

RALEIGH REGISTER,

AND NORTH-CAROLINA GAZETTE.

"OURS ARE THE PLANS OF FAIR DELIGHTFUL PEACE, UNWARP'D BY PARTY RAGE, TO LIVE LIKE BROTHERS."

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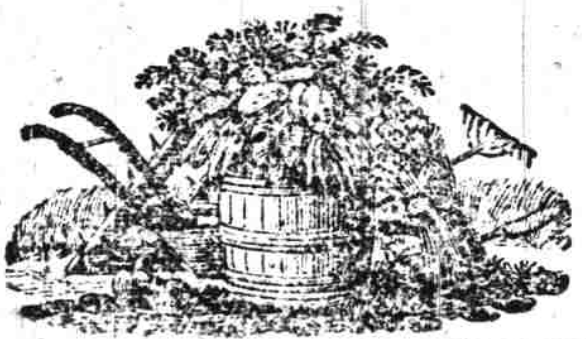
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Agricultural.



The task of working improvement on the earth is much more delightful to an un-ambitious mind, than all the vain glory which can be acquired from ravaging it by the most unimpaired career of conquests. WASHINGTON.

From the Mobile Commercial Register.

MR. EDITOR:—Some years ago, say four or five, I read in the Washington City, and some other public Gazettes, an account of the singularly valuable properties of a Grass, found in the South West, and principally through the provinces of South America, called by the Spaniards the "Gama Grass." I think some time ago a communication appeared in your Register on the subject of this Grass, or an extract from the communication of some Spanish gentleman. On reading in the Washington City papers, however, a communication from a distinguished citizen of Maryland to the Agricultural Society, I determined to procure, if possible, the seed of it, and to ascertain whether or not it would be found to exhibit in Alabama, and its climate and soil, the same valuable qualities.

From the communication before mentioned, a Doctor Hardeman, of Missouri, was stated as the gentleman to whom the country was indebted for bringing into notice and usefulness, this valuable vegetable acquisition. The Doctor was not unknown to me as one of those few minds who can blend together a fair and manly pursuit after the good things of this life, with that happy degree of philanthropy which cannot be satisfied without adding something to the general stock of human comfort and happiness—and the antipode of those who can wrap themselves up in the slazy web of self, and contemplate every thing through that (to them) delightful medium. I learned that his patriotism was equalled by his liberality, and I wrote to him my desire to give to this section of the Union the advantages, if possible, attributed to this valuable plant.—On the receipt of my letter, he immediately forwarded me, by mail, the remaining few seeds he had left, and which I now view it as a remaining duty to the public, to put them in possession of the result, which fixes in my opinion the character of this plant, to this section of the Union as almost invaluable. To the citizens of your town and vicinity, I am assured its value can hardly be calculated.

On receiving the seed, say in March, early, I planted them in a small bed, by drilling, placing the seed about six inches apart. They came up in a few days, and appeared in the form of young Oats. On getting about six inches high, I took them up after a rain, and set them, agreeable to the Doctor's directions, in rows, two feet apart, and eighteen inches from plant to plant, in sandy pine land slightly named. The rapidity of their growth astonished me, and I found by September—each plant, a bunch of fine blades, and the ground completely covered, and the spaces filled up—the Grass three and a half to four feet high. I kept the ground loose and clean, between the plants.—Early in September it was cut, and in taste, resembled young corn blades—a taste, of all others, most agreeable to animals. I found every thing was prodigiously found of it, especially horses and cattle, and that it was a dry grass, with little succulence.

The following spring, early, the ground was stirred between the plants, the roots of which were now about four inches in diameter, resembling the root of sugar cane. A small quantity of manure (cow) was sprinkled over the ground, in December following, and by the first day of May it was four feet in height, a mass of blades, rising from the roots, and standing almost perpendicular, exhibiting a most beautiful appearance of vegetable

luxuriance. It was cut on the first day of the month, and regularly on the first day of every month until November; ranging from three and a half to four and a half feet in height. Single roots produced from twelve to thirteen and a half pounds of grass at a cutting, & which when fully cured produced from five to five and a half pounds of the most highly flavored hay I have ever found, and readily cured. The last year gave a most decisive proof that it is hardly affected by drought, its production being equal to the previous year,—and the last winter, that our severest cold does not affect the roots, now about six inches diameter, penetrating the earth, perpendicularly, to a great depth.

A most accurate cutting and weighing, has determined, that an acre will yield (of fine land manured) from two hundred to two hundred and fifty thousand pounds of green grass during the summer, or from seventy-five to ninety tons of Hay, and of the most nutritious kinds known upon the earth. By a reference to the Washington City papers two or three years back, it will be seen that a distinguished Farmer and Iron-master, states, in a public communication on the subject of this grass, that he found on trial, such was its nutritive qualities, that his mules performed their work well, with plenty of this grass and salt, rendering the addition of corn unnecessary. I discover that it comes to maturity one year sooner in this section of the Union than in Maryland or Missouri. The second year I found a few seed stalks, and the third, say last year, I gathered the seed, a part of which I send you for distribution amongst some of your enterprising citizens, who will not forget to "go and do likewise." In the communication before referred to, it will be found the estimation was, that "one acre was fully competent to the support of twenty head of cattle during the summer."—That it would be admirable for the production of milk & butter, there cannot remain a doubt, and that a little attention to its cultivation would preclude the necessity of purchasing northern hay, is as plain, as that it would add to the comfort and general prosperity of the whole community. Amongst the citizens of many of the South-American States, it is held in an estimation equal to the Guinea grass of the West Indies, but is certainly far superior in value. The duration of the roots I have not learned,—mine are putting out most vigorously this fourth year—a singularly valuable property, different from most other grasses is, that when the seed is ripening on the end of the seed stalks, six to eight feet high, the mass of leaves appears not to undergo any change, and it may be cut immediately after the seed is all gathered, say by the middle of June. The seed is formed, making a jointed appearance at the end of the seed stalk, ripening and falling off one seed at a time. They must be watched and gathered daily as different birds appear to watch for them.

Should the cultivation and possession of this plant prove a source of additional wealth, and add to the welfare of the citizens of your vicinity, I shall congratulate myself for my own good fortune in being instrumental in producing so desirable a circumstance. I shall forward an additional parcel of seed this summer. Respectfully your obt' serv't.

AGRICOLA.

THE CHEROKEE CASE.

From the National Intelligencer.

The opinion of the Supreme Court in the Cherokee case is represented, in some of the Administration papers, as a sanction of the pretensions and conduct of Georgia with regard to the Cherokees and their territory. Here is a gross error. The Court did not mean to give confirmation or countenance to Georgia. They merely declare that they have not the power to interfere in the manner required on the part of the Indians.—National Gazette.

We trust that the decision of the Supreme Court, in the case of the Cherokee Nation against Georgia, will be universally acquiesced in. It will set the question forever at rest, and may perhaps, upon the whole, be rather beneficial than otherwise to the Indians. It will place their relations to the United States upon a sure footing, and give a definite and fixed character to their claims to national sovereignty.—Federal Union Examiner.

The statement of the National Gazette, that, in the late decision of the Supreme Court on the motion on behalf of the Cherokee Nation, the Court merely declared that it has not the power to interfere in the manner required, is entirely correct. A different impression, however, seems to have been received by some, and the notion generally entertained of the effect of that decision appears to us to be not very definite. This is not at all surprising to those who have not before them the opinion of the Court, which discloses the whole merit of the legal question. As it may be some time before that opinion is published, perhaps our readers may not be displeased with such a view of the question as, by light reflected by the opinion of the Court, has presented itself to us. We do not pretend, of course, to give the reasoning of the Court, but to disclose the leading considerations which produce conviction in our mind of the correctness of the conclusion to which it arrived.

First then, we must look at the case, as it came before the Court, without regard to moral or philanthropic or equitable considerations connected with it.—We are not even to enquire, in considering the late decision of the Court, whether the Indians have been wronged by the legislation of Georgia, or by the acquiescence of the General Government in that legislation. Of course, then, we are not to enquire whether the alleged wrongs of the Cherokees require redress. There is a preliminary question which requires to be settled—the question of the right of the Supreme Court to exercise original jurisdiction in the case. If it has not that right, then no case was presented for it to act upon, and it could not grant the injunction prayed for.

The 2d section of the 3d article of the Constitution declares, that "the Judicial power shall extend," among other cases enumerated, "to controversies between a State, or the citizens thereof, and foreign States, citizens or subjects." The same section goes on to declare that "in all cases in which a State shall be a party, the Supreme Court shall have original jurisdiction." If the Cherokee Nation, therefore, be a foreign State, in the sense of the Constitution, then the Supreme Court has original jurisdiction of such a case as that presented by the Cherokees, as was contended by their bill, and by the arguments of their Counsel before the Supreme Court. If the Cherokee Nation be not a foreign power in the meaning of the Constitution, then the Court has not jurisdiction of the case sought to be made before it. The Court decided that the Indian Nations within the limits of the United States are not "foreign States," and therefore refused to grant the writ of injunction.

The reason for this decision are drawn from the terms of the Constitution, from the course of our legislation, from the nature of our treaties and intercourse with the Indians, and from the laws and usages of nations.

The first of these illustrations, without going further, appears to us to be conclusive. In what language, for example, does the Constitution of the United States (the paramount rule for the government of the Court.) speak of the Indian nations or tribes, when it speaks of them at all? Let us examine that point.

1. "Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers; which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons."—Constitution U. S. Art. 1, sec. 2.

In the determination of the numbers of the "respective States" of the Union, one particular class of persons is expressly included, and another expressly excluded. If nothing had been specially said of either of those classes, it might have been doubted whether the Indians were independent of the sovereignty of the Union or not. But here are two classes, respecting which it is questioned whether their numbers be entitled to representation or not. Aliens, being free persons, were subject to enumeration; but it was doubted whether the indented white servants, of whom there were then a considerable number in the several States, could be considered "free persons," and they were therefore specially included, for the same reason, that is, because of the doubts arising from the anomaly of their relation to the several States, the Indians "not taxed" were specially introduced, in order to exclude them from the enumeration, in which it is obvious, they would, in the opinion of the framers of the Constitution, have otherwise been included. If the Indians within the States of the Union had been at that time regarded as foreign nations, of course the Constitution would not have excluded them from the enumeration, any more than it has the inhabitants of Europe, or the wandering Arabs. If they were not "foreign States" at that time, they certainly are not now.

2. "Congress shall have power to regulate commerce with foreign nations, & among the several States, and with the Indian tribes."—Constitution U. S. Art. 1, sec. 8.

In this provision it will be seen that the Indian tribes were not regarded by the framers of the Constitution as "foreign nations," nor as being States of the Union; because, after specifying both of these, it adds, as not being included in either, "and with the Indian tribes."—The conclusion that the Indian tribes and foreign relations were understood to stand in distinct relations to the General Government is irresistible. "The Indian tribes indeed" stand as completely distinguished, in this clause, from "foreign nations," as they do from "the several States." They were neither foreign nations, nor States of the Union, but something different from either.

All the legislation of Congress corresponds with this inevitable construction of the only clauses of the Constitution in which the Indians are specially mentioned. All the intercourse and relations with them have been conducted, not thro'

the Department of State, to which is given in charge the relations of the United States with Foreign powers, but through the Department of War. Who would think of sending a Minister, or Deputation, from one of the Powers of Europe, from the Grand Turk, or the Emperor of China, or from any Foreign Power, to hand in his credentials to the War Minister of the Government?

The treaties made with the Indians, it will be observed, furnish no valid argument in favor of the claim which they set up, for present purposes, to be considered as foreign nations. For, when the Constitution establishes the treaty-making power, it avoids, with evident intent, saying anything which shall limit this authority to treaties with Foreign Nations. "The President shall have power, by and with the advice and consent of the Senate, to make treaties; provided, two thirds of the Senators present concur"—that is to make treaties with Foreign Nations, or, as the Government had theretofore been in the habit of doing, with the Indian tribes.

The treaties from time to time made with the Indians abound with provisions which show that they were considered in a different relation from that of foreign or sovereign and independent nations.—In one of these treaties, for example, it was stipulated that the Indians who were parties to it should be erected into a State or States of the Union, when their numbers should justify it; in another, that a particular tribe should have the privilege of sending a Representative to Congress when sufficiently numerous, &c. Could a similar provision be made by treaty in favor of any foreign nation?

From these and a variety of other illustrations, it is clearly apparent to us, as decided by the Court, that the Indian Nations or Tribes are not Foreign Nations, and cannot therefore maintain actions in the Courts of the U. States, in that capacity. Perhaps it had been better, had the Constitution enumerated the Indian tribes among the parties between whom the Supreme Court may entertain original jurisdiction. But we must take the Constitution as it is, and not as we, for any temporary purpose, may wish that it had been.

On these general grounds, we do not see how the Court could have come to a different conclusion from that which it pronounced. The few suggestions which we have thrown out will increase the anxiety of our readers to see the Opinion of the Court at large, which we are sure will remove every trace of doubt from such minds as have not prejudged the case.

We concur in the suggestion, of the Examiner, that this decision of the Court may, upon the whole, be rather beneficial than otherwise to the Indians. We are satisfied that it will be so.

COMMUNICATION.

FOR THE REGISTER.

Messrs. Editors:

You will oblige a subscriber by giving place to the subjoined Communication from the pen of one of the most distinguished writers in this country.

It is universally admitted, that the prevalence of knowledge and virtue among a people is indispensable to elevated and permanent national prosperity; and pre-eminently so for the perpetuity of republican institutions, in a nation so extended, so multitudinous in numbers, so vigorous in enterprise, and unless restrained by moral power, so sure to be carried by the tide of a corrupting abundance to dissoluteness, effeminacy, and ruin.

It is not denied, that the Sabbath brings to our aid the only power which can conduct our glorious experiment of self-government to an auspicious result; the only power which can balance the temptations of avarice and wealth, and reconcile eminent prosperity with moral purity and abiding liberty and equality.

It is alike obvious, that the Sabbath exerts this salutary power by making the population of a nation acquainted with the being, perfections, and laws of God; with our relations to him, as creatures, our obligations to him as subjects of his moral government, and our character as sinners for whom his mercy has provided a Saviour; under whose remedial government we live, to be restrained from sin and excited to duty by the alternate influence of hope and fear, and to be reconciled to God by the energies of his Spirit attending his word and ordinances.

It is by the reiterated instruction which the Sabbath, duly observed, imparts to the population of a nation—by the moral principle which it forms—by the conscience which it maintains & invigorates—by the habits of cleanliness and industry which it creates—by the rest and renovated vigour, which it bestows on exhausted animal nature—by the lengthened life and higher health it gives—and by the holiness it inspires, and the cheering hopes of heaven that it awakens, and the protection of heaven which its observances ensures—that the Sabbath becomes the great moral conservator of nations.

It is the government of God made effectual by his Spirit, which produces that righteousness which exalteth a nation; and the Sabbath is the chief organ of its administration—the mainspring of all moral movements—the great centre of attraction and fountain of illumination to the moral world.

This omnipresent influence the Sabbath exerts, however, by no secret charm or compendious process upon masses of ignorant and unthinking men; but by calling up the voluntary attention of each individual to those truths by which his knowledge is augmented, and motives are impressed upon his heart, and habits of conscientious action are formed.

The Sabbath exerts no more moral power upon those who withdraw themselves from the duties of it, than schools and seminaries exert of intellectual power upon the vagrant population who never attend them. The folly of expecting to maintain the religious and moral character of the nation without the Sabbath, would not be surpassed by the attempt to disseminate learning over the nation by empty school-houses and colleges. In proportion then, as the inhabitants of our nation are withdrawn by business or pleasure from the instructions of the Sabbath, to the same extent will its moral power be impaired, and the temptations of our abounding prosperity prevail, to corrupt our virtue, and to undermine our republican institutions, and hasten us onward to that fearful state of guilt, which will render self-government impossible, and despotism itself the lesser evil.

The liberties of our country, the welfare of the world, are at stake. If this nation fails in her vast experiment, the world expires;—and without the moral energies of the Sabbath it will fail. We might as well put out the sun, & think to enlighten the world with tapers—destroy the attraction of gravity, and think to wield the universe by human powers—as to extinguish the moral illumination of the Sabbath, and break this glorious mainspring of the moral government of God. And when shall we stop, if not now? and how shall we arrest the evil, but by voluntary association and voluntary reformation?—Will you then, beloved countrymen, for the pitiful gain of sabbath-day earnings, rob the animal creation of that which their Creator gave to them, when he gave us dominion over them? Will you forego the means of grace, purchased for you by the blood of Christ? Stop in your families the wells of salvation, and put out the light of life, and teach your children to work out their destruction, instead of their salvation, upon the sabbath-day? Will you besiege the citadel of civil liberty, & undermine the pillar which sustains the entire superstructure, and bury yourself and your country in the ruins of its mighty fall? You would not steal nor rob for gain, nor send out wild beasts and reptiles to poison and rend. You would plead no liberty of conscience to do this, and no children's bread earned by such enterprise. Why then will you persist so deliberately, so eagerly, so inflexibly, in the violation of the Sabbath, which is but a comprehensive mode of wresting from us all our blessings, and letting out upon the land all manner of evil?

To the labouring poor, particularly would we say, it was for you especially, that the Sabbath was made; and will you sell your birth-right? In all countries where the Sabbath is not kept, the poor are pressed down beneath a hopeless bondage. The Sabbath, duly observed, will raise your families to intelligence, and competence, and all civil honours, as the wheel of Providence rolls; while the violation of it will raise up over you a monied aristocracy, thriving by your vices, and rising by your depression, and dooming you and your posterity to be hewers of wood and drawers of water for ever. If you continue to violate the Sabbath, you may wear the livery of freemen, but it will be in the house of bondage—you may go through the mockery of voting for your rulers, but it will be done under the powerful dictation of masters. God is wise, and you cannot mend his institutions, or do without them: He is omnipotent, and you cannot flee from him; and you cannot stand before him: He is just, and will by no means clear the guilty. And now, friends, and brethren, we trust that through inconsideration you have given yourselves to the violation of the Sabbath; and that, when your own and your country's deep interest in its preservation are considered, you will desist from it, and give your example and influence for the preservation of that blessed day, which is so eminently the poor man's friend, and which hitherto you have too lightly esteemed.

To the Ministers of the Sanctuary we look for abstinence from "the very appearance of evil," for vision eye to eye, and the lifting up together of the voice as a trumpet, to declare to this nation its sin, and to warn the wicked from their evil way. Jealousy can have no place here; we are all sinking together, no denomination can survive the obliteration of the Sabbath.

To the Churches of our Lord, of every name, redeemed by his blood, and associated to maintain his ordinances and ex-

tend his cause, we look for a careful example, a thorough discipline, and a cheerful concentration of their influence, to form an efficient public sentiment which shall rescue the Sabbath from profanation and oblivion. If professors of religion violate the Sabbath, who will observe it? If they do not stand forth united for its preservation, who will defend it? And if, for its violation, "judgment shall begin at the house of God, what shall the end be of them that know not God, and obey not the Gospel?"

A SCENE AT SING SING (N. Y. STATE PRISON.)

From the New York Evening Post.

A few mornings since, a tall and rather good-looking man, in the garb of a sailor, was noticed sauntering about the place where the prisoners of Sing Sing were pursuing their avocations. He was dressed in a rough roundabout jacket, hose-trowsers, and tarpaulin hat; and as he strolled around, noticing the industry and skill of the prisoners in heaving and chiselling the blocks of marble on which they were employed, his countenance wore an expression of approval of their labors very different from that which one of our New-York stone-cutters and anti-monopoly men would have exhibited in the same circumstances. It was early in the morning, and as the sentinels walked to and fro on their posts, their well-cleaned musket barrels glittering in the rising sun, they now and then cast a sidelong glance to the stranger, to see that he held no communication with the convicts over whom it was their duty to keep a vigilant guard. The stranger seemed little disposed to enter into conversation with the compulsory lapidaries, but walked deliberately around from one part of the ground to another, with the air of one who merely desired to gratify his curiosity as to the details of the famous prison discipline of Sing Sing.

While he was thus engaged, a sloop which had been lying at a wharf not far off, shoved out into the stream, its jib and mainsail were run up, and swelled out by the breeze, and a boat belonging to the vessel, which had been detained at the dock, apparently waiting for some one, seemed on the point of leaving it, and pulling off to the sloop. At this moment the stranger turned, and seeing at a glance the situation of affairs, and an expression of anxiety passed over his countenance.

"My stars," exclaimed he, "there goes the sloop, and the jolly boat is going to shove off! I shall be left to a death certainty." As he spoke thus, he stepped quickly towards the shore at a point where one of the sentries was walking to and fro.

"Stand there!" said the sentinel, "you cannot pass this way."

"But, my dear fellow, there goes the sloop, and I shall be left behind, unless you suffer me to pass. I have just returned from an India voyage, and am taking a bit of a round turn up the river, to see the old ones, before I'm off to sea again. Pray let me pass."

"It is contrary to orders," said the soldier, dropping his musket to a horizontal position, and bidding the sailor stand off. You must go out yonder, where you came in. No one is allowed to pass here."

The stranger thus repulsed, turned and walked hastily to another part of the grounds, where he met with an equally prompt refusal from another sentinel. In this dilemma nothing was left for him, but to turn, and pass through the usual place of egress and entrance. As he approached this place, one of the deputy keepers, who accidentally happened to be on the spot, was noticed to cast sundry doubtful glances upon the stranger, and as he drew near and was darting rapidly through, he called out—

"Here—stop—stay, my friend—who are you, and where are you going?"

"For Heaven's sake don't stop me!" cried the tar, "the sloop's off, and if I don't bear a hand, I shall fall astern of the lighter."

The keeper, supposing him really a sailor, who had been passing the time that the sloop had been detained at the wharf in examining the prison and the surrounding works, was about to let him proceed, when another glance seemed to awake fresh suspicions.

"Hold, my friend," said he, laying his hand on the sailor's collar, "all may be fair and above board, but I must look a little closer into this." As he said this, he raised the tarpaulin hat from the stranger's head, and casting a searching and scrutinizing glance upon his face, suddenly exclaimed, "By Jove, it is the villain Jackson!"

The exclamation brought several bystanders to the spot, and a little further scrutiny left no doubt of the fact that the stranger was indeed no other than the convict Jackson, who, our readers will remember, was a short time since sentenced to hard labor in Sing Sing prison for fifteen years, being five years on each of three several indictments. The sketch which was then furnished by our Reporter of his career of crime, must have convinced the reader that he is a person of singular address and ingenuity; and this last effort to escape shows a degree of