

INDIANS.

From the N. Y. Advertiser.

State Sovereignty.—We adverted recently to the difficulties in Alabama, growing out of the diverse action of the National Executive, in the two States of Alabama and Georgia. A case occurred, a few weeks since, which places this subject in a very strong light. A Cherokee Indian, named Scott Mankiller, was arraigned before Judge Adair, in the Circuit Court of St. Clair County, in the State of Alabama, for the murder of his brother, Buck Magkiller. A plea was filed, in his behalf, to the jurisdiction of the Court—stating, in substance, that the said Scott Mankiller was a native of the Cherokee nation of Indians—that the offence charged was committed in that nation—that he was amenable to the laws thereof, and not subject to the jurisdiction of the tribunal before which he was then arraigned. The Solicitor for the State put in a special replication to the effect that the offence was committed within the constitutional limits of the State of Alabama, and in that part of the so-called Cherokee nation, which had been attached to, and made part of the County of St. Clair.

The principle point of the defence was, that the State of Alabama had no right to extend its jurisdiction over the Indian nations within its chartered limits; and the treaties of the United States with the Cherokees, and the decision of the Supreme Court in the case of the Missionaries, were adverted to, as sustaining that position. After long argument the judge sustained the plea to the jurisdiction of the Court, and discharged the defendant!

Thus we see that there is one law for Alabama, and another for Georgia. Of two Cherokees, indicted for similar crimes, one (Tassels) is hung—and the other (Mankiller) is discharged.—Over that portion of the Cherokee country, included within the territorial limits of Georgia, the laws of the Cherokees are nullified, and those of Georgia are supreme—over the other portion of it lying in Alabama, the laws of the natives are respected and those of the State respected.

That the decision of Judge Adair was correct, no rational doubt can be entertained—but if it was so, and shall be maintained to be so, by General Jackson, then can he be expected to be the Judge and Jury of Georgia, who spurned the members of the Supreme Court, and hurled Tassels to his grave.

Troubles in Alabama.—It appears that the excitement in Alabama has, in reality, assumed a very serious aspect, and is likely to afford us most interesting illustrations of the heretofore theory of nullification. Governor Gayle, in a letter to the Secretary of War, in a letter to the Secretary of War, has declared that the Treaty with the Creeks, of March 1832, "is not law, can impose no obligation on the people of Alabama, and will be declared null and void by the legally constituted authorities."

This Treaty ceded to the United States, under certain conditions, all the Creek territory in Alabama.—The said territory had been previously ceded to the Government of Georgia, in the act of session of April the 24th, 1802, between years before the admission of Alabama into the Union as an independent State. The late treaty with the Creeks was ratified by the Senate of the United States as a measure of peculiar interest to Alabama, the operation of which would relieve her, in a very few years, of all the Indian population, and it was so considered and regarded by the people of Alabama and their representatives in Congress. This, therefore, is a still more flagrant case of opposition to the rights and authority of the general Government, than that of Georgia. An admission of the right asserted by the State in this instance, would put an end at once to all ownership or property of the government in the public lands throughout the Union. —*Halt's Gazette.*

THE ALABAMA DISPUTE.

The Globe states that, "while the Indians insist upon the execution of the treaty, in good faith, and demand the removal of all intruders, in conformity with the law especially referred to in the treaty, the President has no alternative but to carry its stipulations into effect, or to acknowledge that the Government he administers is not competent to make treaties, inasmuch as it has no power to execute them." And it further says, that Governor Gayle "must know that the present Chief Magistrate is not a man who will be deterred from the performance of a public trust by any parade and mustering of a military array, to prevent the due observance and complete execution of his duty."—*American Daily Advertiser.*

From Alabama we have received,

says the National Intelligencer, the following letter, under date of Oct. 18, which gives a painful view of the state of affairs, and of feeling in that agitated State.—*ib.*

ALABAMA, Oct. 16th, 1833.

We have arrived at a solemn crisis in our State at the present moment.—You are aware that the whole of the Creek nation was some time since laid off into counties, and the Judges of our Circuit Courts ordered to hold courts in them accordingly. The case alluded to above is this: At the present term of said Court, held for Russell County, an indictment was found against some certain soldiers of Fort Mitchell for the murder of Col. Hardeman Owens, who was shot some time ago by the command of the Deputy Marshal, Mr. Austin, the Solicitor of the Circuit issued subpoenas for the files of men and for Major McIntosh, who is in command at the Fort, to appear at the Court to answer to the charge. The Major refused to pay any regard to the mandate of the Court, and swore that he would not suffer any of the men to be arrested. The Court issued an attachment for the Major and men: the Sheriff was ordered by the Major not to touch him; he returned to the Court next day, and made oath that he would not take him, the Major, for fear of death. Upon this, the Court sent an express to our Governor for military power sufficient to arrest the Major, and to bring him and men before the Court. The Governor will undoubtedly do it, as he, as well as the whole country here, act at a state of excitement against the General Government, and are determined to support the civil authorities even to the last ditch—Union or no Union."

From the N. H. Sentinel.

The excited State of political parties in Georgia has brought out a letter from Mr. Pitt, one of the Counsel for the Georgia Missionaries, to Mr. Sergeant, his colleague, dated at Baltimore, Dec. 23, 1832. It appears that Mr. Forsyth the Senator from Georgia, the President's friend and South Carolina Anti-Nullifier, made a special visit to Mr. W. to devise ways and means to "prepare the Georgia question (as Mr. Witt says) from that of South Carolina, that the President may have only one on his hands to settle at a time!" Mr. F., although disclaiming any authority from the Governor of Georgia, professes to know his most ardent wishes to get rid of the difficulty, by a rational plan for discharging them, and he has no doubt, that if the Missionaries, through their Council, stop further proceedings in the Supreme Court, they will be forthwith set at liberty. Then the Georgians can fall against Nullification. It would also relieve the President, as there would many persons in Georgia and out of Georgia, who thought it, (the two cases) a common cause.—These words then be no pretence for joining South Carolina, if this alliance could be adjusted—otherwise Georgia and South Carolina might go together! So, in the end, the proceedings were stopped—the Missionaries released—the Free Press released—and the honor of the parties, we suppose, received an *original patch*—from a patent powder, however, composed in unequal parts of egotism, pride, mortification, tyranny, height, hypocrisy, expediency, &c. &c. with a 1-1000th part of political honesty and integrity.

The following paragraph from the Hartford Times relates the termination of an affair which took place in Massachusetts a few months since. A little bandful of Indians, the remnant of the powerful tribes which once inhabited that country, encouraged by the declamations about the rights of the Cherokees which they heard all around them, and instigated, it appears by their missionary, made an attempt to shake off the yoke of the whites and to vindicate to themselves the rights of an independent community. The officers of the law however very strangely interfered, the proceeding was summarily decided to be a breach of the peace, and the persons concerned were actually held worthy of punishment. We wonder that no more clamour has been made about this affair. It is certainly as fine a topic for declamation about the natural and original rights of the ancient natives as the case of the Georgia Indians. The only difference is that their numbers are fewer, but this does not change the principle.—We beg pardon—there is yet another difference—there is nothing to be gained in a political point of view by making a noise about the rights of the Massachusetts Indians; and, therefore, the fountains of sympathy are left unsealed, and the tears which should have flowed for their fate remain unshed in the eyes of the journalists, essayists, and orators of the opposition.—The good record of the attempt of this little band of patriots to revive their ancient laws and customs is to be found

in such paragraphs as the following.—*N. Y. Evening Post, 16th inst.*

The Rev. Mr. Apes, the Missionary among the Mashpee Indians, in Massachusetts, has been sentenced to thirty days imprisonment, and ordered to recognize with one surety to keep the peace, for his attempts to establish the independence of the poor Indians. It is probable that the Georgia Missionaries will get up a great excitement against this tyrannical and oppressive act of the government of Massachusetts. They at least ought to do this, to be consistent.—*Hartford Times.*

Correspondence of the Portland Advertiser.

WASHINGTON, Oct. 9.

Great places, like great men, appear best when viewed at a distance, particularly through the medium of the imagination. The reality in every case is found to add but another evidence to the universal truth that all persons and places, so far as outward matters are concerned, essentially alike, and to this general law our good city of Washington is by no means an exception. We eat, drink, sleep, and talk scandal, much like other people; in our corporeal functions and appearance, we differ in no remarkable respect from the rest of our fellow citizens; and as a body corporate, we form a respectable village, being town, or rather city of some twenty thousand inhabitants, the total number of the appearance of which in no way equals that of the second-rate cities in New England—always excepting the White House and the Capitol, the former of which is an ornament to the city, and the latter an honor to the nation.

But "the mind's the standard of the man"—and so are the moral associations which cluster around our favored city, the measure of its greatness.—Here resided the man whom the people have delighted to honor, and to whose name under Providence, they have committed their destiny; here dwell the favored servants of the people, and here congregate the representatives—accredited and unaccredited—of a nation's wisdom. And it is a proud thought to an American, as he paces the small and quiet streets of a city whose name is associated with all that is glorious in our country's history; gratifying in her present condition and encouraging in her prospects, that these are the simple elements of her power. He sees no parade of wealth, no military show, none of the trappings of royal or aristocratic rule; but he knows that he is in the midst of a power which, seen only in its results, exceeds all that the proud monarch ever possessed.

These are the reflections which the prospect of "a Winter in Washington" has excited in my own mind; and taking up my pen in this mood, I have involuntarily transferred them to paper.—They are a poor substitute for news—they are too old and too true to befit the pen of a letter writer.

The fact is, that in Washington at the present time we are ourselves in a state of preparation and of expectancy, and which as every one knows is the worst possible season for news.

We are looking forward to the session of Congress with more than ordinary interest, and this leaves us but little interest in the minor occurrences which the short intermediate lapse of time may bring forth. The consideration of the nomination of Mr. Taney by the Senate; the evidence of Mr. Duane before a committee of the Senate respecting the circumstances of his removal; the question of the removal of the depositors of the Bank; the amendment of the Constitution so that the election of President shall be taken from the House; the Cherokee question, which it is now well understood, is to be made a test of the principles of the Enforcing Bill; the election of Spoker, and the probable course of parties, are all topics of importance which will occupy public attention next winter. Another interesting topic too will be brought up, though precisely in what shape, it is impossible now to say, viz: the power of the Executive. The recent assumptions of General Jackson prove that the danger of the encroachments of the Executive upon the other departments of the Government, is a weakness in our system which will yet require a strong and effectual remedy. To effect this object, thank Heaven, I believe the people are fully adequate.

Yours, C.

MISCELLANEOUS.

From the Detroit Journal.

RULES OF LIFE.

We can have no better standard for the regulation of ones conduct in life, than the precept and example of men who were happy and respected, and whose principles and virtues continue to be cherished and received by the generations which follow them. In the following, we are probably presented