

# NILES' WEEKLY REGISTER.

FOURTH SERIES. No. 25—VOL. XIV.] BALTIMORE, AUG. 20, 1836. [VOL. L. WHOLE No. 1,300

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

General Jackson arrived at the "Hermitage" on the 4th inst. He was met by a large body of citizens from Nashville and its vicinity, about thirty miles from that city, and from thence was escorted to the Hermitage. He was addressed on behalf of the committee of citizens by the honorable G. W. Campbell, and by A. Ewing, esq. on behalf of the young men. The president replied to both addresses with much feeling.

The secretary of war returned to Washington on Thursday last from his visit to Michigan.

The letter of the president of the United States to the governor of Tennessee, (see page 412) is dignified and appropriate, and must disabuse the public mind as to the alleged sentiments and conduct of that functionary in the contest of the Texians with Mexico—For, from the letters, &c. of gen. Gaines, it was almost impossible to resist the conviction that he was not only acting with the sanction, but by the advice, of the president—especially in regard to the call for volunteers from Tennessee, &c. The responsibility of that act, and also the call upon the governors of Kentucky and Louisiana, rests with gen. Gaines alone, and was in direct violation of the president's directions.

The Mexican government has great right to complain of the remissness of our authorities in not restraining our citizens from active participation in the Texian contest; not in preventing individuals from joining the Texian standard, but in permitting the organization and equipment of troops within our borders, and the preparation of munitions of war, openly and avowedly destined for the scene of hostilities. As individuals we may disfranchise ourselves and form an alliance with any cause or country we please; but it is a direct violation of international law, and an infringement of solemn treaty obligations to suffer bodies of our citizens to organize within our territory to make war upon a nation with which the government of the United States is at peace. It is thus, in another respect, that we violate that "strict neutrality" of which the president speaks, and which it is our duty to observe if we wish to retain the respect of other nations and preserve inviolate their treaty obligations with us.

The "National Intelligencer," speaking of the president's letter, says—

"We consider the document to be of an importance scarcely inferior to that of the proclamation of neutrality of the first president of the United States in 1793, which prevented this then young nation from being engulfed in the wars of the French revolution."

**ELECTIONS.** We have before us various statements of the result of the general election in Louisiana—but none that can be relied on as correct. We have also partial returns from Kentucky, Indiana, Missouri, Illinois, Alabama and N. Carolina, in which states the general elections commenced on the 1st inst. The "Raleigh Register" of the 16th publishes the returns from thirty-six counties in the last named state, which have returned 50 whig and 45 Van Buren members to the legislature (senate and commons) and given 14,985 votes for Dudley the whig candidate for governor, and 12,682 for Speight the Van Buren candidate.

We will, of course, publish full and accurate returns as soon as they come to hand.

**LOAN TO THE BANK OF THE UNITED STATES.** The Paris Journal du Commerce of 7th ult. has this paragraph—showing that the bank of the U. States has negotiated a loan, in Paris, for about two millions and a half of dollars:

"There has been issued on the exchange the bonds of a new loan of 12,500,000 francs, made at Paris by

Messrs. Hottinguer & Co. on account of the bank of the United States. This is the first American loan contracted directly at Paris."

**BANK OF ENGLAND.** The following is an account of the average public deposits held by the bank of England for each quarter, from the quarter ending June, 1832, to the present time (July 6): Quarter ending Sept. 1832, £4,020,000; Dec. £4,233,000; March, 1833, £4,790,000; June, £3,960,000; Sept. £4,646,000; Dec. £5,044,000; March, 1834, £5,262,000; June, £6,469,000; September, £7,605,000; December, £5,563,000; March, 1835, £4,487,000; June, £3,654,000; September, £5,583,000; December, \*£11,353,000; March, 1836, \*£8,503,090.

**PUBLIC LAND SALES.** The amount of sales of public lands, according to an article in the Globe, has been as follows, during the last five years:

In 1832,.....	\$3,115,376
In 1833,.....	4,972,284
In 1834,.....	6,099,981
In 1835,.....	15,810,795

And in the two first quarters of 1836, we are told, though not ascertained exactly, about 13,500,000

**SPECIE.** Between the 12th and 50th days of July, inclusive, there was imported into New York, in

Gold,.....	\$2,246,571
Silver,.....	60,873

\$2,307,444

Of this amount, there was on account of the French indemnity,.....\$845,910  
On account of the bank of America,..... 240,000

\$1,085,910

The remainder on account of other banks and individuals.

During the same period there was exported from New York, \$129,927.

Of which \$6,600 was in gold, the remainder in silver. [Globe.

GENERAL ORDER—NO. 54.

Adjutant general's office, Washington, Aug. 11, 1836.

The resignations of the following named officers have been accepted by the president of the United States, to take effect at the dates set opposite to each respectively, to wit:

- Captain J. Rogers, 6th infantry, 31st July, 1836.
- 1st lieutenant F. L. Dancy, 2d artillery, 11th September, 1836.
- 2d lieutenant H. P. Van Cleave, 5th infantry, 11th September, 1836.
- 2d lieutenant W. H. Pettes, 1st artillery, 11th September, 1836.
- 2d lieutenant J. L. Davis, 4th artillery, 11th September, 1836.

By order of major general MACOMB:

R. JONES, adj. gen.

**NEAH-EMATHLA.** We copy the following sketch of this distinguished Indian chief, from a late number of the Mobile Advertiser:

His person is in stature rather beyond the ordinary sized Indian, naturally erect and commanding—now bent and broken down by the weight of eighty years. His face is strongly marked, his countenance peculiarly expressive, and indicative of the inner workings of his soul—his forehead rather high and well based—nose aquiline—lips compressed—his eye—ah! that speaks the warrior! it is certainly expressive of more fire than any I ever saw. Deeply sunken in their bony sockets, small, black and as keen as an eagle's when they shine from beneath their silkened lashes, all who behold, feel their searching glance.

His character has been that of the most dauntless and intrepid warrior. During the last war he signalized himself fighting against general Jackson in Florida and

\*The increase of the deposits in these two quarters arose from the receipts of the subscription of £15,000,000 for the compensation of the owners of slaves.

elsewhere. In conversing with him upon that, and other subjects, I was forcibly struck with the accuracy with which he related facts. From that period up to this, he has been the avowed and uncompromising enemy of the white man, and no doubt, the prime instigator of all the murders and depredations committed in the nation.

His capture was altogether the result of accident. No stratagem or snare was laid to decoy him from his camp, as has been stated. Being along, I know the fact. When apprehended, he was on his way to his camp from Echo-Hagoe's, where he had been, as he stated, sick for two moons, and merely happened to be passing near the road, as the army was marching on, and was discovered by the friendly Indians in advance, and recognized by them as Neah-Emathla, in despite of the disguises he had thrown around himself to elude detection. Upon this recognition, the Indian war hoop was yelled—they rushed upon him like maddened tigers. Much effort was required to prevent them from tearing the old man limbless.

**TRADE OF RUSSIA.** The following particulars relating to the foreign and domestic trade of Russia, are extracted from a late number of the Petersburg Gazette, in which it is admitted that one-half the exports of the empire are sent to England, although not more than a twentieth part of the exports for Russia are sent to Russia. In the year 1834 the total value of the exports amounted in roubles to 230,419,880, including 10,656 sent to Poland, and 2,440,993 to Finland. In the same year the imports from foreign countries amounted to 214,324,630 roubles, from Poland 2,798,804, and from Finland 969,919. The following is a comparative statement of some of the leading articles of raw produce imported into Russia in the years 1832, 1833 and 1834, respectively. The figures represent poods, a pood being equal to rather more than 36 lbs. *avoirdupois*.

Cotton wool	127,124	139,032	152,110
Cotton twist	544,255	517,693	525,206
Indigo	33,318	22,950	25,284
Madders	69,565	46,613	79,440
Oil	200,079	251,958	305,529
Raw sugar	1,357,723	1,537,673	1,574,137

Of manufactured articles the following is a statement showing the progress of importation during the same three years:

	1832.	1833.	1834.
Cottons	10,383,165	10,586,723	8,786,072
Linens	946,694	779,284	905,634
Silks	10,317,676	8,289,817	9,442,567
Woolens	10,982,916	8,412,957	7,699,198
Lace, blonde, &c.	2,259,288	1,693,463	1,267,744

From the tables it is to be inferred that even in Russia manufactories are making considerable progress, from the increase in the amount of importations of raw produce coinciding with the decrease of manufactured articles. Three-fourths of the whole exports of Russian hemp, and more than three-fourths of the exports of tallow, are sent to England, without counting the shipments for Elsinore, which, in the end, have the same destination.

**CHRONOMETERS.** The British government allows a premium annually of £5,000 to the manufacturers of the best chronometers, on a trial of 12 months. This valuable instrument has attained the highest state of perfection.

At a recent award of premiums, several were found to have erred in their ratio only 65, 68 and 79 hundredths of a second in 12 months. The 1st, 2d and 3d premiums were awarded to these three. The great perfection this instrument has been brought to, convinces us that no vessel should be sent to sea without a good chronometer to aid in ascertaining the longitude.

Underwriters should insure at a less premium when good chronometers are on board the vessel to be insured. It is unusual for a British vessel to put to sea without a chronometer, and in many instances not less than three are carried, and in their ships of war always three and frequently four. We recollect seeing a British frigate with 14 on board, 9 of which were said to be sent out on trial by the manufacturers.

The French government give £130,000 per annum to the encouragement of literature. [*Phila. U. S. Gaz.*]

#### MISCELLANEOUS.

**Arrival extraordinary.** A small steambot from Erie, Pa. came down the river on Monday evening last to the old French landing, half a mile above the Falls. It brought down with it, in tow, two scows laden with lumber for Mr. Rathbun. The following morning, after disburdening itself, it proceeded up the river, on its return, with apparent ease. This is the first boat that has ever arrived within the limits of this village; but the complete success of this experiment, evinces the practicability of navigating the Niagara to this point, and must be followed by other and frequent arrivals of boats at the same place.

[*Niagara Falls Journal.*]

Mr. Carroll, U. S. consul at St. Helena, gives notice, that if vessels passing that Island will stand in within two miles of the anchorage, and display their telegraphic flags, they will be reported by a look out on shore. He repeats that all letters, &c. from or for owners and friends will be forwarded without charge.

The amount of sales of the Illinois and Michigan canal lands, which recently took place at Chicago, was \$1,619,848. There still remain unsold lots estimated to be worth \$200,000, making, with the interest that will accrue, about \$2,000,000, which will be realized by the sale of the lots in the town of Chicago alone, towards completing the Illinois canal. With these prospects (says the Chicago Democrat) who will longer doubt the utility of at once commencing a ship canal?

**Lead mines of Rossie.** The vein opened in Rossie within a short time since, is said to be by competent judges the largest yet discovered in America, and the quality of the ore equal, if not superior to the Galena mines. Shares of sixteen, under the lease for ten years, of the one hundred and sixty rods now opened, are selling for twenty thousand dollars; which is supposed to be far short of the actual value. Other lead mines in the same region of country are also about being opened.

[*Albany Daily Advertiser.*]

Among the passengers who sailed from New York on Monday the 8th inst. in the packet ship Independence, were Mr. Eaton, minister of the United States to Spain, with his wife and child; and Mr. Rusk, (formerly secretary of the treasury) who goes out as agent of the United States, under the act of congress concerning the Smithsonian legacy.

Mr. Forrest, the tragedian, came passenger in the ship Poland, which arrived at New York a few days since.

**Statistics of prisons.** In Sing Sing prison, only 289 out of 842 could read and write tolerably, and but 52 had received a good English education; and 454 had been habitual drunkards, and many had committed their crimes while intoxicated. Of 670 prisoners at Auburn, 3 only had received a collegiate education; 563 had been intemperate, and 400 were committed for crimes perpetrated while under the influence of spirituous liquors. In the Connecticut prison 8 in 100 only could read, write and cypher, when convicted, and 46 in 100 could read and write; 44 in 100 committed their crimes under the influence of alcohol. Instruction, temperance and industry are found to be the surest preventives of crime.

**State of New York.** The number of post offices in the state of New York is 1,719. Total amount of postage in the state for the year ending March, 1834, \$430,426. There are in the state of New York 56 counties, 788 townships and 9 cities. There are published in the state 253 newspapers, besides magazines. The number of daily papers is 27, viz: In the city of New York 56 papers are published, exclusive of magazines; 15 daily, 10 semi-weekly, 2 tri-weekly, 26 weekly, 1 semi-monthly and 2 monthly. The average circulation of the ten large daily papers is about 1,700 to 17,000 numbers of sheets issued daily. The state owns 663 miles of canal navigation. The amount of canal money held on loan by the banks of this state is \$2,356,284. The amount on deposit \$791,501. The total canal debt is 6,322,013 dollars; the amount of canal funds in hand \$3,406,809; leaving a balance to be reduced by the receipts of future years of \$2,915,204. The total capital of rail road companies incorporated previous to the recent session of the legislature, is \$34,405,000. (This capital has been immensely increased at the recent session.) The total value of real and personal estate in all the counties of this state is \$50,653,524. The total amount of auction duties paid by auctioneers in New York city in 1835 was \$270,996. There are 89 banks, with a capital of \$31,781,461. (This does not include the banks incorporated at the present session.) In the New York city custom house, there are 81 clerks, 109 inspectors, 11 night watch and 8 boat hands. The total number of arrivals at the port of New York from foreign countries during the year 1835 was 2,044. The present number of whale ships owned by companies in this state is 45. Tonnage over 13,000 tons, employing a capital over \$1,200,000, and crews of about 1,000 men. The total value of raw materials used and manufactured in the state during the year 1835, was \$42,400,922. The total value of manufactured articles, \$60,669,067. The total number of attorneys and counsellors in the state in 1836 is 2,127. [*William's Register.*]

**Canova's statue of Washington.** Mr. John Hogan, in a letter dated at Paris, has informed the president of New Orleans

Exchange company, that he has ordered a copy of Canova's statue of Washington to be executed in marble by Racchis, a distinguished artist, and that, when finished, it is to be shipped to New Orleans, to be presented to the company, and placed in the exchange room.

After 30 years' negotiation, a company has been formed at Paris to supply that city with water. The capital is 40 millions of francs.

The great manufacturing town of Manchester, during the last four years, has had an increase of 700 new streets, 7,000 houses and 42,000 inhabitants.

**Egyptian enterprise.** A Mogul merchant from Egypt has established a steam tow-boat on the Indus, which runs up to Hyderabad, and proves very profitable in towing up rafts laden with merchandise.

The new houses of parliament, it is computed, will cost £800,000.

**Great steam enterprise in the Indian seas.** The East India company are about to construct two steam ships, each of 200 horse power, to go regularly every month from Bengal to the Cape.

**A clean people.** Over 137 millions of pounds of hard soap are annually made in England; in Scotland but 10 millions.

**Telegraphs and steam do away with distance.** The vote on the estimates for Algiers in the French chambers, was conveyed in 24 hours from Paris to Toulon by telegraph; and in two days more by steam to Algiers.

**Earthquake in Calabria.** The Journal des Deux Siciles, by last arrival, gives the details of a tremendous earthquake that in the night of the 24th of April, desolated the district of Rossano in Upper Calabria. The whole of that part of the country, more or less, sustained disasters; but it was felt most severely in the communes of Rossano and Crosia. In the former, the shock was instantaneously followed by the fall of most of the houses; in the latter, not one tenement remained; 192 individuals were perished, and 240 have been severely hurt. The inhabitants of whole communes hastened, with laudable alacrity, with their magistrates and medical men, to the assistance of the inhabitants, and the scene is represented as afflicting in the extreme. The populace and the authorities digging from under the ruins the dead bodies, or those nearly crushed to death, amid the groans of the sufferers—the anxieties—the lamentations—and the despair of those who had escaped, but were seeking for relations or friends, with scarcely a better hope than to receive their last breath. Public charity did all that it could to afford immediate succor to a people suddenly deprived of shelter, raiment and food. The Journal de Naples contains a statement which it thinks, however, may be exaggerated by the natural terrors of the imagination in such a catastrophe—that at the moment the shock was felt, an ignited meteor was seen along the shore of the Caloppezzali, in the form of large flaming beams—that long and deep clefts tore up and destroyed the fields—that the sea retired 40 paces on one side, and advanced the same distance on the other—and that on the shore were found volcanic matter, and fish of a species unknown to the fishermen of the country. The same shock was felt at Ginosa, in the province of Otranto, and at Craco, in the province of Basilicata, where some houses were thrown down.

**Coal.** The Miners Journal says that the report published in a New York paper that the supply of Pennsylvania coal would fall short this year by two hundred thousand tons is incorrect. On the contrary the supply of this year will be an increase of at least one hundred thousand tons above that of the last.

**Progress of the arts.** The May bug is now becoming an entirely new article of commerce. A society formed for the purpose, at Guedlinbourg, has caught nearly 19,000,000 May bugs to make oil of them. They have already made the attempt in Hungary and obtained three measures of oil, from eight measures of the May bug. They put the insects into earthen pots covered with straw or a tissue of metallic threads, and turn them over upon a heated vessel, which is destined to receive the oil which flows out—this oil is particularly good for greasing wheels. [Paris paper.]

#### FOREIGN NEWS.

From Liverpool papers to the 20th and London to the 19th July. GREAT BRITAIN AND IRELAND.

The third reading of the established church bill will be come on in the house of commons on the night of the 18th ultimo, when two important amendments were to be moved, and it was thought the bill would pass.

A tremendous storm, attended with hail, thunder and lightning, passed over the eastern part of England on the 12th ult. doing immense damage to property.

#### FRANCE.

**Alibeu,** who attempted to assassinate Louis Philippe, was executed on the guillotine on the 11th of July. He bore his fate with much firmness. His last words are reported to have been as follows: "I die for the republic. I repeat that I had no accomplices. I am as pure as Brutus and Saneet, and, like them, wished for the liberty of my country."

Great preparations are making in Paris for the celebration of the "three days." The king has signified his determination to be present, notwithstanding the remonstrance of his ministers.

Much excitement was caused in Paris by the trial and conviction of the editor of the Gazette de France, who was sentenced to six months' imprisonment, and a fine of 4,000 francs, for publishing an objectionable article, or, as the Gazette says, for defending a principle diametrically opposed to that for which, on the morning of the same day, Alibeu suffered death. The editor maintained that the celebration of the anniversary of the revolution of July was "an act of deep hypocrisy—an attack upon the good sense of the public, and a provocation to moral anarchy, which supports anarchy *de facto*."

King Louis Philippe had at length consented to advance King Leopold of Belgium the 40,000 pound sterling agreed upon as the marriage portion of the princess Louise of Orleans, now the consort of the king of the Belgians.

#### ENGLAND AND TURKEY.

The sultan of Turkey, in consequence of the representations of the English ambassador, in the affair of Mr. Churchill (see page 418) has dismissed the reis effendi, and thus removed all apprehension of difficulty between Great Britain and Turkey.

#### SPAIN.

Advices from Spain show that the queen's troops have met with some reverses. On the 11th of July, general Evans, at the head of 8,000 troops, attacked Fontarabia, which was stoutly defended by the Carlists, who numbered about 4,000. After meeting with partial success, the British troops were compelled to retreat with considerable loss. Several women were seen, during the engagement, fighting bravely on the side of the Carlists. The accounts from the Asturias were, on the whole, unfavorable to the cause of the queen. Paris papers to the 16th state that the Carlist expedition into the Asturias was making unchecked progress.

Some further cruelties of the ruffian Carlos are mentioned in the Pharre de Bayonne; fifty persons seized by him, upon the slightest possible pretext, were lately drawn from their prisons at Mondragon, and marched on Onale. Three of the prisoners were shot during the march, before the eyes of their unhappy comrades; one, a gentleman who had neglected to take the place of his son accused of desertion; another, a physician of 80 years of age, M. Manzanaras, who was shot at his own door at Escoriaza, and his crime seems to have been, that his son had been the constitutional minister at Cadiz, in 1823.

#### DEPOSITES WITH STATES.

The forms adopted by the treasury department in respect to this subject, are published below for general information.

##### No. 1. Letter to the governor of each state.

Treasury department, June 18, 1836.

SIR: The congress of the United States recently passed an act in relation to the public money, a copy of which is inclosed.

You will perceive what is provided by the 13th section of it, in respect to the course of this department and the several states in the union, concerning all the money in the treasury over five millions of dollars.

The object of this communication is to invite your official attention to the subject of that section, so far as it is connected with the power and interests of the state over which you preside. The time and manner of acting in the matter, belong of course to the consideration of yourself and the other proper state authorities; and this department would entirely forbear from any suggestions in relation to them, except the expression of an earnest desire, arising from public considerations of convenience to the fiscal operations of the treasury, that whenever the final action of your state shall be had on the subject, the result may be communicated to this department at as early a day as may be found practicable. With high respect, your obedient servant,

LEVI WOODBURY, Secretary of the treasury.

His excellency

##### No. 2.—Form of a receipt by a state.

Whereas, by the 13th section of an act of the congress of the United States, entitled, "an act to regulate the deposits of the public money," approved the 23d of June, 1836, it was enacted, "that the money which shall be in the treasury of the United States on the first day of January, 1837, reserving the sum of five millions of dollars, shall be deposited with such of the several states in proportion to their respective representation in the senate and house of representatives of the United States, as shall by law authorise their treasurer, or the competent authorities to receive the same, on the terms hereafter specified; and the secretary of the treasury shall deliver the same to such treasurer or other competent authorities, on receiving certificates of deposit therefor, signed by such competent authorities in such form as may be prescribed by the secretary aforesaid.

And whereas, the state of \_\_\_\_\_ has by an act of its legislature, passed on the \_\_\_\_\_ day of \_\_\_\_\_ one thousand eight hundred and thirty \_\_\_\_\_ authorised and directed the \_\_\_\_\_ of the said state to receive its proportional share of the said surplus moneys of the United States on deposit with the said state, upon the terms specified in the said acts of congress.

And whereas, the secretary of the treasury, in pursuance of the provisions of the said act of congress, and in conformity with the provisions of the said act of the legislature of the state of \_\_\_\_\_ has delivered to the \_\_\_\_\_ thereof the sum of \_\_\_\_\_ dollars and \_\_\_\_\_ cents, the same being the first instalment or one-fourth part of the rateable proportion of the said state in the surplus money in the treasury on the first day of January, 1837.

Now therefore be it known, that I, \_\_\_\_\_ do hereby certify, that the said sum of \_\_\_\_\_ dollars and \_\_\_\_\_ cents has been deposited by the secretary of the treasury with the state of \_\_\_\_\_ and that for the safe keeping and repayment of the same to the United States, in conformity to the said act of congress the state of \_\_\_\_\_ is legally bound, and its faith is solemnly pledged. And in pursuance of the authority of the act of the legislature aforesaid, for and in behalf of the said state, I hereby affix my signature and seal in testimony of the premises, and of the faith of the said state to pay the said money so deposited, and every part thereof, from time to time, whenever the same shall be required by the secretary of the treasury, for the purposes and in the manner and proportions set forth and described in the said recited 13th section of the act of congress aforesaid, and by a requisition or notice similar in form to that hereto annexed; addressed to the care of the governor of said state.

Signed and sealed this \_\_\_\_\_ day of \_\_\_\_\_ one thousand eight hundred and thirty \_\_\_\_\_

ATTEST,

No. 3. The form of a requisition or notice for repayment will be substantially as follows.  
 Treasury department, 183 .

To the state of \_\_\_\_\_

Under the provisions of an act of congress entitled "an act to regulate the deposits of the public money, passed June 23d, 1836," and an act of said state passed \_\_\_\_\_ certain sums of money belonging to the United States have been deposited with the state aforesaid for safe keeping and repayment in conformity with the provisions of said act, said state is hereby notified, that a portion of said money, viz: the sum of \$ \_\_\_\_\_ is required to be repaid to the United States, by the state aforesaid, for the purposes named in said act, and in conformity with its provisions.

(Signed) \_\_\_\_\_ Secretary of the treasury.  
 Care of his excellency \_\_\_\_\_ governor of said state.

[The repayment of the said sum to the treasurer of the United States will be, in one of the following modes, which this department may in any particular case prefer and direct, viz:

1. By a request annexed to the above requisition to place the same to the credit of the said treasurer in the bank of \_\_\_\_\_ at \_\_\_\_\_ on or before the \_\_\_\_\_ day of \_\_\_\_\_ next, and to take duplicate receipts therefor one of which receipts sent to the said treasurer will be a sufficient voucher for the amount of said repayment on the part of said state.

2. Or, by a request written by said secretary on the back of a common treasury warrant directed to the state for payment by said treasurer, that said state would pay the same, and which warrant, with a receipt of payment thereon, will be a sufficient voucher as aforesaid.]

INDIAN WAR.

The Tallahassee Floridian of the 30th ult. says that the Georgia volunteers had a sharp encounter with a body of four or five hundred hostile Indians who had crossed the Chattahoochee, near McCrary's ferry, on their way to Florida. There was some loss in killed and wounded "on both sides—among the slain, it is reported, was capt. Jernigan who recently distinguished himself. The Georgia volunteers had been re-enforced and were in pursuit of the enemy at the last accounts. Two armed steam boats had been despatched up the river to prevent the return of the Indians.

Duncanville, August 2,

To his excellency, gov. Call:

Sir: Your letter, enclosing an express from G. H. Crossman, A. C. M. U. S. army, was handed to me by Mr. Max Vandy, about 11 o'clock, A. M. on Saturday last. The express being indefinite as to the position of the Indians, and the force in pursuit of them, it was deemed best to gain farther information before we proceeded. Messrs. Fabian Adams and William Brinson very generously volunteered their services to go to Flint river, and obtain the latest and most direct information.

Upon their arrival there they met with maj. Hoxey, who gave them the following intelligence: The number of Indians was supposed to be about 150 warriors, and the like number of women and children. The whites had had four engagements with them, with the following results: On Sunday, nine Indians killed; on Monday two whites, the number of Indians not known; on Tuesday, two whites killed, the number of Indians not known; on Wednesday, 14 Indians killed, 20 horses taken, and the Indians completely routed. In the four engagements between fifty and sixty Indians are supposed to have been killed, and twelve white men. The battles were fought in Stuart and the upper part of Lee county. Major Hoxey had received no intelligence of them since Wednesday last, then major general Sanford was in pursuit of them. Major Hoxey has five companies stationed between Flint river and the Chickasahatchee, for the purpose of intercepting the Indians, and preventing their escape to Florida. He will stay there until that party are all destroyed. Should they evade him, and pass the river, upon information of the fact he will immediately pursue them. I will immediately communicate to your excellency all the intelligence I receive.

Yours, respectfully,

THOMAS E. BLACKSHEAR.

<sup>1</sup>Tallahassee, (Fla.) Aug. 2.

\*A small party of Indians, say 30 to 55, made their appearance on the Ocella, about 41 miles from this place, more or

less, last week, killed two men, took off a boy about 12 or 14 years old, and burnt a house. It is also said they took off a female, the lady of the house. Capt. Fisher's company, stationed at Gamble's plantation, went in pursuit of them, and succeeded in rescuing the boy and recovering the spoils. They fled into a neighboring hammock."

It is stated that the government is endeavoring to make an arrangement with the friendly Indians on the Georgia frontier, to enter the service of the United States in the approaching campaign against the Seminoles.

THE UNITED STATES AND MEXICO.

HIGHLY IMPORTANT STATE PAPER.

From the Nashville Republican, Aug. 6.

General Gaines's requisition. We delay the publication of our paper to a later hour than usual, for the purpose of laying before the public the following documents, with which we have been furnished by the governor:

War department, May 4, 1836.

Sir: Major general Gaines, to whom the command of the western border of Louisiana has been assigned, has notified this department that he has called upon your excellency for a brigade of militia, the whole, or as many of them as practicable, to be mounted.

I am instructed by the president to request your excellency to call into the service of the United States the number of militia which have been or may be required by general Gaines, to serve not less than three months after their arrival at the places of rendezvous, unless sooner discharged. Very respectfully, your obt<sup>s</sup> servant,  
 LEWIS CASS.

His excellency N. Cannon, governor of Tennessee, &c.

War department, July 25, 1836.

Sir: Major general Gaines has apprised this department that he has made a requisition upon your excellency for a regiment of mounted gun-men for the service of the United States.

Copies of the despatches received from general Gaines have been transmitted to the president of the United States, who will issue such orders upon them as he may think the circumstances require. Meantime I have the honor to inform you that, in order to prevent any inconvenience or delay, in the event of the confirmation of general Gaines's requisition by the president, a disbursing officer will be ordered to proceed to the state of Tennessee with the necessary funds. Very respectfully, your most obt<sup>s</sup> servant,

C. A. HARRIS, acting secretary of war.

His excellency N. Cannon, governor, &c.

The above letters from the war department having been inclosed to the president by the governor, the following was received in answer:

Hermitage, Aug 6, 1836.

Sir: I have received your letters of the 29th ult. and the 4th inst. accompanied by the copies of communications which were addressed to you on the 4th of May, and the 25th July, by the secretary of war, and also accompanied by your proclamation of the 20th, founded on the requisition made by general Gaines, bearing date the 20th of June last. The documents referred to in the communication to you of the 25th ult. from the war department, have not yet been received.

The obligations of our treaty with Mexico, as well as the general principles which govern our intercourse with foreign powers, require us to maintain a strict neutrality in the contest which now agitates a portion of that republic. So long as Mexico fulfils her duties to us as they are defined by the treaty, and violates none of the rights which are secured by it to our citizens, any act on the part of the government of the U. States, which would tend to foster a spirit of resistance to the government and laws, whatever may be their character or form, when administered within her own limits and jurisdiction, would be unauthorised and highly improper. A scrupulous sense of these obligations has prevented me thus far from doing any thing which can authorise the suspicion that our government is unmindful of them, and I hope to be equally cautious and circumspect in all my future conduct. It is in reference to these obligations that the requisition of general Gaines in the present instance must be considered; and unless there is a strong necessity for it, it should not be sanctioned. Should this necessity not be manifest, when it is well known that the disposition to befriend the Texians is a common feeling with the citizens of the United States, it is obvious that that requisition may furnish a reason to Mexico for supposing that the government of the United States may be induced, by inadequate causes, to overstep the lines of the neutrality which it professes to maintain.

Before I left Washington, general Gaines intimated to the department of war that some indications of hostilities from the Indians on our western frontier had been made, and that, if it became necessary, he would make a call for the militia. He had also informed the department of his ill health, and asked for a furlough to enable him to visit the White Sulphur Springs. I directed the secretary of war to grant him the furlough, and to inform him of the apportionment which had been made of the 10,000 militia under the recent volunteer act; and if the emergency should arise which would make it necessary to increase the force under his command, that a thousand volunteers in Arkansas, and another in Missouri, raised agreeably to this act,

would be enrolled and held ready for the service. This force, aided by the portions of the dragoon regiments that would be stationed in that quarter, and those of the regular army already there, were deemed amply sufficient for the protection of the frontier near to the Indians referred to. There are no reasons set forth in the requisition which the general has since made upon you, to justify the belief that the force above enumerated will be insufficient, and I cannot therefore sanction it at the present time. To sanction that requisition for the reasons which accompany it, would warrant the belief that it was done to aid Texas, and not from a desire to prevent an infringement of our territorial or national rights.

I deeply regret that the Tennessee volunteers, whose prowess and patriotism are displayed so promptly on all occasions that threaten the peace or safety of their beloved country, have been called out on this occasion without proper consideration. They can for the present only be mustered into the service and discharged. If there are funds appropriated out of which they can be paid, an order to this effect will be given.

The ten thousand volunteers authorized under the late act of congress are intended for one year's service, and must be employed to meet all necessary calls for the defence of our frontier borders. Should the occasion arise for a greater number on the western frontier, the call would be made on Ohio, Kentucky, Indiana and Illinois. There is, however, no information to justify the apprehension of hostilities, to any serious extent, from the western Indians. Should a necessity arise, the volunteer brigade from East Tennessee will be ordered to the western frontier as soon as their service can be dispensed with where they now are employed.

I would barely add further, that the authority given you by the order of the 4th of May having been satisfied by yielding to the requisition of gen. Gaines, a new authority from the department of war was necessary to authorize you to comply with that of the 28th of June. The government of the United States having adopted, in regard to Mexico and Texas, the same rule of neutrality which had been observed in all similar cases before, it was not to have been expected that general Gaines should have based this requisition for additional military force on reasons plainly inconsistent with the obligation of that rule.

Should Mexico insult our national flag, or invade our territory, or interrupt our citizens in the lawful pursuits guaranteed to them by the treaty, then the government will promptly repel the insult, and take speedy reparation for the injury. But it does not seem that offences of this character have been committed by Mexico, or were believed to have been by general Gaines. I am, very respectfully, your obedient servant,

ANDREW JACKSON.

His excellency N. Cannon, governor of Tennessee.

P. S. Before closing this letter, the documents referred to by the acting secretary of war as having been transmitted to me, have been received.

A. J.

KENTUCKY VOLUNTEERS.

GENERAL ORDERS.

Lexington, August 11, 1836.

It is my painful duty to announce to the volunteers of Kentucky, that the requisition made by gen. Gaines, has been annulled by the president of the United States, so far as relates to the troops from Tennessee; and, although I have not been officially informed of the fact, so far, also, I have no doubt, as relates to the troops from this state.

The rendezvous of the troops under my command is, therefore, suspended until further orders.

LESLIE COMBS, comd. K. V. M. G.

Louisville, Ky. 18th Aug. 1836.

COLONEL: I enclose you herewith a slip from the office of the Louisville Gazette, containing a letter from the president of the United States to the governor of Tennessee, disapproving the requisition of gen. Gaines for volunteers, at this time. The president's letter arrived here just in time to prevent my making engagements for transportation and supplies for the regiment, required from this state, to any great extent. It appears to me that it would subject the volunteers to additional expense to rendezvous at all after this letter. At all events, I would advise that it be delayed until an officer is sent on with funds to pay them off. I am, very respectfully, your obt. servt.

J. B. DUSENBERRY, assl. Q. mast. U. S. A.

Col. L. Combs, com. K. V. Lexington, Ky.

LATEST FROM TEXAS AND MEXICO.

From the Louisiana Advertiser, Aug. 2.

By the arrival of the schooner Indiana, captain Rantford, in five days from Tampico, we learn that 1,800 men were on the eve of marching from that place for Matamoros; 4,000 more were said to be on their march from San Luis, for the same destination. It appears that the main body of the army are about to rendezvous at Matamoros, previous to marching against Texas. Gen. Fernandez is to act second in command of the Mexican army under gen. Urrea. Captain R. contradicts the report that the Mexicans are indifferent about the prosecution of the war in Texas; on the contrary, he states that nothing can exceed the military enthusiasm that seems to pervade all classes, almost causing a general suspension of business, and nought else was talked of but war.

We are indebted to capt. Bridges, of the schooner Urchin, for the annexed:

Galveston Bay, July 21.

Sir: I arrived here on the 17th, after a passage of four days, and was conveyed down by the Independence, com. Hawkins, off the bar of Galveston. I saw the Texian schooner Brutus and brig Durango. I could not learn that the Mexicans had a single armed vessel at sea; the schooners Invincible; captain Brown, and Terrible, (formerly the Union), captain Allen, have gone on a cruise along the coast of Mexico. The Mexican army (about 3,000) are still at San Patricio, 135 miles from Victoria, where they concentrated after the battle of San Jacinto: they have made no movement since. It is reported that 500 troops are at Matamoros; but as they apprehend an attack on that place by the Texian army, they are somewhat certain to remain there. Our army (200 infantry and 500 cavalry) are at Victoria: the cavalry made an excursion a few days ago to the immediate vicinity of the Mexican encampment, and brought off a few prisoners. The cabinet is at Velasco, but expect to remove to Matagorda. Santa Ana and Almonte are yet at Columbia, with the army; and rumor has it that Santa Ana is to be tried. Gen. Coss and the other officers are at Galveston island. It is supposed that our army will, in three weeks, amount to 3,500 men. Col. Crockett's nephew has just arrived here; he left the colonel's son, with 200 men, a short distance from the army. As soon as the reinforcements now on their way arrive, it is expected they, with the troops here, will march to and attack Matamoros.

From the New Orleans Bee, Aug. 1.

FROM MEXICO. Our regular file of papers from the city of Mexico are to the 7th ultimo, but contain nothing of importance; they are silent upon political movements. By the arrival of the schooner Indiana, from Tampico, we are alike deficient of political information; it would appear as though the papers were wilfully ignorant of any thing going on in the country. These papers are the organs of government, and of course say nothing of the political movement.

From Matamoros, by the schooner Water Witch, capt. Watkins, we have received our regular file of papers. The papers contain nothing positive: all is vague and uncertain as to the situation of affairs in the country. Troops to the amount of 4,000 men are at Matamoros under general Urrea, awaiting information of the arrival of a small blockading squadron that has sailed for the purpose of blockading the port of Galveston, intending to take up his line of march for the interior of Texas as soon as the plan is matured. The troops are said to be in good spirits, and anxious to march to revenge the defeat of their brethren under Santa Ana. Five chiefs of the Cherokee Indians were at Matamoros, and had offered their services to the commandant of the Mexican forces, who, it is said, has accepted them; the warriors were to march immediately to join the army.

The schooner Halcyon, at Matamoros, was to sail in a few days for this port, with about \$200,000 on board.

Both the Mexican and Tampico papers appear to have agreed to represent every thing as peaceable and quiet in the city of Mexico, as well as in the different states. A circular has been issued from the government calling for immediate aid of money and reinforcements from all the states, to be sent against Texas. The "De Diario" of the 4th ult. contains a proclamation of the commandant of Oajaca, addressed to the troops of the garrison, recommending them to unite their force to repulse any sedition that may arise. This proclamation is dated on the 22d June. At Guadalajara, the same step has been taken to arrest the plans of revolt that are constantly projected.

From the New Orleans Bee, Aug. 3.

MEXICO. The schooner Creole from Tampico, whence she sailed on the 26th ultimo, was towed up yesterday. Among the passengers on board is the American consul for the port of Tampico, who gave us the verbal information that, at the time of his departure, every thing was quiet at Tampico. A single point attracted the public attention; it was the expedition against Texas, talked of by the whole people. Our next number will probably contain some further news. The amount of specie on board the Creole is \$30,000.

From the New Orleans Bee, July 30.

We think the following official documents relative to the treaty for a suspension of arms between Santa Ana's troops and the Texian army will appear interesting to most of our readers:

General government, war and navy department, central section—army of operations,

GENERAL: I transmit you the treaty I have concluded with his excellency David G. Burnet, president of the republic of Texas. It is my wish that you thoroughly acquaint yourself with its contents, and hasten to put it into execution. Any measure or remonstrance, the object of which would be to break it, is entirely useless. I trust your excellency will answer me by the return of the express. God and liberty. I have the honor to be, &c.

ANTONIO LOPEZ DE SANTA ANA.

To his excellency general Don Vicente Filasola.

Articles of the treaty concluded between his excellency Don Antonio Lopez de Santa Ana, general-in-chief of the army of operations, president of the Mexican republic, on the one part,

and his excellency Don David G. Burnet, president of the republic of Texas, on the other part.

Art. 1. General Antonio Lopez de Santa Ana agrees not to bear arms, nor engage any individual to take them against the people of Texas, in the present struggle for independence.

Art. 2. Hostilities, both at sea and on land, will immediately cease between the Mexican and Texian troops.

Art. 3. The Mexican forces will evacuate the Texian territory and recross the Rio Grande.

Art. 4. The Mexican army, in their retreat, will use no man's property without his consent, and a proper indemnity; the soldiers will take but the necessaries of life when the owners will not be found on the premises; and a correct account, stating the value of the articles taken, the place and name of the owner, when known, will be handed to the general of the Texian army, or the commissioners, whose duty it shall be to settle and receive payment.

Art. 5. All personal property, including horned cattle, horses, negro slaves, or any other goods and chattels taken by the Mexican army, or by divisions, or which may have found a refuge with said army from the first invasion, will be restored and delivered to the commanding officer of the Texian forces, or to such person as may be appointed by the Texian government.

Art. 6. The troops of both armies are no more to come in contact with each other; the Texian general will, therefore, take care to keep between the encampments a distance not less than five leagues.

Art. 7. The Mexican army will not halt in their retreat, but to provide for their sick, for their equipments, &c. and to cross or ford rivers; any other halt not justified by any plausible motive of necessity shall be considered an infraction to the dispositions of the present treaty.

Art. 8. The present treaty shall be transmitted with all possible expedition by an extraordinary express to generals Don Vicente Filasola and T. J. Rusk, in order that they accomplish what is prescribed to them, and agree together on what must be done to execute the present stipulations in the shortest delay.

Art. 9. Every Texian prisoner now in the power of the Mexican army, or of any of the Mexican authorities, shall be immediately set at liberty, and furnished with passports to go back to their homes. The government of Texas shall, on their part, set at liberty an equal number of Mexicans, of the same rank and grade, and treat the remaining Mexican prisoners of war with the greatest humanity; the cost of their maintenance being supported by the Mexican government when any extra comforts will be allowed to them.

Art. 10. General Antonio Lopez de Santa Ana shall be sent to Vera Cruz as early as the Texian government may think proper.

And in order that each of the clauses herein specified may be fully executed, the present treaty has been in duplicates by the contracting parties, at the port of Velasco, May 4th, 1836.

ANTONIO LOPEZ DE SANTA ANA,  
DAVID G. BURNET,  
J. CALLENS,  
LECETAS OF HALS,  
YACLUSS HARDENAN,  
JECY IRAXURRY,  
P. H. GRAZCON,  
MARTINES UNECAS.

YOUR EXCELLENCY: As I was ready to march forward at the head of the army I command, I received your communication, with the treaty concluded between your excellency and the general of the Texian forces. Had it not been for the arrival of these documents, I should have continued to execute the preceding orders I had officially received from your excellency. It becomes now my duty to take every necessary measure to carry your last instructions into execution. Any delay on my part will only be occasioned by the necessity of transporting those of my men who are sick; my field equipments and other stores, as is provided for in the treaty. This convention being duly drawn with all formalities, and bearing the signature and ratification of your excellency, as general-in-chief of the army of operations, which, jointly with your quality of president of the Mexican republic, leave me neither right nor faculty of resisting your orders, my duty is to obey, and promptly put them in execution. Such has hitherto been my conduct since the beginning of the campaign. I shall religiously observe all the clauses, such as the respect for private property, the exchange of prisoners, and the paying for every article of food or provisions delivered to the army.

In the second place, and in conformity with the stipulations of the treaty, I shall agree with the general commanding the Texian forces, as to our joint execution of the convention, and as to any necessary claims, under all circumstances. God and liberty.

VICENTE FILASOLA.

To His excellency Don Antonio Lopez de Santa Ana, president of the republic of Mexico.

On the borders of the stream del Mugerero, on the 26th of May, appeared under the tent of his excellency Vicente Filasola, general-in-chief of the Mexican army of operations, col. Benjamin Smith and captain Henry Telz, of the Texian army, who handed to said general Filasola a document directed to him by his excellency Don Antonio Lopez de Santa Ana, president of the republic; and said colonel Smith having exposed

he came fully authorised, as appeared by his credentials, signed by general Thomas J. Rusk, in order to ratify in his name the treaty of a cessation of arms, concluded between general Santa Ana and the Texian government, on the 14th of May, and also to put in execution the stipulations of the aforesaid treaty.

In consequence, general Filasola, after perusing said documents, appointed to examine and verify them gen. Don Eugenio Folsa and col. Don Agustin Amat, of the Mexican army, who accomplished the object of their mission, and acquainted his excellency with the result; thereupon, general Filasola having made up his mind, under these circumstances, determined to act in conformity with every thing relating to the army of operations, in the 10th section of the treaty, and in the same manner as the general of the Texian forces would do.

The contracting parties agreed that, on the part of general Rusk, there should be appointed several commissioners, who should follow the Mexican army at such a distance that they could be perfectly acquainted with every occurrence, and every just claim foreseen by the several articles of the treaty, and therein mentioned; and for this object any thing they may want from the army of operations will be granted to them.

And to give full power to this understanding, the contracting parties agree to sign the present document by duplicates, with the commissioners from both armies.

Head quarters, stream del Mugerero, May 26, 1836.

EUGENIO FOLSA,  
HENRY TELZ,  
AGUSTIN AMAT,  
BENJAMIN SMITH,  
VICENTE NEUCES.

Rio de las Neuces, May 31, 1836.

Secretary of war and navy, centre section—first division.

GENERAL: I made known to his excellency the president per interim, your communication, dated Right Shore of Rio de las Neuces, 31st ultimo: in answer to which, I have to inform you, agreeably to the supreme orders I have received, that the whole of this communication has been looked upon with the greatest indignation.

Your excellency will have to answer for the serious offences you have committed, in not adhering to points which the supreme congress ordered you to maintain, cost what they might; from that moment a serious charge lies on you for having forgotten the dispositions of art. 2, title 3, chap. 7, of the military ordinance, which invested you with the command of the army; in no light whatever ought you to have considered that the general-in-chief was in full exercise of his functions while in captivity. And had he even been at the head of the executive power, no order emanating from him carried with it obedience, unless countersigned by the secretary of the department from whence it would have emanated. The president per interim is greatly surprised that you could have accepted such conditions as common sense alone rejects, and which only could have been adopted through the grossest ignorance of the dispositions of our military laws, and particularly the circumstances under which the executive power is executed in a republic like ours.

Consequently the president per interim condemns all the stipulations of the convention signed at Velasco the 14th of May, 1836, because the general who signed it had neither the power nor the authority to do so; he more particularly condemns as a contempt of the rights of nations, all that part of the concordat which grants the title of republic to a portion of one of the revolted states of the Mexican confederation, and the title of president to the chief of those bandits.

The president per interim concludes by requesting you, if you have not already done so, to remit immediately the command of the army unto general Don Jose Urrea, and that you repair, without delay, to this capital, and there answer for your conduct before the tribunals of your country.

God and liberty.

TORNEL.

To his exc. the general-in-chief of division, Don Vicente Filasola. Mexico, June 25, 1836.

#### BATTLE OF WE-LI-KA POND.

From the Washington Globe.

We publish the official report of the battle of We-li-ka Pond near Micanopy, received yesterday at the adjutant general's office, being a copy of lieutenant Maitland's (3d artillery) report, forwarded by him to the governor of Florida.

Fort Defiance, Micanopy, 18th July, 1836.

SIR: In obedience to your instructions to evacuate the post of Fort Drane, if the commanding officer, in exercising a sound discretion, should deem it necessary, I have the honor to report that the commanding officer, captain Merchant of the 2d regiment of artillery, in consequence of the large and increasing sick report, determined to remove the troops to this place. The movement commenced this day at eight o'clock, consisting of twenty-two wagons, loaded with commissary and quartermasters' stores, with an escort of a detachment of twenty-six dragoons of the 2d regiment, under the command of captain Ashby, and thirty-six men detailed from the different artillery companies at the post; also a five and a half inch howitzer, under the charge of lieutenant Whitby, 2d artillery, making a force of 62 men. On our arrival at the We-li-ka Pond, within one mile of this place, the discharge of several rifles apprised us of the presence of the enemy. Capt. Ashby immediately went with his dragoons in the direction from which

the fire was discovered, and scoured the neighboring hammocks, without finding the enemy. It is proper to state here, that in the first fire private Holmes of the dragoons, was dangerously wounded in the abdomen, (since dead). Proceeding on our route opposite a long hammock, within a quarter of a mile of Micanopy, we were attacked by a body of Indians estimated from what we saw of them, and from their firing, to be about 250 strong. The firing commenced near the front and on the right of the train, and was continued through its whole length, a quarter of a mile. The men returned the fire with spirit and promptness. During the engagement, capt. Ashby, who I regret to say, was soon after the commencement of it, severely wounded, but refused to leave the field until loss of blood compelled him, finding the enemy in great strength, and pressing on us, despatched a dragoon to this place for a reinforcement. On his way he met two detachments under lieutenants Temple and Talcott, 31 strong, on their march to assist us.

They arrived at an important moment, and did us good service. Lieutenant Temple reached us, having scoured, on his approach, a point of hammock from which the enemy had very much annoyed us. As soon as lieutenant Temple and his command had taken their position in line, captain Ashby ordered a charge in the hammock, which was instantly executed, and the Indians driven beyond the reach of our fire. During this time lieut. Talcott was actively employed in removing the wagons in their direction to this place.

Of the good conduct and courage of the troops, it is sufficient to say that every man did his duty.

My gallant commander, captain Ashby, distinguished himself by his courage and activity, and did not leave the field, even after receiving a severe wound, until feebleness, from loss of blood, made it absolutely necessary.

First lieut. Temple, 3d artillery, rendered the most essential service, by his timely arrival from Fort Defiance, and the gallant manner in which he charged the hammock. Lieut. Whitby, who had charge of the howitzer, served it in the most efficient manner; and from the prominent position, was a mark for the enemy, which drew a sharp fire on him, and disabled several of his men.

We regret to say assistant surgeon Weightman received a severe wound in his left thigh.

Sergeants Smith Johnson, of company D, 2d dragoons; Smith, company F, 1st artillery; Hall, company I, 3d artillery; Paterson, company I, 3d artillery; Baydon, company H, 3d artillery; all distinguished themselves by their courage and good conduct in discharging the duties that devolved on them.

Report of the killed and wounded at the battle of We-li-ka, East Florida, 19th July, 1836.

Dangerously wounded.....	5 (two since dead).
Severely do.....	5
Slightly do.....	1

Total.....11

From our well directed fire we no doubt killed and disabled many of the enemy; but as is usual, they carry them off to the dense hammock to which they retreated.

We had three horses killed in the field, and several severely wounded.

I have the honor to be, sir, very respectfully, your obedient servant,

W. S. MAITLAND, 1st lieutenant commanding.  
General R. Jones, adj. gen. U. S. army, Washington.

FROM BARBADOES.

From the N. Y. Star.

We have received through a friend, files from Barbadoes to July 18th inclusive. Information received there from St. Kitts, states that the troops at that place are suffering much from fever, which has proved fatal to many of them, especially to the Europeans, as usual.

The previous accounts published of the successful working of the apprenticeship system at Demerara, appear to have been entirely erroneous.

At the southern estate of district E, there was lately a serious strike on the part of the slaves, who rebelled against the manager and the magistrate, and fled to the bush, where they built houses, but were finally captured, after a severe action, by the constabulary force. Nine out of the thirty-seven received corporal punishment as ring-leaders.

In consequence of certain legislative acts of St. Kitts, assuming a responsibility over the parliament at home, by fettering the abolition bill with compulsory manumission, emigration of white laborers into Demerara has received a considerable check. By the Demerara Gazette of June 30th, we learn that in consequence of the above acts four vessels had left there for the purpose of conveying laborers thither from the poorer islands.

The steamboats Dee and Columbia, now perform their trips regularly between Barbadoes and Jamaica.

His majesty's brig Harpy, which arrived at Bridgetown, Barbadoes, from Trinidad, July 16th, with the loss of her foretopmast from a heavy sea, brought £13,000 in doubloons for the commissariat.

The Bridgetown West Indian, speaking of the abstraction of white laborers for the supply of Demerara says:

"The number of laborers abstracted from St. Kitts by fair or foul play, we have not the means of ascertaining, but 395 have been brought here on their way to Demerara. This, it appears,

as one of the "poorer" islands is now called on for its quota of laborers to till the "splendid" mud of Demerara. We can well afford to spare not 150 to 200, but 15,000 to 20,000, provided they are taken away in families. But we do hope the legislature will interfere and prevent any able bodied person from leaving this island until he gives security, that his family shall not become a burthen to the community. Our friends in the land of mud will not think us unreasonable in demanding this.

THE FATHER OF THE CONSTITUTION.

MR. MACFARLAND'S ORATION.

Richmond, July 26, 1836.

DEAR SIR: I am desired by the committee, who were "charged with making arrangements for the funeral solemnities of Mr. Madison," to request you to add to the favor already conferred, by furnishing at your convenience, a copy of the oration you delivered yesterday, for the purpose of having it printed. Very respectfully,

JOHN BROCKENBROUGH.

To William H. Macfarland, esq.

Richmond, August 1, 1836.

DEAR SIR: In compliance with your request, on behalf of the committee, I submit to your disposal, a copy of the address, prepared at the request of a meeting of the citizens, on the occasion of the death of Mr. Madison. It was prepared on short notice, and under perpetual interruptions, and is, I am very sensible, imperfect—but the circumstances to which I refer will, I hope, be allowed as some excuse. Very respectfully,

WM. H. MACFARLAND.

Dr. John Brockenbrough.

FELLOW CITIZENS: When death removes some cherished friend, it is a pleasure to the survivors to dwell upon the memory of what he was, and the ties that bound them; to call to recollection the various graces of mind and person, which won esteem and admiration; and to speak the praises of the deceased to those who honored him for his virtues, and are sorrowing that they shall see his face no more. It is indeed a mournful pleasure, and serves to awaken a deeper and more affecting sense of bereavement; but the heart of sensibility and devoted attachment is relieved by its own wailings, and finds solace in ingenuous grief.

This, which is the sad privilege of the bereaved, when death invades the small circle of personal friendship, and removes some devoted object, becomes, in some degree, the nation, when the victim is the nation's ornament and benefactor. The solemn occasion deserves to be marked by every circumstance of affecting and impressive ceremony. When the father of his country dies, his country should be a mourner at his tomb—and tell the good he did, the evil he prevented—the multiplied blessing derived from a devoted and well-spent life.

The desire to live in the memory of those who are to succeed us, is natural to the human soul; and stronger always with men of generous and elevated views. Urged by that feeling, and yielding obedience to the dictates of their own conscience, which with such men is above all other influence, they are as ready to oppose as to humor the impressions of the day, and fearlessly encounter the clamors of passion and prejudice, content to place their vindication on the issue and leave the award to posterity. Their vision is on the future—and whatever be the trials that await them, they expect a sweet return for all, in the thankfulness of those who reap the rich reward of their labor and privations.

It was the happy fortune of the illustrious man, whose services and virtues we this day commemorate, to hear the sentence of his country upon his public life, whilst he yet stood among the generations which he blessed. The voice of congratulation, which never failed of a cheerful audience, as oft and again his countrymen strove to do him homage, bore unerring testimony that the great results to which his life had been devoted, were accomplished, and found worthy the wisdom which designed them.

It is an occasion for devout thanksgiving to the Almighty Disposer of Events, that so many of the men of the revolution, and of the era not less eventful, which immediately succeeded it, lived to behold the full maturity of the new system. Who does not own the mercy of God, in thus sparing them, to witness the triumphant success of the bold innovation, which through years of perplexity and danger, they toiled to mature? More favored than the holy deliverer of captive Israel, they went to their rest in the land of their hopes and affections, leaving it united and prosperous without example. Nor can we fail to perceive other considerations for thanksgiving in the length of days which a kind Providence bestowed upon them. Spared until time, which tests the wisdom of all human contrivances, had placed its seal upon their great scheme for man's melioration, thenceforth the charge of defending and preserving it devolved upon the generation whose inheritance it was. And now or hereafter, to permit it to suffer violence or decay, would be sad folly and the worst ingratitude.

I could have wished that you had selected some one more familiar with the details of the public and private history of our venerable Madison, and endowed with eloquence worthy the occasion, to pronounce his eulogy. His fame is above all general and vague declamation. To do justice to his exalted character, and comprehend to the full extent his claims to the lasting and grateful remembrance of his country, the civil history through a long period must be attentively examined.

It is only by tracing the progress and attending to the formidable obstacles, which opposed the introduction of our wise system of government, that a correct idea can be had of the peculiar difficulties and embarrassments of its authors and early advocates, and the patience, resolution and address which the circumstances demanded. Not only were the subjects new, and the most important that could be submitted to man's judgment; but the position of those to whom they were referred, and who were called upon to institute a new system of civil polity, was without a parallel. And to add to the sources of perplexity and anxious solicitude, the public mind was inflamed and agitated by the questions which grew out of the novel and extraordinary condition of the country. But neither the extrinsic difficulties, nor the perplexity and embarrassments which belonged to the arduous undertaking of constructing anew the "solid edifice of social order and civil and religious freedom," disturbed the constancy or diminished the noble ardor of those to whom it was committed to embody, in enduring forms, the principles of the revolution. And we who are now assembled to pay the last honors to the patriot statesman, enjoy the consolation of knowing, that his name is identified with the rise and maturity of our institutions and civil polity.

The occasion does not admit of the minute historical review, which, as I have said, would alone suffice to do justice to the memory of Madison. Nor would I, if time had been afforded, presumptuously enter upon a task, for which eloquence and comprehension not unlike his own would alone be adequate. There is in truth now no need of such an effort. The solemn observances and the public assembly of the day eloquently express the vivid remembrance yet retained of his invaluable services and devoted life. It was fit it should be so.

The interval between 1783, when peace was declared, and 1788, when the federal constitution was finally ratified, was a period of fearful interest. During the war, the sense of common danger and a common object, made up in some degree for the want of energy and decision in the confederate government; but upon the restoration of peace, the imbecility of the system soon became apparent. The government had contracted large debts, and, to meet the just demands of the public creditors, had to rely upon the tardy and uncertain contributions of the states. The long continuance of the war had impoverished the country, and the people, who had looked forward to the cessation of hostilities as the commencement of unrivalled prosperity, were clamorous and impatient under the privations which they continued to experience. The government was reproached with disregarding the public faith, and the violation of solemn engagements. Among others who complained of injustice, were the officers and soldiers of the army, whose claims were as meritorious as the assurances upon which they relied had been repeated and explicit. It was indispensable to the preservation of the union and the national character, that congress should be invested with the authority to ordain commercial regulations, and effectually to represent the nation in its new relations with foreign countries. But the confederation was viewed with jealousy, and strong repugnance was avowed to the delegation of powers which might render it independent of the states. In fine, the government possessed neither authority to command obedience, nor was the object of such general favor and good will as might serve to conceal its impotency. The country appeared to be verging rapidly to a crisis, and in the full and undisputed enjoyment of independence, its condition seemed more discouraging and desperate than in the most gloomy and disastrous moments of the war.

The frightful ills to which it was exposed, impressed the leading men of that epoch with an anxious and fearful sense of the necessity for reforming the government in those particulars in which it was perceived to be fatally defective; and, as might have been expected by such men, with their impressions of the public exigencies, they sought the situations in which they could be most useful. Hence the congress of 1783, was of unusual ability.

Mr. Madison was a member of that congress. He had been a member of the two preceding; and though but a young man, had acquired an influence, which nothing but great abilities and the purest integrity could have conferred. No better evidence could be desired, of the high consideration in which he was held by the congress of '83, than the fact of his being placed at the head of the committee, of which the other members were Hamilton and Ellsworth, to prepare an address, recommending to the several states, to vest in congress permanent funds, adequate to the payment of the interest and final redemption of the public debt, and to consent to change the mode for ascertaining the proportions in which they were to contribute.

The obvious policy—nay, justice of the measure proposed, was such that it is not easy at this day to imagine the reasons upon which it could be resisted; yet it gave rise to a protracted debate, and encountered strong and earnest opposition. That Madison was selected with two others so distinguished, to prepare an address invoking the acquiescence of the states in a measure to restore and support public credit, is evidence that the issue of the appeal was uncertain, and that great reliance was placed upon his weight of character. The address which, as chairman of the committee, he prepared and reported, was worthy the reputation of the distinguished body from which it emanated, and marked by that fervid public spirit which led

the author to regard the good faith and honor of the government with the care with which he preserved his own.

In his "paternal and affectionate letter" of the 8th of June, '83, to the governors of the several states, George Washington, with special commendation, referred to the "dignity and energy" of the address, and, with an energy and dignity peculiarly his own, enforced the obligation of "faithful and pointed attention" to the several duties indicated by the crisis.

The occasion does not admit of an inquiry into the objections alleged against the plan recommended by congress, and which defeated an arrangement sustained by more than parental authority. That and other considerations of interest belonging to the era, and which it will be the pleasing duty of the biographer of Madison to notice, as illustrating the beneficent influence which he exerted over public measures, must be passed over as excluded by the limits to be observed in this address. It will suffice to say, that having applied himself to the maintenance of the credit of the government and of domestic tranquility, and having had the rare fortune to attract the especial commendation of the *father of his country*, he was not to be diverted from his course by the variety and magnitude of the opposing obstacles.

Leaving congress, of which, by a provision in the confederation, he could not be a member for more than three years out of six, Mr. Madison, (who had belonged to the body at a still earlier period), was returned to the legislature as a member of the house of delegates. The theatre of his exertions was changed—but his was that capacious and Catholic public spirit, which is incapable of overlooking the welfare of the whole, whilst occupied in the cares and interests of a part. Careful that nothing should be omitted which belonged to the legislation of his own state, he was no less careful to seize—nay, to make the opportunity of efficient action in behalf of the union.

In January, 1786, the Virginia assembly passed a resolution respecting trade and commercial relations, and appointed commissioners to meet such as might be appointed by the other states, to take into consideration the important subject, and report an uniform system. Mr. Madison, to whom belongs the distinction of being the patron of the measure, was one of the commissioners of this commonwealth. And a resolution, (as the sequel disclosed), which in its terms looked not beyond the commercial arrangements, was the harbinger of our now cherished national government, and may be regarded as its origin—so that Madison was connected with the earliest inception, as he was confessedly with all the later stages in the great movement, which reached its consummation in that wisest and best of human productions, the American constitution.

The commissioners, consisting of a delegation from five states only, executed their responsible trust by adopting an address, recommending a radical revision of the federal system in general convention. The Virginia assembly was the first to approve the measure, so auspicious of peace, union and energy in the administration of the government—and the first, therefore, to repel the trans-Atlantic imputation, "leave them to themselves, and their government will soon dissolve." Mr. Madison hastened to announce the resolution providing for a general convention, and the unanimity with which it was adopted, to general Washington; and added, "it has been thought advisable to give this subject a very solemn dress, and all the weight which could be derived from a single state. This idea will also be pursued in the selection of characters to represent Virginia in the federal convention. You will infer our earnestness on this point from the liberty which will be used of placing your name at the head of them."<sup>1</sup>

We are brought by our rapid retrospect—it could not be otherwise than rapid and general—to the meeting of the federal convention in Philadelphia, in '87. It was the last reliance of the friends of order and of the union, and if it failed, a universal dismay would be the bitter portion of the nation. In the care which was every where taken to give weight and influence to the delegation, by the selection of the first men in the respective states, was seen the impressive sense which prevailed of the variety and magnitude of the interests that would be submitted to its solemn deliberation. The interests of a single community had been, in all past time, a task for the highest human wisdom and address. What human wisdom and address were competent to combine and reconcile the jarring interests of thirteen states mutually independent!!

I would claim nothing for Madison, to the prejudice of his compatriots, nor subtract from what his modest and gentle nature esteemed among the highest of his honors, the selection of himself as a fellow laborer with the venerable men with whom he was associated. Impartial history has assigned him a principal and leading agency, in procuring the convention to be called. And as a member, none carried with them a more thorough comprehension of the difficulty of the whole subject; none applied themselves with greater devotion until the end was accomplished—nor was there a character better formed to conciliate by the grace with which he could yield in matters that were unimportant, and the mild dignity with which he would insist in those of more moment. For his eulogy and that of his associates, through a period of laborious, painful and anxious deliberation, more expressive than any description, is a simple reference to the instrument which their wisdom devised. Unnumbered blessings have flowed, and blessings yet untold will flow from it.

When the convention adjourned, the work of reform was but in part accomplished. The constitution had yet to be ratified;



and jealous and vigilant beyond any instance of popular criticism, was the scrutiny to which it was subjected. Here in our own state, where now all profess to hold it in sacred admiration, the question of its adoption was debated between two parties nearly equal in numbers, and each led by men of unquestioned ability and of no less unquestioned public spirit. At that critical juncture, when the cause of the constitution depended upon a judicious and forcible appeal to popular judgment and the love of union, the papers, which are yet preserved under the title of *The Federalist*, made their appearance. And such were the candor and moderation, the fullness and vigor of the exposition—so visible the marks of honest conviction, and patriotic solicitude for the result, that party was disabused of its fierceness, and for once submitted to be instructed. In a life less illustrious, and furnishing fewer examples of severe and active wisdom, the numbers which he contributed to the series would alone be a monument of the devotion to great national results of rare and splendid endowments. In the life of Madison they serve as an imposing memorial, that his efforts were unremitting until the constitution rested in safety.

Of all the deliberative bodies of which he was a member, perhaps that which made the greatest demand upon his "philosophical mind and the copious resources of his mature and disciplined wisdom," was the Virginia convention in 1788. We can never recur to that assembly without sentiments of mingled pride and veneration. The alarms, agitations and evils of the time, we only know as matters of history; but in the memorials which have descended of the unsurpassed ability and eloquence of the men of the convention, we feel a filial interest, as associated with the glory and renown of the commonwealth. Whatever reasons there were for regret, at the time, that Madison and Henry held opposite opinions, none now would have had it otherwise. It served for an occasion to display those pre-eminent endowments, not of the champions only, but of others, their colleagues, that shed an un fading lustre upon their country. Of Marshall, among others, himself an early champion of his country, as he was in subsequent life one of her brightest ornaments—loved, revered for the unsurpassed excellencies of his character—who but recently hath gone to his reward, whilst yet his admiring country trusted that his honored days would be prolonged.

At the close of a toilsome session, the Virginia convention adopted the constitution and the small majority of ten, by which it was carried, is a perpetual memorial of the indefatigable zeal and power of oratory with which it was resisted, and of the almost superhuman vigor and devotion that sustained it. Madison might thenceforth have reposed from his labors, secure of the respect and veneration of succeeding ages. He had become memorable whilst he was yet in the early vigor of manhood, and in the large agency which he had had in quieting the public mind, in diffusing sound opinions of government and sentiments of respect for its authority, in adapting the legislation to the novel condition of the country, and its high destiny, and in maturing the federal constitution and procuring the acceptance of the people, might have rested, as the evidence of a well spent life.

After the adoption of the federal constitution, he continued to serve his country for a period of nearly thirty years, in congress, in the legislature of the state, at the head of the department of state, and as chief magistrate of the union.

It would be no less interesting than calculated to deepen our impressions of his activity and influence, to notice the important agency which he had in the settlement of the numerous subjects which claimed the immediate attention of congress under the new government. Time, however, does not permit. But, as suggested by the previous narrative, and as illustrating his great anxiety to redeem the constitution from just objection, by guarding against the danger of perverting or abusing its powers, it should be mentioned that, at the first congress, he introduced and carried a proposition for its amendment, by the addition of several new articles. The proposition was ratified by the legislatures of three-fourths of the states, and thus made a part of the constitution. A later and yet more memorable instance of similar public service was the resolutions of '98, and the report of '99, known as Madison's resolutions and report. He had been long admired as an author and advocate of the constitution, but was then to appear in the new character of commentator, and impartially to unfold its meaning and define the limits of the authority of the government. It was at a period of excitement; questions of deep import distracted the public councils and agitated the people; and in the opposing divisions, on either side were many of those who had assisted in laying the foundations of our civil fabrics. At that critical juncture, the public mind of his own state in a condition of peculiar exacerbation, he was called once more to the legislature, to exert his benign influence in composing popular uneasiness, and to rescue the constitution from (as was believed) imminent peril.

The manner in which he met the occasion and disposed of the grave subject, marked a new era in the politics of the country. So conspicuous was the elevation of his character, and such the grace of his modest and unassuming deportment, that those who dissented from his conclusions, no less than those who followed in his lead, paid him the homage due to superior wisdom and virtue. No state paper has appeared, which has excited such a general and wide spread influence over public opinion, as the report of '98; and it is yet referred to as au-

thority; by a number, which the course of public measures has perpetually enlarged. If as our state pride inclines us to believe, our cherished commonwealth has had, and we trust still has, a high character with her sister states for just comprehension of the constitution, and devotion to its principles, the enviable distinction is to be ascribed in no small degree to Madison and his celebrated report.

Mr. Madison was secretary of state at a period when the diplomatic relations of the government were especially critical and unsettled. And when he was advanced to that higher station, the highest to which his country could elevate him, as a pledge of her affection, and the proof of her reliance upon his wisdom, the administration of the government was signally arduous and responsible. For his administration it was reserved to commit the government to that last and severest of all trials, war—with a nation strong in her resources and proud in her military renown.

There were diversities of opinion and contentions among public men in respect to points in his administration, as there had been in respect to all those which had preceded him. The charities of this occasion forbid allusion to party triumphs. But though we may not allude to such topics, we may speak of facts that are notorious, and not less true, than they are the occasion of congratulation with all parties. None hesitate to bear their grateful testimony to the signal purity and simplicity of the chief magistrate. All admit that the war which it was his fortune to declare, and better fortune to terminate, elevated the government to a proud eminence in the view of the world, and invested the name of an American citizen with a new title to consideration and respect. All, as they look back upon the trials through which he conducted the government, not safely only, but with honor, feel an unwanted glow of devotion to their country and her institutions. As one of our chief magistrates, the memory of Madison will be honored, as long as the glory of the country is any part of its concern.

Looking back upon his long career of public service, as he passed from one high trust to another yet more responsible, what is there wanting to complete his title to be considered as the benefactor of his country? What to secure the fame to which a patriot may aspire, and is a patriot's reward? On what occasion was he unequal to the exigency, and what state exigency did he not encounter? When his career commenced, you were without a constitution—your government without authority—and the times were portentous of instant and fearful disclosures. Aided by his compatriots, he gave you a constitution, an efficient government and union—and with these he added what, in a peculiar and emphatic sense, was his own, the example of an upright and conscientious functionary. None ever imputed the existence of a selfish, or mercenary, or factious motive—or complained that he was wilful and had disregarded the public interest—or impatient and had mistaken it. The scrupulous regard to the minutest propriety which was conspicuous in his private relations, was exhibited in all his official acts. Sensible that our institutions have no other foundation than the attachment and confidence of the people, he endeavored to confirm their confidence and attachment by the mild, impartial, conscientious and dignified manner in which he administered the powers with which he was invested.

The last public scene in which he appeared, passed in our immediate view. You well remember the venerable appearance of the venerable man. The spirit of earlier days glowing in his aged bosom, he came up to assist the men of another generation in revising and amending their constitution. What could be more lovely and impressive than the spectacle! The patriarch of the land—the object of universal affection and benediction, returned to the labors which distinguished him in the infancy of the republic! The interest of the occasion derived additional solemnity from the union with him and two others, alike the relics of a former age; memorable for the variety and extent of their public service, and venerable for every virtue and excellence. More than forty years had intervened since they last met in convention—again they met in convention, for the last time, mutually esteemed and honored by one another.

Thus closed the public life of the aged Madison—the end in perfect harmony with the beginning. He had occupied the highest stations to which a citizen may aspire, and possessed an influence, that the personal consideration in which he was held carried beyond the limits of official importance; but such was his unaffected modesty, he seemed unconscious of his honors, and concerned about nothing but his duties. The example of a high functionary is scarcely less important than his official acts—the errors and aberrations of a private citizen at most, but disturb the current of public sentiment, whilst those of leading men tend to corrupt the fountain. Madison was conspicuous for grace, propriety and dignity, no less than for clear and thorough comprehension of the complicated and arduous subjects of civil policy, and the ability and energy of his labors. On the various theatres that brought him in connection, and often in collision with the first men of the age, than which no age has been illustrated by a greater variety and splendor of endowment, moral and intellectual, he displayed a capacity for public business which always placed him in the first rank, and the admiration which his talents attracted mingled with respect and esteem for his virtues. It was the disinterested and chastened public spirit of which his daily life was the witness, that fitted him for the singular success which attended his efforts, and gave him power to prevail over minds pre-occupied with opposing

opinions. It was impossible to see him without being struck by his modest and unpretending manner, which in a measure concealed his talents and virtues, nor to meet him in private without being cheered and enlightened by his presence. His fame is engraved on the polished pillars that support the noble fabric which man has constructed—and as often as we admire its beauty, and glory in its being the strength and ornament of our land, we should think of the accomplished and devoted artist, and if we may not aspire to his mental eminence, emulate and practise his virtues.

Madison is no more! No more can we apply to him for counsel, or summon him to our aid! Full of years, time having ratified the beneficence of his plans for the welfare of his fellow men—he was gathered to his fathers. But he yet survives in the institutions, in the renown, and in the affections of his country. He sought in life no distinction but that which might attend the unremitted devotion of his time and powers to civil and religious freedom. He asked nothing in return, but a father's request, accompanied by a father's blessing, that his country would be faithful to her obligations.

#### THE LATE GROSS OUTRAGE UPON MR. CHURCHILL. Correspondence of the London Morning Chronicle.

Constantinople, May 21.

All Constantinople has been in an uproar about the affair of Mr. Churchill, whose case was mentioned in my last. As soon as the minister for foreign affairs refused to give him up at the demand of lord Ponsonby, the affair ceased to be personal, and assumed strictly the form of a national question. The Turkish minister had refused to conform to treaties! Our ambassador, therefore, broke off all communication with the porte, and demanded an audience with the sultan, with a view, it was conjectured, of asking his highness with what minister he is henceforward to transact business, as he cannot possibly continue to have intercourse with one who has carried his insolence so far as to set at defiance the existing engagements. The minister for foreign affairs has so completely committed himself, and lord Ponsonby has declared so openly to have signal satisfaction, that the minister and the ambassador will not be able both to keep their posts. Two men cannot well stand on the point of a dagger. It is not a little remarkable that the Turks should have selected Mr. Churchill as an object of their vengeance, when it is known to every one that he has for years past, as a public writer, been one of the warmest of their advocates—a man who had no small share in exciting public opinion in Europe in their favor. But then he has seen clearly the interests of his own country, and has been an uncompromising enemy to Russia, the progress of whose projects he has been active in pointing out. Now, as I have said a hundred times, it is not the Turks who rule here, but the Russians. The former would have made no difficulty about giving up Mr. C. but on Monday the 9th instant, a Russian drogoman and the reis effendi were closeted for two hours, and when the interview terminated our countryman was sent over to the bagnio with a regular firman of committal, just as if he were a common felon, a convicted thief, or a confessed murderer! The French ambassador got scent of this, and despatched to Mons. Boutenief, his secretary of embassy, to say that such a rumor had got afloat, and that he hoped the Russian minister would take the earliest opportunity of proving that it was a calumny. When, therefore, all the ambassadors sent in notes, to protest against this invasion of Frank privileges, the Russian was the first who got his note in.

On the 12th, just before sunset, as Mr. C. was beginning to read away his tedious evening, he heard a rush towards his cell, and in an instant its doors was thrown open, and he was summoned forth—whether to death or liberty was to appear afterwards, and he soon perceived that the Turks, finding him too hot to be held longer without burning their fingers still more seriously, were determined to get rid of him. Mr. C. asked if he was to be released by the hand of his ambassador or not? and on learning that he was not, he refused to leave the prison with his own consent. The officers, therefore, put him out without it; his irons were removed, and he was told to go about his business. He therefore got into a kaïk and went home. No longer supported by the excitement of his peculiar situation, he had scarcely reached the bosom of his family, when he was seized with a fever. He has since been visited by medical men, (who were refused admittance into the bagnio when he most wanted them), and by leeching, bleeding, poultices, lotions, diet and repose, they have got him round a little, although he is not yet able to leave his room. One of the many blows he received whilst in the hands of an infuriated rabble and a lawless military, has left severe pains in the chest, which he may carry with him to his grave.

I have yet to learn what is the exact nature of the satisfaction lord Ponsonby will demand, but I suppose it will be the personal punishment of all who had a hand in exercising their cruelty on Mr. C. the dismissal of the minister for foreign affairs, some guarantee for the future good behavior of the Turks, and a compensation to Mr. Churchill adequate to the magnitude of the offence committed. Lord Ponsonby has a difficult part to play, for whilst he must insist upon complete satisfaction being given, he has our national interests to attend to, and these require, on the part of England, the greatest tenderness towards the Turks. To quarrel with them in the mass will never do; and, after all, the misconduct complained of has been committed only by a few individuals, whose services the

state can do very well without. Suppose that in our rage against these few individuals, we wreak our vengeance on the whole nation, we should be acting in a most silly way. If we love not the Turks for their sakes, let us still love them for our own. Gold has been the ruin of many a man, and yet we should deem them mad were they, on that account, to throw into the sea all the gold that subsequently came into their hands. When our vital interests are concerned, we must divest ourselves of passion and prejudice. England must not, however, omit to punish severely the occasional misconduct of Turkey. Even a spoiled child now and then meets with chastisement, and if we do not make a stand on this occasion to secure our rights and liberties here, we shall lose them to all eternity! The porte has been anxious to establish that it should have the power to exercise its police, even when foreign subjects are concerned, without the interference of the ambassadors; but it has been proved now, as many a time before, that it is not to be trusted with that power. Mr. Churchill was nearly murdered, without being allowed the benefit of a single word he had to say in his defence, and when the reis effendi seat him from the tumruk to the bagnio, he never saw one countryman. He might say it was useless to see a Frank who could not understand his language, but that excuse would not hold good in Mr. C's case, as he happens to know Turkish for all common purposes, nearly, if not quite as well as any other language; and when at the kehaya beys at Scutari, he was asked his name, he wrote it himself in Turkish, as the katiib had some difficulty in making it out, so that they could not pretend that he was punished because he was unable to explain himself. He told all the chiefs wherever he was, that he had for years spoken well of the Turkish empire. He had better have concealed this fact, for it only secured him worse treatment. There are few people in the world, who like to be told of their own weakness. One of Mr. C's intimate friends, a gentleman of high rank, inquiring after his state, said "he was ashamed to go near him because he was a Turk," a delicacy in a well regulated mind by no means incomprehensible. All the Frank world are on the tiptoe of expectation to see exactly how lord Ponsonby will act in this affair.

Ever since my last the fete of the circumcision has been going on, and it will not finish till to-morrow. It has proceeded more slowly than would otherwise have been the case on account of the extremely bad weather last week. On the 13th we had the severe cold of winter, and they write from Adrianople that a considerable fall of snow took place there on that day. Yesterday the foreign ambassadors went to the Sweet Waters, on an invitation to dinner with various ministers and gradees, some with one and some with another. I have heard that the reis effendi and lord Ponsonby met at the seraskier's tent, but have yet to learn what may have passed between them. The Turks have of their own accord dismissed the kehaya bey of Ahmed Pacha, and the kadi of the Mekemeh of Scutari, which is an earnest of their desire to give every satisfaction to our ambassador.

We have a report in town, which if true, will excite great indignation almost throughout Europe. It is that the Russians have actually marched 12,000 men through Wallachia to Silistria, which is really violating the Turkish territory, for the purpose, it is alleged, of assisting in the evacuation and conveying guns, stores, &c. back to the Russian territory. Russia has so many *arrieres pensees* in all she does, that I must confess I do not like the look of this fresh manoeuvre of hers.

Sir Henry Bethune proceeds in two days for Persia, in the mercantile steamer the Essex, which will take him as far as Trebisonde. He takes with him lieutenant Wilbraham and eight sergeants of the rifle brigade, to teach the young Persian idea how to shoot.

Mr. Churchill addressed the following to lord Ponsonby:

(Copy.)

Kadikouy, 13th May, 1836.

"My lord: Although confined to my bed, in consequence of the injuries I have received, I hasten to lay before your excellency a statement of my case. I should have done so whilst still in my bagnio, but was ever led to suppose that my liberation would take place immediately.

"On the afternoon of the eighth instant, being out with my gun and dogs, I fired at and shot a quail. In going to pick up the bird, I observed a small Turkish boy at a distance of about 90 to 100 yards, who was crying out that I had wounded him. As my charge was not heavy, and the shot was the very smallest to be found in the country, I could scarcely credit this, but ran up to satisfy myself that the child was not seriously hurt, with a view of offering all the consolation in my power. I was soon surrounded by such Turks as were in the immediate neighborhood, and was exposed to blows of many. One young ruffian in particular, whom I shall have no difficulty in identifying, was liberal in his practical abuse, and but for the cooling counsel of older heads, I verily believe he would have killed me on the spot. I confined myself to the defensive, and made no difficulty in giving up my gun, one barrel of which was still loaded, signifying at once my consent to await the arrival of the guard, which had been sent for, without making an attempt to escape. About a quarter of an hour may have elapsed before the guard came up, and the bystanders amused themselves in the mean time in heaping upon me a load of imprecations, the young ruffian named keeping me ever on the alert to evade off the blows it was his constant attempt to put in with his fists. The guard came, consisting of a *mulasin* or lieutenant, a ser-

goant and a corporal, I believe, and three or four men. To the former I immediately explained who I was, how the accident occurred, and assured him I was ready that instant to accompany him to the superior authorities. I soon perceived that it was intended I should receive, then and there, a sample of Turkish justice, which first punishes and then inquires into the merits of a case. I therefore warned the lieutenant of the consequences of the step he contemplated taking, and resisted to my utmost the attempt of three or four men to throw me on the ground. One of these in particular had shown a ferocity which found vent only in deep curses and hard blows. I shall not fail to recognize him. The soldiers having succeeded finally in bringing me with my face to the earth, secured me in that position, and two men, with the regular police sticks used for torturing thieves, murderers and others, administered the chastisement that had been determined on. I cannot pretend to say what was the exact number of stripes (they may have been 40 or 50), but this I know, that every one has left a mark as long and as broad as the hand of a man. I have exhibited a specimen of these marks to captain Johnstone, of the Madras army, who was perfectly shocked at it. The stripes having been suspended, I was picked up from the ground and marched off to the office of the kehaya bey of Scutari, the slightly-wounded child being mounted on an ass, which I thought a very proper conveyance for such an expedition. Had he been seriously injured it would have been cruelly thus to parade him about. He was first carried with much triumph and exhibited to the kehaya bey, to whom I was then introduced. On my entrance he started up from his sofa with a fury perfectly demonic, heaped curses on my head, refused to hear a word I had to say in my defence, and seemed to deliver me over to the carassée to exercise their cruelty on me. Indignation boiled in my breast, and in one of these myrmidons of lawless power, who was particularly conspicuous for being more brutal than the rest of his fellow brutes, I said they might do what they pleased, but he should repent of his ferocity, a threat which only served to add fuel to the fire. This man consoled me for the unmerciful beating I had received by assuring me, with a solemn oath, that had I fallen into his hands, he would not have ceased his stripes until the last spark of life had been beaten out of my body! To him and two of his fellows I was intrusted, in order to be conveyed to the mekemme of Scutari. Scarcely able to walk, and with a violent pain in my chest, brought on, as I thought, by an extravasation of blood in the lungs, my speed was kept up by the knocks and pushes of the carasses in general, and of the brute *par excellence* in particular. Having reached the mekemme, and the child having first set a whining and then produced to conjure up the storm which it was considered needful should attend me every where, I was dragged to the upper story. At the top of the stairs a tall young man in the garb of a gentleman received me, bearing in his hand a cane which he demitished with due heroic fury over my devoted head and face. I here expected further ill treatment; but a suspension took place.

"The chief of the office, whoever he was, declared that as a Frank was in question, he would have no hand in further tormenting me, as it was a matter which concerned the *oumouri kharidjie naziri*. This was consolation of the right sort, and hope began to dawn upon me for the first time. I had fully expected a second *bastinado*, and felt I might not have survived it. A Turkish surgeon was sent for. He examined the wounds of the child and pronounced them to be slight, and I was afterwards called in to hear a note of the injuries read over. I was not allowed to say a word of course—a statement of the whole affair had been already drawn up at the dictation of my accusers; and on my remonstrating against such a proceeding, I was told this was a *keshf* (estimate of damages) and not a *murafie* (trial). All having been settled at the mekemme I was made over to a carass of the kehaya beys, and when alone he showed himself to be more humane than when herded with the others. He allowed me to enter a Jew's shop, and write a note to let Mr. Pisani know how I was situated, and I have no complaints whatever to make against him. I then understood that I was to pass the night in the *pirelike* (prison—literally place of fleas) at the kehaya beys, but that was not the case; a *kiatib* drew up a note of the affair for the *oumouri kharidjie naziri*, after having ascertained from myself who and what I was. Whilst this was being copied, my faithful pointers, which had never quitted me an instant, were taken care of. I had a pleasure in seeing that a sympathy was extended to them which had been denied to their master. Turks appear to have a fellow feeling for dogs which they cannot entertain for men, whom they resemble not.

"From the kehaya beys I was sent under charge of the humane carass, who had orders to deliver me over to the *oumouri kharidjie naziri*, with a note of the accusation against me. It being already sunset ere we reached Constantinople, I was thrust into the *tumruk* to await the excellency's orders, and there I passed the night, the dirty boards my bed, a filthy rag borrowed from a fellow prisoner my only covering. A high fever, however, kept me warm, and my sufferings were such that I required all my philosophy to bear up under them with any thing like complacency. The rest your lordship must know, when I was honored with the ponderous chains of the bagnio, and when I was driven forth from thence without being told why I was released. The bagnio, black as it is, is comparatively a bright page in the history of my sufferings. Captain Kelly and Mr. Rhodes took good charge of me there, and every

comfort I could require or enjoy in such a place was supplied, without any objection being made by the goalers. They are particularly civil, and can bear testimony that it is a well-regulated establishment.

"I cannot refrain from stating to your lordship that during the time of my confinement a galley slave (a Cephaloniot, Demetrios Caligha by name) acted as my servant, to my entire satisfaction. This man was put into the bagnio seven years ago, in consequence, it would appear, of having been caught in a tavern brawl, in which a Turk had been stabbed by one of Demetrios' companions. The companion, though equally a Cephaloniot, was beheaded as a rayah, and Demetrios remains in bondage to this day, probably without the means of making his case known to your excellency. I inquired into the man's conduct since he has been a captive, and have pleasure in stating that I was told it has been exemplary.

"Your lordship will perceive that there have been various individuals who made themselves conspicuous as my tormentors, viz:—

1. A young man of Kadikouy.
2. A chaoush or onbashi of the guard.
3. The mualzim (or his superior, if he was acting under orders).
4. The kehaya bey of Ahmed Pacha. (This ferocious fanatic old fool, perhaps, flies too high to be easily brought down; but your lordship must be aware that he is notorious for his zeal in the persecution of Franks on every possible occasion. I am much mistaken, or, like some of the blood-thirsty tyrants of old, he would wish to see the whole Frank world standing before him with one neck, that he might have the supreme gratification of severing it at a single blow.)
5. One of his carasses.
6. The gentleman of the mekemme of Scutari.

"If the state of my health permitted it, I should have done myself the honor of waiting upon your excellency, in order to give verbally any further details or explanations that may appear necessary. I have the honor to be, &c.

(Signed)

W. N. CHURCHILL.

"To his excellency the right hon. lord Ponsonby, &c.

"P. S. to the above. Between three and four years ago a young rayah accidentally shot me near Merdeven Kouy. The entire charge of his gun entered my forehead and scalp, and laid my skull bare to a considerable extent. Although this occurred in an open plain, and at a distance of ten yards, so far from seeking to have the young man punished, I lost no time, after being myself taken care of, in sending a surgeon to bleed him, as I was fearful that his excessive grief and agitation might be injurious to him; and as a further proof that I bore him no ill-will, I placed in his hands a few days afterwards, a present of 150 piastres in money. For myself I labored under the effects of the accident for six months, and to the day of my death a portion of my cranium will remain visible; but I have never uttered the slightest reproach against the innocent cause of my sufferings. It was perhaps needful to make known this affair, as it presents a striking contrast between the conduct of a civilized being, and that of vindictive barbarians, under circumstances precisely similar in their origin and result."

N. B. A second letter was addressed to lord Ponsonby, detailing the exact mode in which the *bastinado* was applied, giving particulars of the precise treatment experienced in the bagnio, and of the mode in which Mr. C. was sent away from that prison, with various other explanations, calculated to make his lordship perfect master of the subject.

#### THE LAST OF MAJOR DADE'S COMMAND.

From the Charleston Courier.

We have had some conversation with Ransom Clarke, the sole survivor of the detachment under major Dade, massacred by the Indians after a gallant contest, last December. The circumstances attending the escape of Clarke are truly miraculous.

It appears that the surprise of the corps was complete. About 8 A. M. of December 28th, major Dade rode in front of the column of march, and told his men to "have a good heart; that their difficulties and dangers were now over; and as soon as they arrived at Fort King, they should have three days rest, and keep Christmas gaily." The words were scarcely out of his mouth, when a discharge took place, and the major and his horse both fell. This sudden attack naturally disconcerted the troops, but in three minutes they were all as steady as veterans, and the fighting commenced in earnest. It continued with varied success, until the six pounder came up, on the discharge of which the Indians retreated, advantage was taken of this, and a hastily constructed breastwork was thrown up, in expectation of another attack, which took place in about an hour, when the enemy came on like devils, yelling and whooping in such a manner, that the reports of the rifles were scarcely perceptible. The action lasted from 8 A. M. to 4 in the afternoon—the United States troops amounted to 117, and the Indians are supposed to have been 800 strong with 100 negroes, who were more savage than the Seminoles. The enemy fired principally from a distance, and only made one charge with tomahawks and clubs but were repulsed. So long as a man stood, the resistance continued; and the six pounder was fired quickly and regularly as long as men remained to load it. At the end of the action, the inclosure within the breastwork was a foot deep in blood. With respect to the officers, as long as life remained they cheered and encouraged their men, and fell sword in hand. Captain

Fraser, second in command, and lieutenant Mudge fell at the first fire, when the major was killed. Clarke was at the extreme right flank, and when he heard the crack of the rifles he looked at the major for the word of command, but a volley from 800 rifles swept the advance guard entirely, and not a man remained standing. Lieutenant Henderson had his left arm shattered, and lieutenant Keys had both arms broken. The latter got one of the men to tie both arms with a handkerchief, and was placed against a tree, where he was tomahawked by the negroes. The troops then took each to his tree, and an irregular firing commenced, till the arrival of the six powder and the temporary retreat of the Indians as above mentioned.

At the second attack nothing could equal the coolness and deliberation of the troops; and as Clarke observes, "they were as cool as if they were in the woods shooting game." The weather was very warm, and about 1 o'clock the action began to slacken, upwards of 60 or 70 having fallen, and two officers only then surviving, captain Gardiner and lieutenant Bassinger. While a man could load a musket, the firing was continued. Captain Gardiner received 5 or 6 shots before he fell; the mortal wound was in the breast. When he fell, Bassinger said, "now, my boys, let us do the best we can—I am the only officer left;" and the firing recommenced. About half past 2, he was brought down by a rifle shot in the thighs, and he was afterwards cruelly massacred by a negro. Clarke received his first wound in the thigh, about one o'clock, outside the breast work, which brought him to the ground. He soon recovered himself, and crawled and limped in. He placed himself along it and commenced firing in that position, but in the act of elevating the musket, received a wound between the elbow and right shoulder. He still continued to fire and load, but again received two wounds, one in the head from buck shot, and a small rifle ball in the back. He still kept on till about 4 o'clock, when he received a ball on the right scapula from a negro; who, when he fired, cried out "There damn you!" This disabled him, and he fell on his face, and continued motionless. The enemy immediately rushed into the breast work, and took possession of the arms and ammunition, provisions and baggage, which they carried out of the fortification. About 50 or 60 negroes then came up on horseback, and began stripping the dead, and cutting and mutilating all who showed any signs of life. They seemed to be in a hurry, and after finishing their work of slaughter, they hurried off. All this time Clarke was lying by the side of Bassinger, and they stripped his jacket off, one observing, that "he had a wound in the head, and was not dead." Another said "let him lie; he will suffer more than if he were killed outright." One of them remarked, that "he had a good pair of boots on, and they would fit him—whereupon he pulled them off, and they departed precipitately. This was about four o'clock, and Clarke remained as the negroes left him, till about nine, when he got up, and looking around in the moonlight, he crawled over the bodies, and feeling one warm, found that it was a private, named De Courcy, who was wounded in the side and left arm, but slightly. Clarke told him that he was thinking of trying to get back to Fort Brook, on Tampa Bay, about sixty-five miles distant. He agreed to accompany him, and Clarke crawled along on his left hand and knees part of the way, and part of the way he was led by De Courcy. Next day, about noon, they came upon an Indian on horseback, who was loading his rifle. They agreed to separate, in the hope of easier escaping him, and Clarke darted into a hammock of palmettos and brush. The Indian pursued De Courcy, and fired, but missed. He then crossed a road, and ran over a hill, which was the last Clarke saw of his hapless comrade. After hearing the report, Clarke, from his retreat, saw the Indian return on horseback, and rode about the hammock, searching all around. At one time he came within ten feet of him, but at length gave up the pursuit and rode away. Clarke then resumed his painful journey, and on the fourth day after the massacre got into Fort Brooke, where he found private Thomas, one of the detachment who had also escaped; and next morning, another, named Sprague, came in, but they are since dead, and Clarke is the only survivor of this gallant and devoted band.

The foregoing particulars are taken from the lips of this brave man, and they are here given with a view of showing what men suffer in the defence of their country, and to urge his claims upon the sympathy and benevolence of his fellow citizens. He is a fine looking young man, in the prime of life, with his right arm irreparably injured; willing to labor for his subsistence, but the hostile shot has crippled him; and it is to his country he must look for support, in the condition he has been reduced in that country's service. We hope that the appeal may not be in vain, and that those who regard patriotism and bravery, valor in the field, and heroism in the utter extremity of human misery, will open their hearts and purses to this brave soldier.

In order to give as much efficiency as possible to the plain and simple narrative here recorded, we subjoin an official document, which discloses the present condition and the future prospects of this disabled soldier.

Washington, June 23, 1836.

Ransom Clarke, late a private in major Belton's co. 3d U. S. artillery, one of the three individuals who escaped from the massacre of major Dade's command, on the 28th December, has just made a tedious and painful journey from New Orleans to this city, to obtain the pension allowed him by law. The pension commences 3d May, eight dollars per month; the first payment is due 4th September. Clarke received five wounds in

battle—one on the right shoulder, depriving him forever of the use of his right arm; one in his right thigh; one in his right temple; one in his arm, and one in his back. The wound in his shoulder is yet open, and an exfoliation of the bones occur almost daily.

What adds, if possible, to the interest of Clarke's situation, is the fact that he is the only survivor of a boat's crew in Mobile bay, in January, 1835, when lieutenant Chandler and five men were drowned by the capsizing of a boat belonging to Fort Morgan. Clarke has expended his pittance of pay in his journey here, is without funds, and can receive no portion of his small pension until September.

This brief statement is made with a view of procuring donations for his immediate relief. The appeal is made without Clarke's having solicited it, by those who know the truth of his story. His honorable discharge, and surgeon's certificate of disability, are on file, and duplicates in his possession.

J. H. HOOK, major U. S. A.

REVOLUTIONARY INCIDENTS.  
From the Fredericksburg (Pa.) Arena.

COLONEL LAURENS.

The late major William Jackson, of Philadelphia, was a member of general Washington's military family, during the war of the revolution, and was subsequently secretary of the convention which framed the federal constitution. He was in the habit of keeping a journal, and we are indebted to the kindness of a friend for the following very interesting extract, copied by major Jackson himself:

Colonel Laurens was one of the most gallant and accomplished men of that revolution, of which he was the latest victim, and had his life been spared, there is no doubt he would have taken an active part in the subsequent affairs of the country, and probably have risen to its highest honors.

Major Jackson's journal has never yet been published. We understand that in consequence of a promise made to Mr. Madison, he laid an injunction on his executors not to let it see the light during the life of that gentleman. It will form an important addition to our stock of information relative to the formation of the constitution, and we hope to see it forthwith.

EXTRACT.

In the sixth year of the war of independence, the events of the campaign had been very adverse to the American arms, and at the close of 1780, the resources of the United States were in extreme depression. General Lincoln, who commanded in the southern department, after a brave and protracted defence of Charleston, against the army and fleet under sir Henry Clinton and admiral Arbuthnot, was compelled to capitulate and to surrender his gallant garrison prisoners of war.

By this success, and the subsequent defeat of general Gates, at Camden, the British forces gained a control in the south, which threatened the most extensive and disastrous consequences. The main army, under general Washington, reduced by detachments to the southern states, was badly clothed, irregularly provisioned, and without pay; the magazines were empty, the treasury exhausted, and the public credit of no avail.

In this alarming crisis of the national affairs, general Washington convened a council of his most confidential officers—a faithful and minute representation was submitted to congress—and it was respectfully suggested, as the most immediate means of relief, that a special minister should be sent to France, to solicit a loan of money, and supplies of clothing and military stores, with a request that a naval superiority might rendezvous on the American coast, at an appointed time, to enable the commander-in-chief to undertake offensive operations against the dispersed posts of the enemy.

Congress acceded to the opinions of this interesting communication, and referred the nomination of the minister to general Washington, whose selection of the "all accomplished Laurens," justified the confidence of government, and secured the successful completion of this important trust. As aid-de-camp to general Washington, colonel Laurens was fully informed on every subject that could give furthurance to the negotiation, and being perfectly master of the French language, he possessed in an eminent degree, the power of illustrating all its objects. By the partiality of his gallant friend, the writer of this memoir was appointed secretary of the mission.

On the 9th of February, 1781, we sailed from Boston in the frigate Alliance, captain Barry, and arrived at L'Orient in twenty days. Pursuing, without delay, his route to Paris, colonel Laurens met the maréchal de Castries, minister of marine, then on a visit to the seaports, at Hennebont, and having announced himself to the maréchal, he very politely directed relays of horses to expedite our journey.

On his arrival at Paris, colonel Laurens entered on the objects of his mission, and repaired to Versailles, was introduced under every advantage that distinction of character, ardent zeal of disposition, and consummate ability to demonstrate the reciprocal interests of America and France, could confer. Having delivered his credentials, and been graciously received at court, memorials, explanatory of all the views and objects of his appointment, were immediately presented to the count de Vergennes, minister of foreign relations, and they were repeated and enforced by personal intercourse, from the 6th of March to the 2d of May, when colonel Laurens conceived from the protracted state of the negotiation, that it was the policy of the cabinet of France, by delaying the aid which he solicited, to exhaust the power and resources of Great Britain and America,

and to render both subservient to her views. Under this impression, and a belief that it was rather the policy of the ministers than the king, colonel Laurens decided to make a representation, which should condense all the essential points that had been heretofore stated—and this paper he determined to place in the king's own hand.

A memorial, embracing a luminous statement of facts, with clear deductions from them, was accordingly prepared, and, on the morning of the levee day, when it was to be presented, we went to the cabinet of the count de Vergennes, where we found Dr. Franklin and the count. Colonel Laurens, introducing the subject of his mission, was urging with his usual animation, the necessity of a compliance with his solicitation, when the count de Vergennes, in a manner at once smiling and sarcastic, observed—"Colonel Laurens, you are so recently from the head quarters of the American army, that you forget you are no longer delivering the orders of the commander-in-chief, but addressing the minister of a monarch, who has every disposition to favor your country." Colonel Laurens rising from his chair with some emotion, stepped to the opposite side of the room, and turning to the count, addressed him in nearly the following words—"Favor, sir! the respect which I owe my country will not admit the term—say that the aid is mutual, and I cheerfully subscribe to the obligation. But as the last argument I shall offer to your excellency—the sword which I now wear in defence of France as well as of my own country, unless the successor I solicit is immediately accorded, I may be compelled, within a short time, to draw against France as a British subject."

The force of this brief but appropriate remonstrance was keenly felt by the first diplomatist of Europe, and some time elapsed before the count was sufficiently collected to say, "Mais voila le bon Monsieur Franklin, qui est content de nous." "No one," replied colonel Laurens, "respects that venerable gentleman more than I do—but, to repeat your excellency's observation, I am so recently from the head quarters of the American army, that many circumstances of the highest interest are familiar to me that are yet unknown to that worthy man. I must now inform your excellency, that my next memorial will be presented to his majesty in person. I have the honor respectfully to salute you?"—and left the room. On reaching the door colonel Laurens remarked on what had passed and said we must go to court, where the act will finish.

The special minister of the United States was announced, and we entered the audience apartment, where the king was standing in the centre of a semi-circle, having the old count Maurepas on his right, and the count de Vergennes on his left. Having bowed to his majesty, colonel Laurens instead of passing among the foreign ministers, advanced towards the king and saluted him a second time, and approaching nearer to him, presented the memorial, which was received under some embarrassment—for although, as being an accredited minister, it was not refused, the innovation on the forms of the court, was altogether unexpected—and the king gave the paper to the marquis de Segur, the minister of war. The looks of all present marked their surprise.

When the ceremonial of the levee was over, we went to the inn, where we dined—and on our return to Paris, in going by Dr. Franklin's house at Passy, I asked colonel Laurens if he would not stop and see the doctor; he said he would see no one till he knew the result of that day's proceeding. The next morning, while at breakfast, he received a note from Mr. Necker, requesting an interview at 12 o'clock. On entering the drawing room we found Mr. and Mrs. Necker, and the late Madam de Stael, at that time a young lady about 13 years of age. The ladies having retired, Mr. Necker said to col. Laurens: "I have the honor to inform you, by instructions of his majesty, that the loan which you solicit in your memorial of yesterday is accorded. The fifteen hundred thousand livres which you request, may be sent to major Jackson at Amsterdam, for the purchase of clothing and military stores, will be forwarded from Brussels—and any other accommodation connected with my department will be cheerfully granted."

On the next day colonel Laurens was asked to an interview with the marshal de Castries, who said, I am directed by his majesty to say, that the count de Grasse, who is now at Brest, with twenty-five ships of the line, bound to the West Indies, will, conformably to the request in your memorial of yesterday, repair to the American coast at the time general Washington shall point out. The howitzers, which you want, cannot be furnished from the marine arsenal, as we have none of that calibre; but major Jackson will be able to procure them in Holland. The frigate Resolve will carry you to America, with such part of the money as you may wish to take with you. Any other facility within the department of marine will be accorded.

This was this important negotiation, which, as leading to the capture of Cornwallis' army, and supplying the wants of the treasury and the troops, was certainly the hinge on which the success of the revolution then turned, brought to a happy close, by the talents and decision of a youth, who had not yet attained his 28th year—but whose matured mind and heroic spirit admitted no other rule of official conduct, than the honor and interest of his beloved country. W. J.

#### BI CENTENNIAL CELEBRATION.

Friday the 5th inst. was celebrated by the citizens of Providence, R. I. in commemoration of the second centennial return of that city and state. The ceremonies were commenced

in the Baptist meeting house by an address to the throne of grace—an ode, written for the occasion, was then sung. Immediately succeeding the ode, an oration was delivered by the hon. judge Pitman, which abounded with interesting historical facts, and eloquent expositions of the motives which impelled the struggles of the first colonists. After the oration a hymn was sung, &c. and at 5 o'clock the subscribers with a number of invited guests, sat down to a sumptuous dinner. Previous to this, however, the gentlemen assembled, partook of an Indian banquet, provided under the direction of the committee of arrangements, and designed so far as practicable to be in imitation of that usually served up by the sachems on great occasions.

Tradition says, that at the interview had by Williams with Miantonony, this chief sachem invited him to a regal repast near what is now styled Williams' spring; and the dainties then placed before them, were such as were now offered to the company, which, together with their disposition, were as follows, viz: an Indian mat, being spread out, a large wooden platter well filled with boiled bass, graced the centre, and was supported, on the one side, by a wooden dish of parched corn, and on the other, by a similar one of succotash; beyond the whole, an enormous bowl of wood, flowing to the very brim with pure water, supplied by the self same crystal spring, which of old furnished to the red man his invigorating draught, invitingly presented itself to the thirsty lookers on, who by means of the antique cup appended to its edge, were furnished with convincing proof that the beverage quaffed by the Indian in his native state, cheered but did not inebriate.

After the regular toasts, thirteen in number, had been drunk, a number of letters were read from distinguished individuals, who were unable to attend. Next succeeded the volunteer toasts, when John Howland, esq. offered the following:

"The members of the Rhode Island delegation in congress." The hon. Asher Robbins then arose and addressed the president as follows:

Mr. President: Connections formed here at an interesting period of my life, and while I was one of your fellow citizens, (though many years have since gone by), makes Providence still appear to me as another home, and has a corresponding hold on my affections. Notwithstanding the astonishing changes in her growth and appearance since I first knew the place, (what I then knew as pasture grounds, and meadow grounds, and corn fields, I now see studded with houses; and crowded with population), yet the striking features of her topography, which cannot be changed, make her always appear to me, on every return here, though different, still the same; and these never fail to recall the many pleasing images of the long past. And while I look around on these astonishing changes, this rapid growth, and to the causes which have produced them, and the inexhaustible nature of those causes, my imagination is no less pleased to indulge visions as to the distant future, and to contrast what she now is, with what she will then be.

As I have on another occasion made our beautiful bay, on a smaller scale, another Aegean sea, with islands as beautiful, though not as celebrated—so in my anticipations of the future, I have made Providence, now in embryo, another Constantinople standing at its head. And in my waking moments, I see nothing in the nature of things to arrest her progress to this splendid destination. Nothing, if no revolution intervenes—no fatal policy is interposed to enfeeble her growth and blast her prospects. The reign of order and of liberty—the reign of the constitution and wise laws to preserve both, and to develop the resources of the country, will and must insure this result.

There is something in the growth of places, and in the laws which govern that growth, that seem not to be well understood, and perhaps are not easy to be explained. Physical advantages of local situation, though important, are not alone sufficient to account for that growth. The other causes, whatever they may be, are still more important; for we see that they are able to overcome even the want of those advantages—not the entire, but the want to some extent. What is there in the local advantages of Nantucket, for instance, to make her what she is? A little barren island in the ocean, with an inconvenient harbor—with not a tythe of the advantages of hundreds of ports on the coast—she took the lead of most of them. Though she has imparted growth from her growth to other places—has thereby made New Bedford what she is—has been sending off her swarms from time to time to settle down elsewhere, and to display, wherever that is, the prolific energy of their parent stock—yet with all these drains upon her, she still goes ahead, and takes the leads of the rivals she has made for herself. At the time when Penn first landed on the banks of the Delaware—when that angle formed by the Schuylkill with the Delaware (the present site of Philadelphia) was a wilderness; at the same time, what is now the site of Perth Amboy, was also a wilderness. Both had great physical local advantages for commerce, and so equally great that the most intelligent men were divided in opinion, as to which was due the preference—some giving it to one, some to the other. Philadelphia now is a great city, the second in the union, with boundless prospects of indefinite future increase; but Perth Amboy remains an obscure village to this day, scarcely known in the commercial world to exist.

It is evident, therefore, that the sole cause of this growth is not to be found, as many suppose, in the physical local advantages of the site. There is, and there must be, a still more powerful one. Many events appear to be fortuitous, which nevertheless are the effects of laws fixed in the nature of

things, and whose operations are uniform. There is something apparently accidental in the growth of places, but doubtless it is so only in appearance, and that it is the effect of some uniform cause. I think I see that cause in the peculiar character of some of the men who happen to settle in the place. Men who give it its first impulse, and thus shape its after fortunes—men of ardent enterprise and bold adventure—men who conquer all difficulties, because they believe them conquerable, and act upon that belief—men who infuse their own spirit into others, till it is diffused over the whole community in which they live, and make it become the character of that community—a character that propagates itself from generation to generation. It is remarkable that a character once impressed upon a community, how steadily it maintains itself and descends with it to all after times; and its effect too, is remarkable upon the growth of that place—always progressive more or less rapidly—unlimited, and, as it would seem, illimitable. London was a city in the time of Julius Cæsar, (such a city as barbarians could have)—it has been steadily growing ever since—and vast as it now is, it is said to be now growing more rapidly than ever. The original impulse is not yet spent, and never will be, till that character is destroyed by which that impulse is continued.

Rome, from a little village on the banks of the Tiber, went on steadily increasing for seven hundred years, under the republic, and then onward under the empire, till its population accumulated to six millions; and then nothing stopped its increase but the transfer of the seat of empire, and of Rome itself as it were, to the shores of the Bosphorus, and that inundation of barbarians, which soon afterwards obliterated every trace of that character on which its increase depended.

Providence, from the beginning, has had to boast, some men—the number more or less from time to time—of this peculiar, this Thernistoclean character. Men who might say, as Thernistocles said, "True I do not understand the art of music, and cannot play upon the flute; but I understand the art of raising a small village into a great city." He might point to Athens and say—behold the work of my hands—Athens, the pride of Greece, and the glory of the ancient world. I gave her that commerce which gave that fleet which conquered the Persians and made her the mistress of the seas and the empire state of Greece for so many years. So these men might point to Providence and say—behold the work of our hands, not yet an Athens, but which the impulse we have given to it may make her another Athens in every thing but political power.

It might be invidious to refer to names prominent in your history and signal in their influence upon the fortunes of your town. For in doing justice to some, I might do injustice to others, whose merits ought not to be forgotten nor passed over in silence. But I cannot forbear to refer you to your distinguished fellow citizen, now no more, who opened to his country our commerce beyond the cape of Good Hope, and led the way. He was the very soul of ardent enterprise and bold adventure, and no less ardent in every public cause, than in his own pursuits. His every movement in life was marked by nobleness of sentiment—nobleness of sentiment was indeed the distinguishing trait of his character. Perhaps no man ever lived whose beneficent influence was ever more felt in the growth of any one place.

Nor can I forbear to refer you to those of your fellow citizens who first opened to our country that inexhaustible source of wealth, the cotton manufacture. And here you will excuse me also for referring to him whose signature stands to the declaration of our national independence; because he was such an ornament both to your town and to our country. I knew him well. His tall and venerable figure—his silver locks—his striking features, full of intellectual character, are still fresh before me. He was my friend and patron at that early period of my life. How often have I sat with him, evening after evening, to listen to his instructive discourse—and never have I known a man more capable of imparting instruction. For I have never known a man of more universal reading, nor one whose memory was so faithful. Then his experience in the varied scenes of his political life, which spread over a great part of the early history of this state, then a colony—embracing her connection with the mother country, and occasionally with the other colonies, made his conversation a treasure of interesting anecdote; and would have made his memoirs, if he had written them for posthumous publication, a most interesting legacy to his country.

I attended him in his last moments; and it was impossible not to be struck with the magnanimity they displayed—magnanimity indeed was the distinguished trait of his character. No holy martyr of religion, no heroic sage and philosopher, ever submitted to the stroke of death and paid the debt of nature with a more cheerful resignation.

In conclusion, I will beg leave to propose as a sentiment, *The memory of Stephen Hopkins*—The true model of the sage, the statesman and the patriot.

#### DINNER TO MR. WISE.

A large number of the citizens of the county of Accomack, as a manifestation of their respect for the honorable HENRY A. WISE, of their admiration of the zeal, ability and manly independence with which, during the last session of congress, he exposed the abuses of the general government, gave him a public dinner at Dire's hotel, in Drummond Town, on the 14th day of July.

After the cloth was removed toasts were drank, among which were the following:

The American states—The only barriers between the general government and unlimited despotism: Every patriot should protect and defend them in the exercise of all their constitutional rights.

The legislature of Tennessee, by unanimously re-electing judge *White* to the senate of the United States, has given ample proof to the president that "his interference with the freedom of elections" was *duty* appreciated.

State rights and the United States senate—To pretend attachment to the one, and to endeavor to diminish the constitutional power of the other, is the grossest political hypocrisy.

Our guest, the hon. HENRY A. WISE—A faithful sentinel, whom no power can intimidate nor bribe seduce: The minions of power and corruption will never forgive him, and while faithful as he is, his constituents will never forsake him.

[When this toast was drank and the cheering had subsided, Mr. *Wise* addressed the company at considerable length, with his accustomed eloquence, in support of his course during the late session of congress. After the conclusion of the speech, Mr. *Wise* gave the following toast:

"The Eastern Shore of Virginia—sound to the core: it is in part relied on to redeem the state of Virginia from disgrace, and the government of the United States from the foulest pollution and the basest despotism: The country expects every man to do his duty in November."

BENJAMIN WATKINS LEIGH—

"Justum et tenacem propositi virum,  
Non civium ardor prava jubentium,  
Non vultus instantis tyranni,  
Mente quati solida."

"The man who is just and firm to his purpose will not be shaken from his fixed resolution either by the misdirected ardor of his fellow citizens or by the threats of an imperious tyrant."

JOHN TYLER and WILLIAM C. RIVES—

"More true joy Marcellus exiled feels,  
Than Cæsar with a senate at his heels."

Letters were received from Messrs. *John Tyler*, *John Robertson* and *Bahie Peyton*, in answer to letters of invitation addressed to them. Copies of these letters are subjoined.

*Letter from the hon. B. Peyton.*

*Philadelphia, July 11, 1836.*

GENTLEMEN: I have the honor to acknowledge the receipt of your letter of invitation "to attend a public dinner to be given on the 14th inst. by the citizens of Accomack county, Virginia, as a manifestation of their respect for the hon. Henry A. Wise, &c."

I regret that it is not in my power to be present on that occasion, for there lives not the man in honor of whom I would with more pleasure break bread and take wine, than Henry A. Wise, I have known him long and intimately: I have seen him at the bar and in the house of representatives—tested in every way; and he has been the same, bold, frank, honest, talented patriot and friend in every situation of life.

Gentlemen, I fully concur with you in the belief that the national administration of our government is most infamously corrupt in many of its departments, but I must say I entertain the same opinion of the president of the United States now that I have always entertained, and believe him to be a pure man, and an incorruptible patriot. John Randolph, whose loss at this time Virginia and all America has cause to lament, said of gen. Jackson, that "his very weakness leaned to virtue's side."—This is emphatically true, and to these amiable weaknesses may be attributed all that is wrong which is done in his name. Search the world over in all its history, and you cannot find a man more devoted to his friends—more incredulous to their foibles—more immovable in his confidence in all they say and do. However excellent these qualities are in a friend, however inestimable they are in a wife, yet they cannot do otherwise than subject a public officer to error and imposition. Unfortunately for the president and the country, those disciplined politicians and cunning jesuits, who have joined hands around him to the exclusion of all the patriotic and disinterested, are the apostates from the ranks of his enemies, who care as little for his reputation as they do for the maintenance of sound principles, or the permanent prosperity of the country. He is surrounded by a mercenary corps, who, to advance their own selfish views, hesitate not to influence and exasperate his feelings by foul calumnies against his most sincere and disinterested friends. Not only so, but they write and publish in the *Globe*, as having his sanction, arguments and doctrines directly at war with the most valued and cherished principles, as set forth by himself in his own messages. And yet these now claim to be his friends, and the guardians of his fame and consistency as a statesman. There is not one of the ancient principles of the president—those principles upon which he came into power, so sacred that they will not, and are not daily in the habit of bartering away or trampling in the dust, and that, too, in the name, and, as they would have the world believe, by the sanction of the president. He is not, he cannot be aware of this. They have his ear, they have his confidence; they are going for his office, and use his influence, caring nothing for his fame or his consistency.

A recent occurrence will satisfy every one of the extent of the president's confidence, and how little are to be trusted the feel-

ings of even so honest and just a man as Andrew Jackson, when he has to rely on such sources of information. He was induced to denounce the course of one of his old friends, who now differs with him in nothing but Van Burenism, about the close of the last session of congress, for having used, as he said, every effort to defeat the appropriation to carry into effect the Cherokee treaty. A colleague of the member who was present, suggested to the president that he was mistaken; but the seeds were sown, had taken root, and it was impossible to eradicate them; he continued to indulge in the most excited denunciation against the member for his opposition to that measure, notwithstanding the Globe newspaper has recorded him as voting, on the engrossment and final passage of the bill, in its favor, and, also stated correctly, that he spoke at considerable length in its support. If they wish to throw the weight of the president's influence upon any individual, they craftily whisper into his ear that which will certainly arouse his feelings: denunciation and excommunication follow, and the unfortunate man is convicted, sentenced and executed, without knowing his grounds of his accusation.

You have been pleased to allude, in terms of approbation, to my course as a representative from Tennessee in the last session of congress. If there is any thing worthy the approbation and encouraging applause of freemen to be found in my course, it is mainly to be attributed to the deep and abiding interest felt by the people of my district, and my state generally, in the present state of our national affairs. I have been but a cold and feeble representative of their wishes and feelings. I have great cause to be proud of my native state; she has stood firm, unsubdued and unsubduable, while one state after another has been seduced, forced to make war upon honest men and popular favorites; yes, even upon the records of the government and constitution of the country. Tennessee, the Sparta of the republic, is still erect in the defence of the ballot box, the constitution and liberties of the people. I hope and trust that Virginia will not appear to the world in a contrasted light with Tennessee, with herself, in a cause so worthy of her fame, her sires, her sons: that she has not "lost the breed of noble bloods"—that her revolutionary stock has not degenerated, has been manifested to the world by your thorough-bred Virginia representative from Accomack. It is time for Virginia to show her blood in these days of venality, hypocrisy and corruption; she owes it to herself, to her sisters of the south and west, who are struggling to maintain her ancient doctrines; she owes it to the whole country, and its dearest interests. Pennsylvania has broken the manacles which were prepared for her giant limbs. Will Virginia wear them? If you break the wand in Virginia, the "Magician's occupation's gone."

I beg leave, gentlemen, to offer through you a sentiment, which I inclose, and give assurances of my very high regard.

Respectfully, your obedient servant, **BALIE PEYTON.**

Messrs. *Thos. R. Joynes, and others, committee.*

[N. B. The toast referred to in Mr. Peyton's letter was, by mistake, no doubt, omitted to be inclosed in his letter.

*Letter from the hon. John Tyler.*

*Gloucester, July 3, 1836.*

GENTLEMEN: Your letter of the 28th June, inviting me to a public dinner to be given by a large number of the citizens of Accomack to Mr. Wise, at Drummond Town, on the 14th Inst, was received on yesterday, and it is with no little regret that I find myself compelled to forego the pleasure of being with you on that occasion. No one would more cordially unite in the proposed manifestation of respect than myself. I was an eye-witness, for a part of the late session of congress, to the bold, fearless and independent course of our mutual representative, which attracted to him the attention of the whole country, and placed him in the foremost rank with the advocates of truth and justice. It is no light affair for a man to assail the ranks of a dominant party, or to beard a popular administration and expose its errors; this, however, was the work of Mr. Wise; and as a voter of a free electoral district, he has my most unqualified support.

In substitution for my personal presence, I beg leave to tender the subjoined sentiment, which I hope will prove acceptable to yourselves and those you represent. I am, gentlemen, truly and faithfully, yours, &c. **JOHN TYLER.**

Messrs. *Thos. R. Joynes, and others, committee.*

"The faithful representative of a free people, clothed in the armor of truth; he battles for violated rights, and, regardless of self-aggrandizement, sustains with his whole strength the institutions of his country."

*Letter from the hon. John Robertson.*

*Richmond, July 7, 1836.*

GENTLEMEN: I have deferred until now replying to your polite invitation, received the day previous to the adjournment of congress, hoping that, on my arrival at home, I might find it in my power to accept it. Urgent duties, however, of a professional nature, to say nothing of domestic concerns long neglected, demand my attention, and compel me to relinquish the gratification of meeting you at the dinner to be given to your faithful representative and my respected colleague, to which you have tendered me so cordial a welcome. I will not affect to be insensible of the honor done me by associating me in thought with one so distinguished for the zeal, ability and manly independence with which he has exposed official cor-

ruption and abuse. Conscious as I am that you greatly overrated my humble efforts in aid of the same cause, I trust I may say, without the imputation of vanity, that none can more earnestly or honestly desire to see the administration of the general government brought back to the paths of justice and honor which it has deserted, and to witness the restoration of those pure and primitive doctrines which it professed, in order to obtain power, and which it has abused that power to subvert and destroy.

Be pleased to offer on my behalf, to the citizens of Accomack, whom you represent, the subjoined toast, as expressive of my sentiments, and I hope not ungenial with their own; and to say to them, that I shall ever cherish a proud recollection of the approbation they have been kind enough to express of my political course.

Accept for yourselves, gentlemen, individually, my grateful thanks for the friendly manner in which you have addressed me on this occasion, and believe me, very truly and respectfully, your friend and fellow citizen,

**JOHN ROBERTSON.**

Messrs. *Thos. R. Joynes, and others, committee.*

"The grand inquest of the nation—Recreate to its trust, when striving to screen official delinquency. Honesty needs no disguise—fears no scrutiny: conscious guilt wraps itself in mystery; and loves darkness rather than light, because its deeds are evil."

#### IMPORTANT DECISION.

*From the Pennsylvania Advocate.*

*District court United States, Pittsburgh—before the honorable T. Irwin, esq. judge.*

Thomas G. Baylor and Anna Maria Baylor, by their guardian, John Yates, esq. citizens of Virginia, against Elija Heath, James M. Steedman and Arod Pearson, citizens of Pennsylvania.

Stephen Dalgarn, a citizen of Virginia, against the same, defendants.

The foregoing cases were severally tried in the district court of the United States for the western district of Pennsylvania, at the late term of said court, holden at Pittsburgh, on the first Monday of May last. They occupied the time of the court for above a week; and as the principles involved in them are deeply interesting to our southern fellow citizens, the following brief report of the facts disclosed on the trials, together with the charge of the court in the first mentioned case, has been obtained for publication. The verdicts and judgments rendered in both cases, evinced the determination of Pennsylvania juries and of our courts to protect the constitution of Pennsylvania, and of the slaveholding states, in their negro property; and, it is hoped, they will operate as a warning to all who may be disposed to indulge mistaken notions of philanthropy, in acts of lawless outrage, like those which, in this instance, have met so stern a rebuke.

The plaintiffs reside in Jefferson county, Virginia, and were the owners of two negro slaves, who absconded some time in July, 1834, and came to Pennsylvania. They were pursued by their owners—were, with much difficulty, traced from place to place—and were finally apprehended in Venango county in this state. There, a laborious and prolonged investigation of the rights of the owners took place before judge Shippen and the associate judges of that county, which resulted in the granting of warrants for the removal of the slaves to the place whence they absconded. The plaintiffs on their way home with their slaves, had to pass through Brookville, the county town of Jefferson, in this state: at which place they arrived on the evening of Sunday, 14th of September, 1834, and, with the assent of the high sheriff, they placed the negroes in the county jail, for safe keeping over night. The sheriff refusing to be accountable for their secure custody, they were lightly ironed by their owners.

While the negroes were being placed in the jail, a large crowd collected around it and in its entry; and amongst the crowd were the defendants, Elija Heath, then an associate judge, and James M. Steedman, (connected with him by marriage), a justice of the peace. It was proved that these persons used much language to excite the multitude, and to induce them, by violence, or otherwise, to release the negroes from the custody of their masters. Heath in particular, who was proved to be a leading and influential man, was heard to declare that "it was a Christian duty to release the negroes from bondage"—that "they were flesh and blood like ourselves"—that "it was a sin and a shame in a free country to see them in bondage"—that "those clauses of the constitution which authorised slavery should be nullified"—and that "every effort should be made to procure the release of the two negroes, then in jail, before morning." It was proved that the excitement produced by these declarations, amongst several young, ardent and imprudent men and lads, who were present, was very great, and various means of effecting the object recommended by Heath, were discussed. Amongst others it was proposed that, in order to prevent an immediate pursuit after the negroes, when let loose, complaint should be lodged against their owners before the defendant, Steedman, as a justice of the peace, for travelling on the Sabbath; that a lawyer of the name of Brady should conduct the prosecution, and make a long and elaborate speech, and that another lawyer of the name of Prime, should tender his services to the Virginia owners of the slaves, and be equally tedious in the defence! It was supposed that, in this

way, the greater part of the day would be consumed, and the negroes would get beyond the reach of their masters.

It was proved that files and other instruments were procured, and were given to a man of the name of Butler B. Amos, then confined in jail, under sentence for larceny, by whom the negroes were loosened from the chains which bound them, and between 11 and 12 o'clock at night they made their escape from jail. Two witnesses swore that the defendants Heath and Pearsons were conversing with Butler A. Amos at the jail window, a few minutes before the release of the negroes. The slaves, though pursued by their owners for several days, were never retaken.

An attempt was made, upon the part of the defendants, to contradict a portion of the evidence introduced by the plaintiffs; and one witness, whose deposition was read by the defendants, swore that Heath and Steelman did not leave their residence between the hours of 9 and 11 o'clock.

The defence was conducted with great zeal by Messrs. A. W. Foster, sr. and A. W. Foster, jr. For the plaintiffs were Messrs. R. Burke, O. Metcalf and A. Burke.

The jury who tried the first mentioned case gave a verdict for the plaintiff, of \$600 damages; and the jury in the second case gave a verdict for \$840 damages.

Motions were made by both cases, by the defendants' counsel, for new trials, which after elaborate argument by Mr. A. W. Foster, sr. and Mr. R. Burke, were refused by the court.

The following is the charge given by judge Irwin to the jury in the first mentioned case:

#### CHARGE.

It is proved by indisputable evidence, that Charles Brown was a Virginia slave, and that he absconded in the month of July, 1834; that he was pursued, taken and lodged in the jail of Venango county, Penn. and that, upon proof made by the claimant to several judges of the court of common pleas of that county, that he owed service to the plaintiff in Virginia, they granted a certificate to that effect, with authority to remove the slave out of the state. The claimant, on his way home with Charles and another absconding slave named Robinson, reached Brookville, Jefferson county, Penn. on the evening of Sunday the 14th of September, 1834, and for safe keeping, with the assent of the sheriff of the county, the slaves were placed in jail, from whence on the same night, they escaped and have not since been retaken. The action is brought to recover damages for the loss of Charles, and for the outrage by which his escape was effected. Before I proceed to notice the evidence in support of the claim, it may be material to refer you to the constitution and laws of the United States, which secure to the owner of the fugitive slaves the right to reclaim them wherever they may be found. By the 4th art. 2d sec. of the constitution of the United States, it is thus provided: "No person held to service or labor in one state under the laws thereof, escaping into another, shall, in consequence of any laws or regulation therein, be discharged from service or labor, but shall be delivered up, on claim of the party to whom such service or labor may be due." To carry into effect this constitutional provision, an act of congress was passed on the 12th of February, 1793. It empowers a person to whom a fugitive from labor or service belongs, his agent or attorney, to seize or arrest such fugitive, and to take him or her before any judge of the circuit court of the United States, residing within the state, or before any magistrate of a county, city, &c. wherein such seizure is made, and, on proof of owing service to the complainant, either by affidavit or other evidence taken before a judge or magistrate of the state from which the fugitive escaped, the judge or magistrate of the state in which he or she is arrested, shall give a certificate thereof to the claimant, his agent or attorney, which shall be a sufficient warrant for removing such fugitive. It will be perceived, that no warrant or other civil process, is required to be issued to enable the claimant to seize and arrest the fugitive, so important was the interest and so sacred the right that the simplest enactments and means for the speediest decisions were deemed essential to their full enjoyment. But the exercise of this right was often attended with hazard, in reclaiming and removing fugitives; disputes, violence, bloodshed, and rescues, often ensued, until an act of assembly of Penn. of March, 1826, was passed, by which the owners of fugitive slaves are empowered, upon application and proof of ownership, to obtain a warrant from any magistrate for their seizure and arrest, and for bringing them before a judge of the state court, who, if satisfied with such proof, is required to issue his warrant to the owner for removal of the fugitive out of the state. This act in no way impairs the right which the owner of a fugitive slave possessed under the constitution and laws of the United States for his reclamation; it was intended only to be subsidiary to them, so that he may have his election either to make the arrest in person, or by his agent or attorney, or by a peace officer under a warrant from a magistrate. It is not our province to inquire why this summary proceeding was adopted in favor of the owners of fugitive slaves. It is enough for us to know that they exist, and that we are under the most solemn obligations not to suffer them to be invaded with impunity. It may not, however, be amiss to remark, particularly as the occasion has been sought to refer to all the exciting topics connected with the existence of slavery in the south, that a belief is entertained that no jury in Pennsylvania, will be found to give encouragement to the fanatical spirit which has given such just disquietude to our southern brethren; that they will not suffer their minds to be affected by undisputed propositions of the na-

tural equality of men; of the miseries and degradation of slavery, and of its incompatibility with the principles of our government. The union would not have been formed without a recognition of the right to hold slaves, as they were held before its formation; and if we regard its duration, and the many blessings which have flown from it, we must not weaken the attachment which any portion of our people have to it, by putting in hazard their dearest rights. However they may be questioned by false philanthropy through the ordinary channels, let us hope they will not be disregarded in the administration of justice.

The plaintiff having proved his ownership of Charles, and that he had done all that the laws required for his reclamation, it is clear that his loss is owing to the highly illegal and criminal conduct of some of those who assisted in his escape on the night of the 14th of September. How far are the defendants chargeable with this illegal and criminal conduct? You must satisfy yourselves of this by a careful review of the testimony of which I will endeavor to give you a summary. (Here followed the testimony.)

Against such of the defendants as you may find to have aided in the escape, no matter in what way, whether by breaking into the prison, releasing the negro from his irons, or opening the doors, or by counselling, commanding, encouraging or exciting others to do so, the plaintiff is entitled to your verdict. In outrages such as he is charged, the most worthless men are commonly employed as the active agents, while those who employ them, and who have means to repair the injury, too often elude detection; yet though their guilt is equal, we feel less disposed to excuse the man who excites to crime, and whose education and situation in life apprise him of its enormity, than he who, by brute force, is made the mere instrument of it.

The aspect of the case, as shown by the testimony on the part of the plaintiff, presents matters in an extraordinary, and it is to be hoped, unprecedented point of view. It has been made to appear, that on the evening on which the negroes reached Brookville, a number of people assembled at the jail, probably most of them from curiosity, the defendants among the number, they being then public officers, &c. two of them of a high and responsible character, that instead of showing an example of obedience to the laws and a disposition to enforce them, they were the most prominent in encouraging their violation, and in openly setting them at defiance. Examples of lawless violence may have become but too familiar in society to create surprise, even at this instance of misguided zeal in redressing imaginary human suffering, and many may be found to justify the act from an alleged praiseworthy motive. But every thing valuable to us: our lives, property and reputation are based upon the sanctity of the laws; and where men are taught openly to disregard their obligations on one important subject, they have but little more to learn to free themselves entirely from their control. It is but a single step further, and government and law are at an end. But it is rarely that the ministers of the law in any country, much less in ours, are found ministering to these evil passions—and if the testimony, on this occasion, has established an instance of it, their conduct cannot be too much reprobated; for though the policy of laws may be questioned, while they exist every good citizen should desire their fulfilment, and superadded to this moral obligation, the magistrate's oath and official duty solemnly bind him to maintain them; if these strong ties are disregarded, the will of the strongest becomes the law, and the watchmen, instead of keeping the city, wake among the rest, but to plunder and destroy.

It is true, that in Pennsylvania, where slavery does not exist, it is no offence to write, print or speak on the subject of slavery. But this right may be abused, if carried into practice, to the injury of the southern slaveholder; if, as is alleged in the case before us, inflammatory speeches were made in a crowd to effect the liberation of slaves, indicating a determination to aid in any attempt for that purpose, followed by their actual escape, an action for damages would lie. It must, then, be always an important part of such an investigation as this, to ascertain what were the intentions of the accused. Did he carry his rights beyond their proper limits? Did he himself liberate the slaves or did he procure, engage, direct, counsel or command others to do it—for in either case he would be equally guilty.

Although the testimony on the part of the plaintiff may leave little doubt on your minds as to the agency which the defendants had in procuring the escape of Charles, yet it must not be overlooked, that it is materially contradicted by several of the witnesses for the defendants. The character, however, of one at least of these witnesses has been called into question. If, after reviewing the whole testimony, you are able to satisfy yourselves that all or either of the defendants, aided to effect the escape of negro Charles, the plaintiff will be entitled to your verdict. If there is room to doubt whether the defendants, or either of them, aided directly or indirectly, in the escape of Charles, such doubt should lead to his acquittal. If the testimony of respectable witnesses is so evenly balanced, that innocence would be as probable as guilt, the humane precepts of the law always inclined the scale in favor of innocence. The reputation and property of men must not be taken away by doubtful testimony, but after carefully sifting it, and rejecting all such as is unworthy of belief, and accounting for such as is actually or seemingly contradictory, enough remains to satisfy you that the plaintiff has made out his charge against one or more of the defendants, it will be your duty to say so.