

RALEIGH REGISTER,

AND NORTH-CAROLINA GAZETTE.

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

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PUBLIC LANDS.

Extract from the Report of the minority of the Committee on Manufactures of the House of Representatives, signed by Messrs. Adams and Condit.

The recommendations of the message are, "that the public lands shall cease, as soon as practicable, to be a source of revenue—that they be sold to settlers, in limited parcels, at a price barely sufficient to reimburse to the United States the expenses of the present system, and the cost arising under our Indian compacts, and that, in convenient time, the machinery of accurate surveys and undoubted titles be withdrawn from the States, and the right of soil, and the future disposition of it, be surrendered to the States respectively in which it lies."

The proposition is to give away all the public lands—first, to enable individual adventurers to secure an independent freehold, because cultivators of the soil are the best part of the population; and finally to surrender all the remainder to the States in which the lands are situated, because "it cannot be expected that the new States will remain longer contented with the present policy after payment of the public debt."

The public lands are the property of the whole people of the United States; they are the national domain. To give them away to individual adventurers, is to take away the property of one portion of the citizens and bestow it upon another; and, as if this outrage upon the right of property were not sufficient without the superaddition of insult, the plundered portion of the community are told that those on whom their lands are lavished, are the best part of the population. It is said in the message, that "the proceeds arising from the sale of the lands are distributed chiefly among States which had not originally any claim to them." Were this assertion true, what possible bearing can the places where the proceeds of the sale of property are distributed, have upon the right of the proprietor to the proceeds of the sale? The proceeds of the sales of public lands are not distributed in gratuities. What is meant by the assertion that they are distributed among States? They are not distributed among States at all. What is meant by "States which had not originally any claim to them?" What State had originally any claim to the public lands in Louisiana or Florida? What portion of the public lands is there to which the whole Union, and of course every State in the Union, had not originally a claim? From the very formation of the confederation, all the States, within which not an inch of public land existed, had a claim to their just proportion of the public lands situated within the boundaries of the other States—and that claim was just; in deference to the justice of that claim all the cessions of public lands were made by the States in which they were situated; and without those cessions, the confederation never would have been formed. The right of the whole people, therefore, to all the public lands, is a perfect right, independent, totally independent of all consideration of the localities where the proceeds of the sales of them may be distributed, and for the enjoyment of which, as a right founded in the first elements of human society, the States wherein the lands are situated have no more right to be discontented than the tenant of a dwelling house belonging to another has the right to be discontented that the fee of the possession is in his landlord and not in himself.

This right of property, is however, not wholly unqualified. The cessions of territory made to the United States by the States of New-York, Virginia, Massachusetts, Connecticut, South-Carolina and Georgia, were all conditional; and the common condition of all the grants was, that the lands by them respectively ceded should be held and disposed of for the use and benefit of all the United States, the ceding State included, and for no other use whatsoever. Upon this condition, all the cessions were accepted by the United States in Congress assembled, and the United States thereby contracted the solemn and positive engagement to hold and dispose of all the lands thus ceded, conformably to that condition and to no other use whatever.

The Constitution of the United States, in the third section of the fourth article, declares that "Congress shall have power to dispose of, and make all needful rules and regulations respecting the territory or other property belonging to the United States;" with the express addition that "nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State." And in the sixth article, it provides "that all debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the U. States under this Constitution as under the confederation."

It appears to the subscribers; that Congress could neither give away the public lands to individual settlers, to enable them to acquire independent freeholds, nor surrender them to the States in which they are situated, without a threefold violation of the Constitution—first, by abdicating the power entrusted to them of disposing of the territory of the U. States, conformably to the conditions under which it is held, and of making all needful rules and regulations respecting it; secondly, by prejudicing the just and undoubted claims both of the U. States, and of every particular State within which there are no public lands; and, thirdly, by trampling under foot solemn engagements entered into before the adoption of the Constitution. In the list of powers to be exercised by Congress, when the Government shall be reduced to the simple machine, avowed to be the purpose of the President by the recommendations of the message, this power of disposing of, and making needful rules and regulations for the territory and other property of the United States, is entirely overlooked; very consistently, indeed, for if the whole property should be squandered away to make independent freeholders, or surrendered to the States wherein the common possession happens to be located, there will be no longer any territory belonging to the United States to dispose of, or needful rules and regulations to be prescribed by Congress. The Government will be made a much simpler machine; but it will be a simplicity purchased with all the wealth, with all the rights, and all the good faith of the nation; purchased by prejudicing the claims of the U. States, and of every State other than those in which the lands are situated; purchased by setting at naught the first principle of justice, the sacred rights of property, and the explicit engagements not only entered into before the adoption of the Constitution, but pledges of faith, without which the confederation itself never would have been sanctioned.

The same principles are applicable to the public lands situated within the states formed from the territories included in the purchase of Louisiana, and in the Floridas. These lands not only belong to the U. States, but purchased with moneys from their common treasury. Upon the principles recommended in the message, the whole mass of them may be given away to foreigners, to emigrants from every quarter of the globe, aliens, and perhaps enemies to this country, who may thus be converted into independent freeholders, and constitute, under this improved code of morals, the best part of the population. The subscribers deem it an excellent part of the policy of the Union, to welcome the useful industry of foreign freemen, seeking the enjoyment of liberty and equal rights, and honest subsistence, and the chances of affluence upon our shores; but they conceive it neither politic nor just to bestow upon them, or upon any adventurers, whether of foreign or domestic birth, the acquisitions of the nation, made with the moneys levied upon all the people in all the States.

Congress are told in the message, that it cannot be expected that the new States will remain longer contented with the present policy, after the payment of the public debt." By the present policy, is here meant, the policy of holding and disposing of the public lands as public property. The proposal is, therefore to change the present policy, for that of giving away this public property, partly to individual adventurers, and the remainder to the "new States"—one of which is Tennessee. And what are the arguments by which this change of policy, or, in other words, this surrender of property, is urged? It is said, that "the adventurous and hardy population of the West, besides contributing their equal share of taxation, under our impost system, have, in the progress of our Government, for the lands they occupy, paid into the treasury a large proportion of forty millions of dollars; & of the revenue received therefrom, but a small part has been expended amongst them." Is this a reason for giving away to new adventurers, or to new States, the property belonging to the adventurous and hardy population of the West, in common with the adventurous and hardy population of all the rest of the Union? To the epithets of adventurous and hardy, applied to the population of the West, the subscribers take no exception, as descriptive of qualities truly belonging to that class of our fellow-citizens: that population went forth from the old and long settled States, from the

thirteen confederates of the Revolution, and left behind them a population not less adventurous and hardy than themselves. If the population of the West have contributed their equal share of taxation under our impost system, so have the population of all the rest of the Union. If, in the progress of the Government, they have paid into the Treasury a large portion of forty millions of dollars for the lands they occupy, they have received, in the property of those lands transmitted to them by the nation, the value to them of many hundred millions of dollars as an equivalent. That a small part of the revenue received from the proceeds of the public lands has been expended amongst them, if estimated in proportion to the relative amount of revenue collected amongst them, may be doubted; but the subscribers believe that justice and policy would alike dictate a larger expenditure of the revenue amongst the population in the West, than has yet been authorized. It is in the Western country that the greatest, the most useful, and the most expensive works of internal improvement have been undertaken, or are most urgently needed. To such works, unquestionably of a national character, the subscribers believe that a full and ample proportion of the public revenue, whether collected from the sales of public lands or from other sources, ought to be applied, and that the moneys so appropriated would be almost exclusively expended among the population of the West. It is in this manner that, without doing injustice to any other part of the Union, the proceeds of the sales of the public lands may be applied to the special improvement of the Western country; that they may be, beneficially to all, expended among the settlers on the public lands themselves, and while contributing to the improvement of the whole Union, facilitate and encourage the progress of the new settlements, by furnishing it, at once, occupation for industry, reward for labor, and the rapid appreciation of the lands upon which the settlers may fix their abode. Such, the subscribers believe, are the dictates of a policy, at once prudent and magnanimous; but this policy cannot be promoted by arresting the progress of works already commenced—by refusing appropriations for works demonstrated to be of a national character, or by giving away to single adventurers, or to the new States, the whole invaluable fund, inexhaustible, if duly managed, for long centuries to come, of lands purchased by the blood of our Revolutionary fathers, and by their treasures or our own.

In this examination of the proposal to give away all the public lands of the Union, the subscribers have deemed it their indispensable duty, though a painful one it has been, to resort to the first principle of natural justice, to the sacred right of property, and to the positive injunctions of the Constitution, to prove that it is alike subversive of them all. The project itself is not new; the subscribers are unwilling either to trace its origin, or to scan the motives and purposes from which it proceeded. But never before have they witnessed—never again, they will hope, may it be seriously recommended in a message from the President to the Congress of the United States. The public lands are the property of the Union; the possession, the use, and the disposal of them, for the benefit of the whole, are guaranteed by the elementary principle at the foundation of civil society, by the immutable laws of justice, and by the express terms of the Constitution, which we have all sworn to support. The power to give them away, has not only never been delegated to Congress, but it has been by direct implication, prohibited.—The attempt to give them away by an act of Congress, would be an act of transcendent usurpation, null and void in itself, and substituting arbitrary power in the place of constitutional right. The attempt to carry it into effect would be a dissolution of the Union, an inextinguishable brand of civil war. This the subscribers do, with the profoundest conviction, believe; they cannot, without violating the trust reposed in them by their constituents, refrain from declaring, they solemnly deprecate the contingency that such a proposal should ever again be made.

From the National Intelligencer

A small volume, entitled "A brief Exposition of the Constitution of the United States," by James Bayard, Esq. a member of the Philadelphia Bar, has recently issued from the press of Hogan & Thompson, Philadelphia. The design of the work, as its title informs us, is to give a brief, simple, and accurate "exposition" of the principles of that Constitution, under the authority of which our Government is administered. In the prosecution of his design, the author has considered each article and clause of the Constitution separately, and given each the interpretation and construction sanctioned by the decision of the highest judicial tribunals of our country. This work appears in every respect admirably adapted to the use of our colleges and schools, whether we consider its conciseness, its accuracy, its simplicity, its most excellent method. Its merit is such as will, we doubt not, on perusal

gain for it the approbation of every reader. The purpose, and objects desired to be attained by the work are so well set forth in the preface, that we will, as its best commendation, annex it to this notice.

"In a country like this, where all have a share in the Government, every one should be acquainted with its structure and principles. The Constitution by which the Government is formed, and upon which depends the validity of the laws of the Union of the States, and the peace, dignity, and happiness of the nation, should be a part of the education of every citizen, whatever his situation or occupation. Although several works have been written on this subject by men of great learning and ability, which are highly useful to professional men, and those who have the leisure and disposition to engage in this important study, it is believed that nothing has been attempted in the way of a short and simple exposition of the principles of the Constitution, for the use of young persons and such as may not have time or inclination for a more extended research. With this impression, the following treatise was undertaken, at the suggestion of a friend, whose situation led him particularly to notice the want of such a book, in the instruction of youth. In compiling it, the author has, chiefly principally upon the Federalist, the Commentaries of Chancellor Kent, the Treatises of Mr. Rawle and Mr. Sergeant, and the Reports of the Decision of the Supreme Court. The sentiments, and some times the language of these works are used without marks of quotation, because the nature of the work did not require it; but they may be readily observed by the professional reader."

The limits of the work would not permit an extensive discussion of the questions which have arisen, as to the construction of various parts of the Constitution. When doubts have been entertained as to the true meaning of any part of it, they are stated, and what is believed to be the correct interpretation given. In all cases decided by the Supreme Court, the judgment of that Tribunal is the standard of construction; and great care has been taken to avoid party questions as much as possible. As this treatise is intended principally for the use of those who cannot be presumed to be acquainted with the technical terms and phrases, the author has endeavored to explain all such as would be likely to occur in any difficulty. The arrangement of the Constitution has been followed both because it is good in itself, and because it will probably be the best mode of conveying instruction to those for whom this work is intended.

If it should be the means of introducing a more general acquaintance with the Constitution, or of leading the youth of the country to a more minute examination of its structure, by which they will acquire a knowledge of its excellencies, and a stronger attachment to the Union, the object of the author will be attained, and he will congratulate himself upon the performance of his humble task."

It may be remarked, in conclusion, that this work has received the approval of Chief Justice Marshall, Mr. Justice Story, Chancellor Kent, and other eminent Jurists.

MYRTLE-WAX.

From the Columbia Gazette.

We beg leave to call the attention of our readers to the following communication in relation to Myrtle-Wax, from a very scientific correspondent, who has investigated the subject himself, and left with us various specimens.—It will be found that the cultivation of the Myrtle Bay Berry can be made a very profitable business to the cultivator, besides doing us good to the community.

The vegetable wax called Bay-berry in the Northern, and Myrtle-wax in the Southern parts of the United States, is the produce of a shrub called by Botanists, (*Myrica Glyceria*) which sometimes grows to the size of a small tree, and is found abundant along the coast, from Maine in the North, to Texas on the Gulf of Mexico. The wax is extracted from this shrub by collecting the berries, boiling them with water, and bruising them at the same time, by which the wax will rise to the top as a thick oily scum, easily separated, which when cold, turns out a moderate hard substance of a green, dingy color. After chemical investigation, that substance has been found to resemble bees-wax so closely in the most important properties, that they may be classed under the same genus of chemical bodies.

Until now the use of this wax has been very limited; the farmers pick up in the swamps and woods a sufficient quantity to supply themselves with candles; and if there is any surplus, they send it to market in New-York, Boston, or other Northern places, where it is bought by candle-makers, who mix it with their tallow, in order to correct, in summer, the extreme softness of their candles.

Notwithstanding the abundance of its growth, the picking up of the berries among the swamps, thick wood and mire, is so laborious, that people who have attempted the collection of the wax as a

special business and matter of trade, have found that one single bushel of berries is the utmost a stout active man can collect in one day's work, hence its price in market is very high, fluctuating between 18 and 25 cents a pound.

The object of this publication is to invite the attention of farmers to the cultivation of the shrub affording the Myrtle-wax, in order to bring its price down to that of tallow. It is obvious that should the shrubs be collected in one field, consequently ready at hand—it is obvious, I say, that the same man who, under the difficulty of wandering in swamps, wood and mire, can collect but one bushel, shall be able when he finds the shrubs gathered together in the same field, to pick up in the same space of time, from three to four bushels—consequently deliver his wax at a price proportionably reduced; that is to say, from 25, to 8, 9, or 10 cents per pound.

The question now is, to investigate what will be the net produce of an acre planted in Myrtle-wax, the wax selling at the reduced price of 10 cents per pound.

Let us suppose each shrub planted at two and a half feet from each other, there will be in one acre 6724 of them: supposing, next, the average product of each shrub to be only one pint of the berries—then the whole crop will amount to 6724 pints, making up 105 bushels. Now experience has shown by those who follow that trade, that the quantity of wax obtained from a bushel of berries, averages from 5 to 10 pounds, then our 105 bushels of berries would yield 630 pounds of wax, which at 10 cents a pound, tallow price, would make \$63.

As we have stated already, one man will pick up in a field from 3 to 4 bushels in one day, it follows that the picking of the whole 105 bushels will require the labor of a hand during a whole month: admitting \$18 for the wages and finding—then \$18 deducted from \$63, the value of the crop as before stated, the balance \$45 will be the net profit accruing to the farmer.

Besides such a valuable income, this culture receives additional recommendations from the following circumstances:

1. It grows in the worst of soils, especially if damp and sandy.
2. It requires no fences, as the cattle do not meddle with it.
3. Once planted, it requires no attendance except in picking-time.
4. The picking may be performed by boys, girls, old men and old women, who else would be useless on the plantation.
5. Myrtle-wax may be bleached to a degree of whiteness equal to that of bees-wax. This process adds only five cents per pound to the original price, is done in a short time, and within the power of every individual to perform.
6. A Soap equal, if not superior to any shaving or fancy soap imported from Europe, can be manufactured of the Myrtle-wax.

We may say in conclusion, that by cultivating the Myrtle-wax, a most important staple will be introduced into the United States. The most probable consequences of this introduction will be, 1st, that this wax will supersede tallow in making candles, on account of its superior hardness and cleanliness; next, the establishment of bleaching and soap manufactories on the largest scale—that it will become an article of exportation, especially to the West-Indies, and however abundant it may become in the market, will always meet with a ready sale.

As we are glad to hear that the National Intelligencer is a favorite in so respectable a quarter as that which is designated in this sentence. But, if it be meant by it, that it has been announced, on the authority of the National Intelligencer, that the object of "Mr. Woodbury's tour" is "to arrange for the removal of the deposits from the Bank," we take leave to deny the statement. We have said no such thing. We know nothing about the object of Mr. Woodbury's tour; but we know that it is worse than absurd to suppose that he has gone to the morasses of Florida, as some pretend, to ascertain by personal examination, the condition of the Live Oak timber, or, as others say, to the harbor of Pensacola, to satisfy himself, by actual sounding, of the quantity of water on the bar!—*Nat. Int.*

In England, recently, a man was sentenced to be transported for fourteen years, for stealing his own property!—The Prisoner, on hearing his sentence, very naturally burst into tears, and was carried out of court crying bitterly.

This case excited considerable interest as it involved a rather singular and novel question, viz: whether the prisoner had or had not been guilty of stealing his own property. According to the evidence adduced, it appeared that the prisoner had called at the warehouse of Messrs. Pickford & Co. the well known carriers, and asked if they had a box for him, which he expected would be sent, addressed to him from Birmingham, by their conveyance? The porter of Messrs. Pickford & Co. whom he questioned, told him that it had arrived, and was in the warehouse; but that he had better go into the clerk's office, and pay the carriage before the box was given to him. He accordingly went into the office asked one of the clerks what was the charge for carriage. The clerk told him, and he went away without paying any thing; but he said he would call again about it. In two or three days afterwards, he again called at the office, and asked for the box, saying that he had brought the money to pay for the carriage. On searching for the box in the warehouse it was not to be found, and the prisoner appeared to be exceedingly enraged, declaring that he would bring an action at law against Messrs. Pickford for the value of the box and its contents. The clerks and warehousemen had a conversation on the subject, and after considering the circumstances of the prisoner's previous visit to the warehouse, together with the fact of the box not being seen since that visit, they began to suspect that the prisoner himself must have taken it away. Messrs. Pickford in consequence applied to the magistrates, and obtained a warrant to search the prisoner's premises, which they did, and there found the identical box, emptied of its contents!

Intemperance and Death.

—Yesterday a singular, and in its termination, fatal accident occurred in this city. An United States soldier belonging to the garrison at this post, was led into a shop in a state of intoxication, by a comrade. The man who led him in, wishing to go away, and being anxious to screen the one intoxicated from the observation of any officer who might pass that way, asked permission of a lad in the store to put him into a corn-bin which closed with a lid. He was thrust into this strange hiding place, and remained there for about half an hour, when the clerk returned to the shop, and being informed of the circumstance, lifted up the lid of the bin to have him taken out. What was his surprise on finding that the man displayed no symptoms of life! Medical aid was immediately procured, but it was too late, the vivifying principle had fled forever.

Savannah paper.

New Sketch Book.

—It is stated in a Philadelphia paper, that Washington Irving is preparing a new Sketch Book, the result of his personal observation of scenes and characters in the West.—There is no writer living better qualified to do justice to the peculiarities of the West than "Geoffrey Crayon Gent." The appearance of such a work, from him would be hailed with delight, by the literary world both at home and abroad.

We learn with pleasure, that our distinguished countryman, Charles R. Leslie, has accepted the appointment of Professor of Drawing at the Military Academy, West-Point.

Mr. Leslie has added much to our country's reputation abroad; and in the department of History Painting, to which for years, his attention has been directed, he has produced works of an ordinary character, which have deservedly ranked him high among Academicians of the Royal Academy in London.—*Conn. Her.*

Interesting to Printers.

—A case has been decided in New-York, in favor of the New-York Daily Centinel, against Lee, Powell & Co. wherein the principle was confirmed, that persons receiving a newspaper without ordering it discontinued & paying arrears, are liable in all cases for the payment of the same, until the terms of publication are complied with.

This is entirely proper, and of course, the common law of the land. Without it, the "rights of Editors" would be seriously evaded, indeed. On the other hand, unless forbidden by a special contract, the subscriber to a newspaper may order its discontinuance at any time, on the payment of arrears, if any there should be. But the order of the discontinuance must be sent direct to the editor, or his agent, with whom the subscriber has transacted business concerning the paper.

A large establishment.

—The Axe Factory of Collins & Co. at Colensville, (formerly Canton) Connecticut, is the most complete and extensive establishment of the kind in the United States. They finish from the bar seven hundred axes per day. This unparalleled rapidity is by means of an ingeniously constructed machine, with which the head and eye of the axe is formed, and after a few strokes of the hammer, is ready to receive the steel, all which is performed in a few seconds. The factory went into operation about five years ago.

DEFERRED ARTICLES.

Mr. Woodbury, Secretary of the Navy, has left Washington on a visit to the Southern and Western States on public duty, as the official paper at Washington says. Of the nature of that duty, there are many surmises in the papers.—We fear that the following, contained in a letter from Washington to the Editor of the Richmond Whig, discloses the real object:

"I understand, from what may be considered good authority, that Mr. Woodbury will be transferred to the Treasury Department, and that his visit to New-Orleans, Savannah, and Charleston, is for the purpose of making arrangements to transfer the deposits from the Bank of the U. States to the State Banks."

Mr. Woodbury's tour has excited much speculation among the politicians of Wall-street, and their hypothesis that his object was to arrange for the removal of the deposits from the Bank, was announced through their favorite journal the National Intelligencer—*N. Y. Stand.*

We are glad to hear that the National Intelligencer is a favorite in so respectable a quarter as that which is designated in this sentence. But, if it be meant by it, that it has been announced, on the authority of the National Intelligencer, that the object of "Mr. Woodbury's tour" is "to arrange for the removal of the deposits from the Bank," we take leave to deny the statement. We have said no such thing. We know nothing about the object of Mr. Woodbury's tour; but we know that it is worse than absurd to suppose that he has gone to the morasses of Florida, as some pretend, to ascertain by personal examination, the condition of the Live Oak timber, or, as others say, to the harbor of Pensacola, to satisfy himself, by actual sounding, of the quantity of water on the bar!—*Nat. Int.*