

fed. Whichever way the general rule lay, that rule had many exceptions, and, although he could see many inconveniences resulting from the affirmative, as well as from the negative of the question, which had been put to the Judges, yet he tho't the mischief resulting from the negative of it considerably predominated. He therefore now considered, that the general rule of law was, that a witness was bound to answer questions, although he might become liable to civil action in consequence of his answers.

Mr. Justice Rooke coincided with Mr. Justice Grose in his opinion, that a witness was not bound to answer questions which might materially affect his pecuniary interest. He did not apprehend such evil consequences from this rule, as those who held an opinion contrary to his. Prosecutors and Plaintiffs seldom came into Court so badly provided with testimony, as to rely entirely on what they were to pick up by cross examination from an unwilling witness. Neither did he think that they would decline answering on a pretence of their pecuniary interest being endangered, if, upon examination, it appeared that their interest was very minute. He thought a much greater danger would result from allowing a hasty answer, unexplained, and perhaps incorrectly taken down to be read against this doctrine, but he thought it was an extreme hard case. It was that of Lord Keith, who by an answer he gave, in an insurance case, where he was called as a witness, subjected himself to an action in which 10,000l. damages were given against him.

No court of Equity could have compelled him to state every irregularity he might have committed when commander in chief of the fleet, and yet a hasty answer at Nisi Prius was given as evidence against him. He considered that evils of this kind were worse than would follow from the rule being the other way. As to the courts of equity, whatever analogies might be drawn, he did not consider that judges of the common law were bound to go into the court of chancery to find out what rules of evidence were received there. In the whole of his practice at the bar, and of his experience on the bench, he considered that witnesses might object to being examined on matters that would expose them to civil actions. He thought that no third person had a right to extort from a witness what debts he owed, which would expose him to actions. If that were the rule, it would change the whole practice of the law, as dishonest practitioners would bring actions against one person, merely to extort evidence against another. He, therefore, was of opinion, that a witness was not bound to answer questions which would prejudice his pecuniary interests, and expose him to civil actions.

After Mr. Justice Rooke had finished, the further hearing of the Judges was postponed till to-morrow.—Adjourned.

**BOSTON, July 7.**  
*FROM EUROPE.*

The Two Brothers, Capt. Follet, arrived here on Saturday morning last, from Liverpool, left that port on the 16th May, but is the bearer of no papers later than the 8th.—He states, verbally, however, that no occurrences had taken place in England, of any public interest—nor had any late intelligence of moment, reached that country from the continent.

**DUTCH AND FRENCH PORTS BLOCKADED.**  
Capt. Fairchild, arrived at Salem, on Friday last, spoke on the 28th ult. in lat. 42, long 61, the ship Betsey, Capt. Smith, in 37 days from Hamburg, who informed Capt. F. that the whole coast from the *Eibe* to *Brest*, was declared to be in a state of blockade by the English.

It is proper to observe, that letters have been received in town from Liverpool, dated as late as the 14th May, which make no mention of such an important event having taken place: If any opinion of the intention of the British Government, on this subject, is to be formed from these letters, it is opposed to the probability of such measures being taken.

Capt. Fairchild was at Trapani, (Sicily) on the 13th May, and informs, that Sir Sidney Smith sailed from Palermo on the 6th May, with four ships of the line, and 10 gun-boats, for Gaeta, which place had not then surrendered to the French, and was expected would be able to hold out against any land force, that could be sent against it, while assisted by a naval armament.

**WILMINGTON,**

TUESDAY, JULY 22, 1806.

New-York, July 9.

**General Miranda.**—A letter from a gentleman on board the *Leander*, dated Barbadoes, June 12, mentions that Admiral Cochrane had delivered to General Miranda 40 Spanish prisoners equal to the number of Americans the Spaniards have in their power; that Admiral Cochrane had supplied General Miranda with four vessels, which were to accompany him to Trinidad, that he was to sail on the 19th for Trinidad, where a number of the Ge-

neral's friends were waiting to join him, and where he expected to receive every necessary assistance for the enterprise. The letter mentions that the *Son of Col. Sob*, whom report has frequently placed among the captured, is still with Miranda.

Admiral Berkly takes his passage to Halifax in the *Milan* frigate, and is to hoist his flag on board the *Leander*, of 50 guns; to which captain Humphries is appointed, vice captain Whitby.

*Long paper.*

Our readers will observe, that Ot. Whitby is suspended in the command of the *Leander*; but this has not been in consequence of his recent conduct, accounts of which had not yet reached London. His removal is nothing more than what is customary, on such occasions—the *Leander* being indeed for Admiral Berkley's flag ship, he sets his own captain.

*Norfolk Ledger.*

A letter from Algiers, dated March 10, says "At this moment the cries of death are resounding from different quarters of this city. The Prime Minister, the Mar of the Horse, the Secretary of State, the Chief Inspector of Slaves, and four other persons, have been strangled."

**MUNGO PARK.**

We are sorry to communicate to our readers, the death of this enterprising and indefatigable traveller, whose researches in Africa have been read with so much avidity, and have afforded so much instruction. He had been amply supplied by the British Government with every thing necessary, to render his second tour through the interior of that country, of the highest benefit to mankind. He arrived at Goree, in a British ship, on the 10th of March 1804; from which he ascended the river Gambia, with about forty attendants, provided with portable canoes, and every thing necessary to render their travels easy and speedy—they had penetrated about 1500 miles into the interior, to a place called Sego, which Mr. Park has described in his former Book of Travels. The number of his attendants had been reduced by sickness and death to three, exclusive of himself the king of this place, after carrying him into every part of the city, which is walled in and considered the largest in Africa, and shewing him every curiosity which it afforded, had cruelly and brutally murdered him, together with his attendants. This intelligence is furnished us by a gentleman recently from the Rio Pongus, who received the information from traders from the interior country, and on whom reliance might be placed.

*Charleston Courier.*

**AUGUSTA, June 28.**  
**THE CROPS.**

A gentleman who has lately returned from a tour through the upper and middle parts of this state, informs that there is the fairest prospect of rich and abundant crops this season that has been for many years past. The corn looks beautiful in every county that he has passed through, and the cotton plants bear the appearance of health and vigor, and if the season should continue equally favourable as heretofore, the planters may flatter themselves with an usual abundance of this valuable article. We understand that the rains which lasted so long and fell so heavy in Richmond and the lower parts of the state, greatly endanger the prospects which were flattering before; but we are glad to learn that the season has not been so wet in other parts of Georgia.

**PORT OF WILMINGTON.**

ENTERED	
July 17, Sch'r John & William, Smith, Philadelphia	
18, Sloop Packet, Edmunds, New Bedford	
CLEARED,	
15, Brig Nancy, Saspatas, Philadelphia	
16, Sch'r Ann, Woods, Halifax	
— Kitty Ann, Green, Philadelphia	
17, — Rainbow, Pond, Barbadoes	
— Polly, Addington, New-York	
18, Brig Polly, Bigby, Jamaica	
Ship Kirkham, Solomon, Bristol, E	
21, Brig Fanny, Tubbs, Demarara	

**PRICES CURRENT—WILMINGTON.**

	Dls.	Cts.	Dls.	Cts.
BACON per 100 lbs.	10	—	12	—
Cotton per lb.	—	18	—	—
Coffee per lb.	—	30	—	34
Corn per bushel,	—	60	—	65
— Meal do.	—	75	—	1
Rice	—	5	—	50
Flour per barrel,	—	4	—	50
Ditto per half barrel,	—	4	—	—
Lumber per M.	—	10	—	12
W. o. hhd. staves,	—	20	—	—
R. o. do. do. do.	—	12	—	13
W. o. bl. do. rough	—	10	—	12
Shingles per 1000,	—	1	—	75
Sugar per cwt.	—	10	—	11
Molasses per gallon	—	33	—	40
Rum, W. I. pr. g. 3d p.	—	—	—	75
— Jamaica do. 4th p.	—	—	—	1
— N. E. do.	—	—	—	57
Tar per barrel,	—	1	—	18
Turpentine,	—	1	—	75

**TAKE NOTICE.**

ALL persons indebted to the subscriber are earnestly requested to make payment of or before the 1st day of Sept. next, as after that period he is determined to place their accounts &c. in the hands of an officer for collection.

Wm. DICK.

Wilmington, July 22—3w.

State of North-Carolina, } In Admiralty,  
District of Cape-Fear, }  
**WHEREAS**, Paul McCall and Peter Noxon, late mariners on board the ship *Mary*, Thomas Childs, master, have filed their libel in this honourable Court, setting forth that there is due to them Three Hundred Dollars from the owners and master of said ship for wages while on board said ship; and in and by their said libel have prayed Admiralty Process against the ship, her tackle, apparel &c. and have also prayed that the said ship, her tackle, apparel, &c. may, by a decree of this Court, be sold to satisfy their respective claims and the costs of suit, and his honor the Judge having appointed the first Tuesday in August next to hear and determine the said libel and the matters and things therein set forth and contained, at the Court-House in Wilmington, in said district.

Therefore all persons interested or concerned in said ship are hereby notified to appear before the Judge at the Court-House in Wilmington, on the first Tuesday in August next, then and there to shew cause if any they can, why the prayer in said libel contained, should not be granted, and why said ship *Mary*, her tackle, apparel, &c. should not be sold to satisfy the claim of the said libellants and costs of suit.

Test,

CARLETON WALKER,  
Clerk & Register.

Wilmington, July 21, 1806.

**To the Freemen of New-Hanover County.**

**NOTICE** is hereby given, that an Election of a person to represent this County in Congress, and of persons to represent the County in the General Assembly of this State, will be held at the following places, viz.—at the house of Thomas Rogers, Black River, on Saturday the ninth; at Washington on Monday the eleventh; at Sandy Run, on Topsham Sound, and Long Creek Bridge on Wednesday the thirteenth, and at the Court-House in Wilmington on Friday the 15th of August next.

Wm. Nutt, *Sh'f.*

July 15.

**Law of North-Carolina,**

Passed in the year 1801.

**CHAP. XVI.**

An Act to amend an act entitled "An Act directing a method of electing members of the General Assembly, and other purposes, passed in the year 1777."

II. BE it enacted, That every person elected a Member of the General Assembly, shall, before taking his seat therein take the oath of allegiance appointed for the qualification of Members of the General Assembly and Public Officers, and also to support the Constitution of the United States. And if any person elected a Member of the General Assembly, shall, by himself or any other person, directly or indirectly give, or cause to be given, any gift, gratuity reward or present whatever; or give or cause to be given by himself, or any other person, any treat or entertainment either by himself or any other person for him, of meat or drink, at any public meeting or collection of the people, to any person or persons whatever, for his or their vote or votes, or to influence him or them in his election, every person violating this act, shall, on due proof thereof be expelled from his seat in the General Assembly.

III. Be it further enacted, That if any person or persons shall treat with either meat or drink, on days of election, or any day previous thereto, with an intent to influence the election, every person so offending shall forfeit and pay the sum of one hundred pounds, the one half for the use of the county where the same shall be recovered, to be paid to the County Trustee; the other half to the use of the person who shall sue for the same; to be recovered by action of debt in any court of record having cognizance thereof, with costs.

**NOTICE**

IS hereby given, that Robert Muter, late of Wilmington, is dead, and the subscriber has qualified as Executrix upon his estate.—All persons indebted to his estate, are requested to make payment, and his creditors are required to come forward and exhibit their demands, in manner and within the time limited by an act of Assembly, passed in the year 1789.

MARGARET MUTER, Ex'x.

Wilmington, July 19, 1806.

**FOUND** by a Negro and left at my shop, a Silver Gilt Watch with one letter on the Seal. The owner may have it by paying the cost of this advertisement.

N. HILL.

Wilmington, July 22.

**For Sale.**

A Lighter built of live-oak and cedar, almost new, burthen about one hundred barrels, under deck, drawing two feet and a half water, when loaded, with long hatches for the convenience of loading, she has a good suit of sails and rigging. Any person wishing to purchase will apply to the printer.

Wilmington, July 14.

**RAN** away from the subscriber on the 18th instant, two Negro men, each of them between the age of twenty and thirty one by the name of PETER, stout and well made, about five feet ten or eleven inches high, has a long rolling carriage in his walk, carried with him four shirts, one of fine linen with broad ribbands and collar, two pair of homespun overalls, a pair of country made shoe boots; the other fellow short and well made, about five feet five inches high, by the name of JOSH, had with him two homespun shirts, two or three pair of overalls, one of which was striped cassimere, and a striped Horseman's jacket, homespun made.

Any person apprehending and securing the said Runaways in any jail in this District, or any other in the state, shall receive a reward of Twenty Dollars.

FREDRICK SIMPSON.

N. B. All masters of vessels are cautioned against harbouring or employing said negroes under the penalty of the law. It is supposed they will aim for the state of Virginia or Maryland.

July 22, 1806.

**LIST OF LETTERS**

Remaining in the Post-Office at Wilmington.

- A. CAPTAIN John Allen, John Allen, William Allen, Robert Anderson, Isaac Atkison, Edward Aborn, Samuel Albro, Samuel Aderton, Joseph Atsall, 2.
- B. Capt. Bosden, 2, John B. Broward, 3, Samuel Black, 2, William Burton, Sally Burton, James Brian, Franklin T. Bloodworth, Bryan Brady, Francis Blake, Obed Bunker, capt. Stephen Bernard, Benjamin Bottho, Philip Benjamin, Mrs. Bowtus.
- C. Nancy Coreens, Michael Coyle, Thomas P. Carsey, Silas Caulkins, James Carson, Peter Carpenter, William Collins, John Colvin, Andrew Caldwell.
- D. Thomas Devane, jun'r. William Davis, Joseph Davidson, capt. Simon Davis.
- E. Edward Elstob, Runaway, 3, Ann England, capt. William Ellis, 2.
- F. Messrs. Francis Forster, Francis Fish.
- G. Captain Miles Orsterberg, Mathew Gleeson, Abraham Golden, capt. Bowden Godfrey, Mr. Gamache, Lewis F. Garrald, Nancy Greenwood, capt. Elias Grant, John Gause.
- H. Samuel Hall, Archibald M. Hooper, Hooks & Slocumb, 3, Mrs. Nancy Hand, 3, Jere. Hand, capt. John Hammond, Samuel Haraing, capt. John Heird.
- J. John Joseph, Hugh Jones, Lewis F. Jerrel.
- K. William Keddie, Edward Kill.
- L. Samuel Lewis, 5, Ezekiel Lane, 3, Alexander Leighton, 2, Monsieur Lambert, Baldy Lusk.
- M. Martin & Bloodworth, 3, Alexander Martin, John M'Alister, 3, John M'Sween, Casper Swers, William M'Clure, capt. Mansfield, George M'Cullough, Duncan Morrison, Mr. Samuel Mason, George M'Donald, Alexander M'Alpin, Natt Moore, Mrs. Moore.
- N. Richard Nixon, 3.
- O. Claudius Ottignon, James Oror, James O'Daniel.
- P. John Peabody, 2, Powel & Plumbers, Benjamin Patterson, Capt. Richard Parrish.
- R. Capt. Thomas S. Rich, 4, John Rarston, Mrs. Jersey Roots, Robert Roberts, William Robeson.
- S. Levi Stutson, 2, Lydia Sullivan, Abraham Sullars, Samuel Stephens, J. M. Salter, Edward Sullivan, John Stinman, John Short, William Stockley, Jonathan B. Sargeant, William Snell.
- T. Joshua Turner, John Turn.
- U. Allen Ure.
- V. Mr. Valbru.
- W. W. Williams, 2, Col. William Wingate, 2, John Witherherd, 2, Daniel Watson, George Wright, John Waddle, James Wilkinson, James White, Capt. William Whitney, 2, Edward Ward and Son, Elizabeth Watters, John Watts, Mial Watt, Major Edward Williams, John Wood.

JOHN LORD, P. M.

Wilmington, July 15,

**Ten Dollars Reward.**

**RAN** away from the subscriber on the 11th of May, a negro man named JOHN, about thirty years of age, five feet six or seven inches high, yellow complexioned, marked with the small pox, limped a little (though hardly perceivable,) occasioned by his thigh being broken when young, speaks French, which is his native language and speaks the English language tolerable plain, has rather a down look—took with him an ozanburgs shirt and trowsers with a number of other clothes. He was stopped on the road leading to Fayetteville, but made his escape, leaving all his clothes except those he had on—it is supposed he intends for Wilmington, where he will endeavor to go on board some vessel as a sailor, which business he has followed and perhaps understands.

The above reward and all charges will be paid for having him secured in any jail in the state, or Fifty Dollars and all reasonable charges will be paid for having him delivered to the subscriber living in Sneadsborough, Anson County.

All masters of vessels are cautioned against receiving or employing him on board their vessels, as they may have to answer the consequences.

Wm. JOHNSON.

Sneed'sorough, May 24, 1806

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