article L. The Chamber of Deputies of the

Departments is dissolved. II. Our minister, Secreta y of State of the inte-

#### From the Virginia Free Press.

Execution .- The execution of Ehene zer W. Cox, for the marder of Col. Dunn took place yesterday at precisely half past 1 o'clock. Not less than 5000 persons were present-many of them from a considerable distance-and it is but justice to say, that we have never seen so large an assemblage behave with more propriety --- During the solemn preparation at the scaffold, a death like stillness large assembly of the people of the Comprevailed, and a feeling of deep sympathy seemed to throb in every bosom .----He met his fate with great firmness, and himself gave the signal to let the drop fall which launched his soul into the world of spirits. He admonished from the plat- retary of the meeting, and that the whole form, in an audible and unfaltering voice, the young men present against an indulgence in the soul destroying habits of gambling and dissipation. Though he gave evident tokens of internal agony