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PUBLISHED WEEKLY,

BY THOMAS HENDERSON, JR.

Subscription, three dollars per annum—No paper will be sent without at least \$1 50 cents paid in advance, and no paper discontinued, only at the option of the Editor, unless all arrearages are paid. Advertisements not exceeding twelve lines inserted three times for one dollar, and twenty-five cents for each continuance.

Additional Supply.

R. WALLACE has just received a new supply of Ladies and Gentlemen's Shoes, among which are the following: A handsome assortment of Ladies' dressed and undressed morocco, of the newest fashion. Also a general assortment of Gentlemen's dressed and undressed morocco pumps. Also men's nailed morocco shoes, and a variety of Madison nailed shoes. Also a few saddles and bridles, all of which he will dispose of cheap.

Raleigh, April 15, 1820.

Neuse Navigation.

THE annual meeting of the Stockholders of the Neuse River Navigation Company will be held at the State House, in this city, on the 4th Monday (the 24th) of April, at 10 o'clock in the forenoon, for the purpose of electing a President and Directors of said Company for the ensuing year, receiving a report of the proceedings of the President and Directors for the past year, and for attending to the general concerns of the Corporation.

Such Stockholders as cannot attend in person, will please to authorize their votes to be given by proxy.

By order of the Board.

M. COOK, Sec'y.

15-2rs

State of North-Carolina,

Person County.

Court of Pleas and Quarter Sessions, February Sessions, 1820.

Isaham Edwards, vs. Thomas Merritt—Original attachment levied on the property of the defendant.

ORDERED that Thomas Merritt the defendant appear before this Court on the fourth Monday of June next, and reply to the property levied on by virtue of this attachment, and plead, or judgment final will be rendered against him in this case.

JESSEE DICKINS, c. c. c.

15-6ws. price adv. 82.

State of North-Carolina,

Person County.

Court of Pleas and Quarter Sessions, February Session, 1820.

McGehee and Stanfield, vs. Robert Johnston—Original attachment levied on the property of the defendant.

ORDERED that Robert Johnston the defendant appear before this Court on the fourth Monday of June next, and reply to the property levied on by virtue of this attachment, and plead, or judgment final will be rendered against him in this case.

JESSEE DICKINS, c. c. c.

15-6ws price adv. 82.

State of North-Carolina,

Person County.

Court of Pleas and Quarter Sessions, February Session, 1820.

Isaham Edwards, vs. Robert Johnston—Original attachment levied on the property of the defendant.

ORDERED that Robert Johnston the defendant appear before this Court on the fourth Monday of June next, and reply to the property levied on by virtue of this attachment, and plead, or judgment final will be rendered against him in this case.

JESSEE DICKINS, c. c. c.

15-6ws. price adv. 82.

Negligence or Villainy.

ON the 14 May 1819, the following bills were deposited in Pine Hill P. O. South Carolina, and directed to Prince Edward C. H. Va.—A fifty dollar bill on the State Bank of North-Carolina, payable at Raleigh, letter A, No. 89, dated December 25, 18 9, Wm. Polk, President, Wm. H. Haywood, Cashier. Also a fifty dollar bill on the Union Bank of Georgetown, (Columbia District) letter K, No. 152 dated May 9th, 1814, A. Bradley, President, D. English, Cashier.

Neither of these bills, nor the letter in which they were enclosed, has been received by the proper person. It is presumed, that either the negligence of some servant of the public, or the villainy of some rascal, is the cause. All persons are cautioned against trading for said bills. Information will be thankfully received, and expense in detection honorably rewarded by

JOSIAH HARRIS.

HAVING business which calls me to West Tennessee, Chickasaw Purchase, I intend settling there, and offer my services to the citizens of North Carolina, who have lands there, or warrants to locate, on the usual terms. I expect to set out on the 1st day of June. Letters addressed to me at Murfreesborough, Tennessee, will be attended to.

HORACE A. BURTON.

Williamsborough, Granville county, N. C. 5
April 5, 1820.—15—8spd.

For Sale

ON accommodating terms, half of Lot No. 33, in the town of Haywood. Also Lot No. 441, in the addition laid off to said town, both unimproved—Apply to

THOS. G. SCOTT.

Raleigh, April 15, 1820

15-1f

Congressional Proceedings.

GEN. JACKSON'S MEMORIAL.

Concluded.

The committee concedes that the Secretary of War appropriated the manner in which the Tennessee volunteers were raised and organized; but say, that "it is but justice to the department to state, that it was not until the officers that had assisted in thus officering and organizing this corps were examined by the committee, that they were apprized of the illegality of the measure." Surely the Secretary of War must have examined the communications of Colonel Hayne and your respondent, stating every particular touching the mode agreeably to which they were raised and organized, as also in the muster rolls, giving the grade and number of the officers by name; all of which were transmitted, and ac-

knowledged to have been received at an early period, at that office. He certainly could not have compromised himself so far as to give his approbation to a measure before he was made acquainted with its nature and tendency.

Troops of the same description of the Tennessee volunteers, were received and employed by the government on our northern frontier and southern borders during the late struggle with England, and in the war with the Creek nation of Indians. They fought the battles of Talladega, Emucklaw, the Horse Shoe, and New Orleans, and protected Mobile from British visitation. Volunteers similarly raised and organized, were commanded by governors Shelby, Harrison, Edwards, and general Porter of New-York, during the same period. The field officers of the Georgia militia were appointed in the same manner, on the west bank of the Ockmulgee; and one of the present Senators from Tennessee actually appointed the officers of his own regiment, which he raised without any authority, and which he commanded on an expedition against the Seminole Indians in 1812. The most of those troops were paid off by the United States, received the approbation of the government, and the applause of the nation.

It is stated in the report of the committee to the senate, that the "whole strength of this miserable undisciplined banditti of deluded Indians, and fugitive slaves, when combined, did not exceed 1000 men. Opposed to whom, previous to Gen. Jackson's taking command, and under Gen. Gaines, were a force 18000 regulars and militia, besides the 500 friendly Indians illegally subsidized by the last mentioned general; what then, in this case, becomes of the plea of necessity?" It is plainly to be inferred, then, that this motley horde of negroes and Indians were too inconsiderable to justify raising the volunteer force, which was employed in reducing them to a state of submission.

It is well known to all those acquainted with the character of Indians, and their peculiar mode of warfare, that it is almost impossible to form a correct estimate of their aggregate force until the termination of the war. In this case Gen. Gaines had computed them at 2800, and Arbuthnot, who officiated as a military chief of the savages, had represented them in a communication to the British minister, Mr. Bagot, to be 3500 strong. This calculation was by no means extravagant, when it is considered that from 8 to 1200 had been concentrated at a single point, when lieutenant Scott and party were attacked, and that they were daily increasing in number. Whatever might have been their whole effective strength at any period of the war, it could have been augmented by auxiliary bands in Florida, and it was certainly the duty of the commanding general to call out such additional force, as should ensure success in every emergency. Furthermore, the greatest portion of the Georgia militia then in the field, could be retained in service only for about three months. And it was expected that they would apply for discharges as soon as their time expired. Your respondent considered the lives of our citizens as too precious to be risked in a contest with Indians, where there was an odds of two to one, unless dire necessity demanded the exposure. The consequence of an opposite policy was, that the decisive and rapid movement of our overwhelming numbers distracted and dispersed the enemy, compelled them to seek refuge in the Spanish fortresses, woods and Swamps; and they never were afforded an opportunity to display their whole force by concentration. The war was speedily and effectually terminated, and much blood and treasure saved to the nation.

With regard to the Indian and militia force under the command of Gen. Gaines previous to the time your respondent assumed the command of the army, he has to remark, that until a few days anterior to his arrival at Fort Scott, not a single Indian warrior had joined the standard of the United States; nor had the first requisition of Georgia militia ever united with the command of General Gaines; the latter had returned home, in consequence of which, it became absolutely necessary on the part of Gen. Gaines to make a second call on the Governor of that state, for the double purpose of defending the frontier and occupying Amelia Island.

A few of the friendly Indians joined your respondent before he reached Fort Scott, and a considerable number at that place, making in the aggregate about four or five hundred. The balance of the force under his command, was not, at that time, more than nine hundred effectives; and he confidently affirms, that when he took up the line of march from Fort Gadsden, on the 25th of March, 1818, his whole command fit for duty consisted only of 360 privates of the regulars, about 300 Georgia militia, and Major Lovett's detachment of friendly Creeks.—McIntosh and his warriors were organized at Fort Mitchell, after the arrival of your respondent at Fort Hawkins, and never united with him until the first of April, about six miles in the rear of Micksakuy. All these facts were accessible to your committee, had they been disposed to examine the letters of your respondent, on file in the department of War. To this department all his communications were made; and there they should have applied for correct information, if it had been wanted.

The next subject which has exposed your respondent to bitter reproach from the committee, is the order which was directed to Gen. Gaines,

to occupy St. Augustine.—A letter from Major Twigg had conveyed the intelligence that our savage enemies had been fed and furnished from that garrison; and it was rendered highly probable, that aided, abetted, and encouraged by the commandant, they were recruiting and emboldening at that place with a view of renewing hostilities. A strong presumption was created that this like the other Spanish posts, had become a depot and rallying point of Negroes and Indians, to which they had retreated for refuge and protection, after being driven from Negro Fort, St. Marks, and Pensacola.

The order given to Gen. Gaines, was entirely conditional and prospective; and had the facts reported been established, as directed, there would have existed the same incontrovertible reason for the occupancy of St. Augustine, as of the other Spanish fortresses. The orders of your respondent has undergone no modification; and the measure would have been indisputably necessary to their execution, as well as to the peace and security of our frontiers. Besides he had transmitted to the War Department regular information of his proceedings in Florida with the reasons and motives, by which he had been governed, from the 25th of March to the 7th of August, without a sentence of dissatisfaction ever having been expressed by the government.

Your committee also report, that "long before this period, the commanding general had, by his letter to the Secretary of War, declared the Seminole war at an end, and after which, not a single new act of hostility had been committed." It is true after the defeat of the Negroes and Indians at Micksakuy, destruction of Sawany, and the assylum of St. Marks had been wrested out of their occupation, that your respondent persuaded himself the war was ended. But, subsequent information proved this opinion to be erroneous. The letter of Governor Bibb, appended to the report to the Senate, as well as the deposition of Charles Baron, details sundry outrages committed subsequent to the date of your respondent's letter to the Secretary of War; and it is also known that six men were murdered in the interior, which it is believed was communicated by Gen. Gaines to the War Department. The communications of Gen. Gaines and Major Fanning, annexed, to the report, also give a very different aspect to this question, and to which your respondent begs leave to refer your honorable body.

In the animadversions upon the motives of your respondent, he cannot withhold the opinion, that there has been exhibited an usual share of asperity, as also a want of charity and forbearance which was not to have been anticipated from members of so august and enlightened a body as the Senate of the United States, deliberating upon a subject which they represented to be of great national magnitude. Leaving the motives of the committee on this occasion to their own private review and examination, your respondent will barely observe that they have imperfectly recognized the maxim, that innocence is always presumed until the contrary appear by proof. Why they should have enquired into the motives of your respondent at all, he is at a loss to determine, as it was a matter entirely beyond their control and jurisdiction. The only subject of investigation was the legality of his official acts, as designated in the resolution of the Senate, of the thirteenth of December.

Your respondent has no objection to this course, except as a pernicious precedent, and a violation of authority.—He has no secrets, and will never shrink from a rigid and impartial examination into his official conduct. Had the committee adverted to the order to take possession of St. Augustine, as well as the communications of your respondent to the Secretary of War upon the subject of his military operations, they must have been satisfied that his motives were to promote the public good—to obey his orders, by carrying on a vigorous and efficient war against the savage enemies of the United States; by which the blood and treasure of the nation was to be economized; to establish a peace that would be honorable and permanent, and to give repose and security to our exposed and defenceless borders.

In this instance, as well as in some others, the report of the committee is contradicted by the evidence of its own documents.—The depositions of Col. Butler, (and Major Eaton, a member of the committee,) conclusively prove that your respondent had no agency in speculating in Florida lands which is in direct opposition to the inference drawn by your committee. No member of that committee can, for a moment, seriously and candidly harbor the opinion that your respondent would lead a gallant army into the field—jeopardize the lives of valuable citizens, risk the ruin of health and reputation, and "violate the constitution" of his country, for the purpose of speculating with security in Spanish lands. The "motives of his own, unconnected with his military functions," were a desire to end speedily a savage war, and to save the blood and treasure of the country; and not, as charged, to adventure his health and reputation, and the lives of brave men, in quest of titles to Florida lands. The imputation is unwarranted and unjust, and has its refutation in the very testimony which the committee have published. The dignity of his office, which at every exposure, he has been prostituted to the purposes of speculation in any way, and it never

shall. Strange, then, that honorable men should make so foul an accusation without proof; may without even circumstances to support it!

Your respondent would beg leave, in this place to remark upon the depositions annexed to the report. He ventures the opinion that such documents never before have been published to the world as evidence upon which to predicate a report. Eaton's and Mitchell's are the only depositions presented in legal form. To these two gentlemen, regular interrogators were proposed to which they deliberately responded and affixed their signatures, as required by law. Doctor Bronaugh's deposition is signed, but not given under oath; colonel Butler's colonel Gibbons, and captain Call's, are neither sworn to nor signed. The depositions of the four last gentlemen were published without their knowledge, although they had received a promise from the members of the committee, who took down the testimony, that it should be copied, and again submitted to them for correction and signature.

Until depositions are fully examined, amended, and signed, by the witness, they cannot be considered good and complete evidence. This is a rule, which, it is believed, is uniformly adhered to in all judicial tribunals; it should never be departed from on any occasion; as it is essentially necessary to an impartial administration of justice. Every opportunity should be given the witnesses to make a fair and full disclosure of the facts; to consider the force and effect of their expressions, as well as the import of every sentence. By an opposite procedure irreparable injustice may be done, and the rights of a public agent sacrificed by those who should afford him security and protection.

There are several minor points touched upon by the committee, to which your respondent considers it unnecessary to give a particular reply; as they are of inconsiderable importance, and would not be noticed without swelling this memorial to an unwieldy size. He flatters himself they have been satisfactorily answered in the discussion of the other subjects, out of which they have incidentally arisen. They will all, however, be more amply and minutely explained, by an examination of documents heretofore communicated to Congress, relative to the Seminole war; to others on file in the War Office, and of those accompanying this memorial; to all of which your respondent respectfully refers your honorable body.

To conclude! Your respondent has devoted his best services to the cause of his country, & to the perpetuation of her liberties. Her constitution and laws are objects of his sincere veneration; and every anxiety of his heart has been enlisted to promote the glory & happiness of his country. How far he has been instrumental, under the guidance of Providence, in effecting those desirable objects, he submits to the decision of his enlightened fellow citizens. He does not pretend to be exempt from the errors common to human nature. Surrounded as he was, by every privation and embarrassment—in all the hurry and bustle of war, it was next to impossible to attend particularly to every minor consideration.

But, upon the great errors charged—a breach of his orders—a departure from the constitution and violation of the rights of humanity—he openly maintains his innocence, and denies that the charges are correctly made. He calls upon the Senate, by the high claims they prefer to magnanimity, to protect his reputation from the unmerited censure cast by their committee. He asks for justice, and nothing more; to extend it, is due to your respondent, to the Senate and to the nation.

ANDREW JACKSON,

Major General Commanding Southern Division.

DOMESTIC

Correspondence between the late Commodore Stephen Decatur and Commodore James Barron, which led to the unfortunate Meeting on the 22d of March.

(Concluded from our last.)

No. 9.

Hampton, Va. Nov. 30, 1819.

SIR: I did not receive until Tuesday the 9th inst. your very lengthy, elaborate and historical reply, without date, to my letter to you of the 23d ultimo; which, from its nature and object, did not, I conceive require that you should have entered so much into detail, in defence of the hostile and unmanly course you have pursued towards me, since the "affair of the Chesapeake," as you term it. A much more laconic answer would have served my purpose, which, for the present, is nothing more than to obtain at your hands honorable redress for the accumulated insults which you, sir, in particular, above all my enemies, have attempted to heap upon me, in every shape in which they could be offered. Your last voluminous letter is alone sufficient proof, if none other existed, of the rancorous disposition you entertain towards me, and the extent to which you have carried it. That letter I should no otherwise notice, than merely to inform you it had reached me, and that I am prepared to meet you in the field upon any thing like fair and equal grounds; but, in as much as you have intimated that our correspondence is to go before the public, I feel it a duty I owe to myself, and to the world, to