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No. 24

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BY THOMAS HENDERSON, jr.

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**State of North-Carolina,
Person County.**

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

Samuel Hillman, Adm'r &c vs. Samuel Edmundson—Original attachment levied on the property of the defendant. ORDERED that Samuel Edmundson, 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.

JESSE DICKINS, Clk.

**STATE OF NORTH CAROLINA,
Franklin county,**

Court of Pleas and Quarter Session, March Term 1820.

John Bowden, } Original attachment levied on land.
vs.
Elias Bowden, }

IT appearing to the satisfaction of the Court that the defendant in this case, resides beyond the limits of this State. Ordered therefore that publication be made in the Raleigh Star, that unless he appear at our next Court to be held for the county of Franklin at the Court House in Lousburg, on the second Monday of June next, and then and there plead, answer &c. that judgement final will be taken against him.

S. PATTERSON, C. C.

April 26. 18-

**STATE OF NORTH-CAROLINA,
Franklin county.**

Court of Pleas and Quarter Sessions, March Term 1820.

John Bowden, } Original attachment levied on lands.
vs.
Elias Bowden, }

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April 26. 18-

**STATE OF NORTH-CAROLINA,
Franklin County.**

Court of Pleas and Quarter Session, March Term 1820.

John S. Bowden, } Original attachment levied on land.
vs.
Elias Bowden, }

IT appearing to the satisfaction of the Court that the defendant in this case, resides beyond the limits of this State. Ordered therefore that publication be made in the Raleigh Star, that unless he appear at our Court to be held for the county of Franklin at the Court House in Lousburg, on the second Monday of June next, and then and there plead, answer &c. that judgement final will be taken against him.

S. PATTERSON, C. C.

April 26. 18-

Sheriff's Sale.

ON Wednesday the 12th day of next July will be sold at Nash Court-House in the town of Nashville, the following tracts of land, or so much thereof as will pay the taxes due thereon, for the year 1818, and cost of advertising.

605 Acres given by William Garner, (Franklin county) on the waters of Swift creek.

80 Acres given in by Joseph Ward, on the waters of Fishing creek.

630 do given in by Etheldred Dame, on the waters of Turkey creek.

150 3/4 do given in by Kinchen Ecom (in two tracts) location not known.

250 do belonging to the heirs of John Rieks, dec'd. on Maple creek.

170 do given in by Amos Gandy, on the waters of Turkey creek.

237 do belonging to the heirs of Esaiiah Eason, dec'd on the waters of Sappony creek.

740 do belonging to the heirs of Joel Williams, dec'd. on the waters of Tassuth Swamp.

JOHN RICKS, Sheriff
of Nash County.

23d May, 1820. 23 Gts. price adv. \$4.

Runaway

FROM the subscriber on the 18th March last, a negro woman named Nance, or Nancy, about twenty-two or twenty-three years of age, about five feet two or three inches high, between black and a mulatto colour—When she went away she carried a red striped gingham frock, one three points Blaukets with her, but no doubt she has changed her dress. Whoever will secure her in Charlotte Jail, Mecklenburg county, shall receive twenty dollars and all expenses, or fifteen dollars to secure her in any jail in the State, and all expenses paid, by giving information to me.

WM. HUTCHESON, Near
Lawrence C. H. S. C.

23-3ts.

Cape-Fear Navigation Company.

PURSUANT to a resolution of the President and directors, notice is hereby given, that the ninth instalment of the original capital, and the fifth instalment of the increased capital of December 1818, of ten dollars on each and every share, is required to be paid to the Treasurer, in Fayetteville on or before the 3rd day of July next.

JOHN CLARK, Pres't.

Fayetteville, May 20, 1820. 23-4ts.

Cape-Fear Navigation Company.

NOTICE is hereby given that under the provisions of the Charter in words following, viz:

That if any of the subscribers, their heirs and assigns, shall fail to pay the proportions required within one month after the same is so advertised, the President and directors or a majority of them may sell at auction, and convey to the purchasers, the shares of the subscribers so failing, and the same shall not produce the full sum ordered and directed to be advanced as aforesaid, with interest and incidental charges, the said President and Directors or a majority of them, may in the name of the company, sue for and recover the balance by action in any court of competent jurisdiction, on ten days previous notice.

The President and directors will proceed on Saturday the 1st day of July next, in front of the town house in Fayetteville, to sell the shares of such of the Stockholders, as have not paid their due & unpaid thereon, and of which delinquents have this notice.

JOHN CLARK, Pres't.

Fayetteville, May 20, 1820.

Cape-Fear Navigation Company.

PURSUANT to the provisions of the act of incorporation, notice is hereby given, that the annual meeting of the Stockholders of the Cape-Fear Navigation Company will be held at the Town House in Fayetteville, on Thursday the 29th day of June next, at which time the presence of the proprietors or their representatives is required.

JOHN CLARK, Pres't.

Fayetteville, May 20, 1820.

Wants a Situation,

A YOUNG Gentleman who has presided in an Academy, and who can produce satisfactory recommendations.—Letters Post paid, directed to Thos. L. Ragsdale, Raleigh, will meet with attention.

June 1, 1820. 23 1/2.

Sales at Auction.

On Monday the 14th inst. will be sold without reserve, at our store, a general assortment of DRY GOODS, HARDWARE & CUTLERY; among which are superfine and fine cloths and cassimeres, calicoes, cambricks, Muslins, domestic cloths, lustring and laventine silks, looks, hinges, carpenter's tools, scythes, blades, cutting knives, &c. &c. As the Goods are fresh, and the amount about \$3000, it will be an object for merchants and others to attend the sale. Terms—Six months credit on all sums over ten dollars, the purchaser giving bond with approved security.

ROSS & PARSELEY, Auctioneers.

7th June, 1820. 23 2/4.

Dissolution.

THE firm of Savage and Stedman is this day dissolved by mutual consent. All persons indebted will please make immediate payment to John C. Stedman, who is authorized to settle the business of the firm. Those having claims will render them to him. They do not wish to make their former liberal customers pay cost these hard times, but will be under the disagreeable necessity of doing so, if the accounts are not settled by the last of this month.

SAVAGE & STEDMAN.

Raleigh, June 7, 1820. 23-4ts.

Notice

THE Subscriber will still carry on the business at his former stand. On hand a handsome assortment of Jewelry, Watches, &c. which he will sell low for cash. Clocks and Watches carefully repaired.

J. Y. SAVAGE.

23-6ws

Dissolution.

THE copartnership of Jones and Forrest, was this day dissolved by mutual consent; all those having claims against the firm, are requested to present them immediately to Fanning M. Jones, who is duly authorized to settle the same.

Fanning M. Jones,
John F. Forrest.

Raleigh, June 6, 1820. 23-3ts

N. B. The business hereafter will be carried on at the same stand by Fanning M. Jones.

Entered,

ON the Stray books of New-Hanover county, a stray mare, sorrel colour, about nine years old, and near fourteen hands high, with some scars on her side, valued by Benjamin Moore and Daniel Walker, May 9th 1820.

JAMES MOORE, Ranger.

23-2stapd.

DOCUMENTS.

(Concluded.)

(Secretary of State's Letter, Conclusion of.)

The 16th and last article of this treaty is in the following words: 'The present treaty shall be ratified, in due form, by the contracting parties, and the ratifications shall be exchanged in six months from this time, or sooner if possible.' On the faith of His Catholic Majesty's promise, the treaty was, immediately after signature, ratified, on the part of the United States and on the 18th of May following, Mr. Forsyth, by an official note, informed the Marquis of Cassa Yrujo, their Minister of Foreign Affairs at Madrid, that the treaty, duly ratified by the United States had been entrusted to him by the President, and that he was prepared to exchange it for the ratification of Spain. He added that from the engagement, it was desirable that the earliest exchange should be made; and that the American ship of war Hornet was waiting in the harbor of Cadiz, destined in a few days to the United States and affording an opportunity peculiarly convenient of transmitting the ratified treaty to the U. States.

No answer having been returned to this note, on the 4th of June Mr. Forsyth addressed to the same Minister a second, urging, in the most respectful terms, the necessity of the departure of the Hornet; the just expectation of the U. States that the ratified treaty would be transmitted by that vessel and the disappointment which could not fail to ensue should she return without it.

After 15 days of further delay, on the 19th of June Mr. Forsyth was informed, by a note from Mr. Salmon, successor to the Marquis of Cassa Yrujo, that His Majesty, on reflecting on the great importance and interest of the treaty in question, was under the indispensable necessity of examining it with the greatest caution and deliberation, before he proceeded to ratify it, and that this was all he was enabled to communicate to Mr. Forsyth on that point.

Thus, after the lapse of more than a month from the time of Mr. Forsyth's first note, and of more than two months from the time when your government had received the treaty, with a knowledge that it had been ratified by the U. S. the ratification of a treaty which His Catholic Majesty had solemnly promised, so that it might be exchanged within six months from the date of its signature, or sooner, if possible, was withheld merely to give time to His Catho-

lic Majesty to examine it; and this treaty was the result of a twenty years negotiation, in which every article and subject contained in it had been debated and sifted, to the utmost satiety, between the parties, both at Washington and Madrid; a treaty in which the stipulations by the Spanish Minister had been sanctioned by successive referances of every point to his own government, and were, by the formal admission of your own note, fully within the compass of his instructions.

It, under the feeling of such a procedure on the part of the Spanish government, the Minister of the U. S. appealed to the just rights of his country in expressions suited more to the sense of its wrongs than to the courtesies of European diplomacy, nothing had till then occurred which could have restrained your government from asking of him any explanation which could be necessary for fixing its determination upon the ratification. No explanation was asked of him.

Nearly two months afterwards, on the 10th of August, Mr. Forsyth was informed that the King would not come to a final decision upon the ratification, without previously entering into several explanations with the government of the U. S. to some of which that government had given rise; and that His Majesty had charged a person possessed of his full confidence, who would forthwith make known to the U. S. His Majesty's intentions. Mr. Forsyth offered himself to give every explanation which could be justly required; but your government declined receiving them from him, assigning to him the shortness of the time; a reason altogether different from that which you now allege, of the disrespectful character of his communications.

From the 10th of August till the 14th of the last month, a period of more than eight months passed over, during which no information was given by your government of the nature of the explanations which would be required.—The government of the U. States by a forbearance unexampled in human history, has patiently waited for your arrival, always ready to give in candor and sincerity, every explanation that could, with any propriety, be demanded.—What then must have been the sentiments of the President upon finding, by your note of the 14th ultimo, that, instead of explanations, His Catholic Majesty has instructed you to demand the negotiation of another treaty, and to call upon the U. S. for stipulations derogatory to their honor, and incompatible with their duties as an independent nation? What must be the feelings of this nation to learn that, when called upon to state whether you were the bearer of His Catholic Majesty's ratification of the treaty, to be exchanged upon the explanations demanded being given, you explicitly answered that you were not? And, when required to say whether you are authorized, as a substitute for the ratification, to give the pledge of immediate possession of the territory, from which the acknowledged just claims of the citizens of the U. S. were stipulated to be indemnified, you still answered that you are not, but refer us back to a solemn promise of the King, already pledged before in the full power to your predecessor, and to a ratification, as soon as possible; already stipulated in vain by the treaty which he, in full conformity to his instructions, had signed?

The ratification of that treaty can now no longer be accepted by this government, without the concurrence of a constitutional majority of the Senate of the U. States to whom it must be again referred. Yet even this promise, you were by my letter of the 3d inst. informed that, rather than abandon the last hope of obtaining the fulfilment of His Catholic Majesty's promise, already given, the President would, so far as was constitutionally within his power, yet accept.

The assurances which you had given me in the first personal conference between us, of your own entire satisfaction with the explanations given you upon all the points on which you had been instructed to ask them, would naturally have led to the expectation that the promise which you were authorized to give, would at least not be withheld. From your letter of the 5th instant, however, it appears that no discretion has been left you, to pledge even His Majesty's promise of ratification, in the event of your being yourself satisfied with the explanations upon all the points desired: that the only promise you can give, is conditional, and the condition a point upon which your government prescribing it, could not but know it was impossible that the U. States should comply; a condition incompatible with their independence, their neutrality, their justice, and their honor.

It was also a condition which His Catholic Majesty had not the shadow of a right to prescribe. The treaty had been signed by Mr. Onis with a full knowledge that no such engagement as that contemplated by it, would ever be acceded to by the American government, and after long and unwearied efforts to obtain it. The differences between the U. S. and Spain had no connection with the war between Spain and S. America. The object of the treaty was to settle the boundaries, and adjust and provide for the claims between your nation and ours; and Spain at no time could have a right to require that any stipulation concerning the contest between her and her colonies should be connected with it. As His Catholic Majesty could not justly require it, during the

negotiation of that treaty, still less could it afford a justification for withholding his promised ratification after it was concluded.

The proposal, which, at a proper period, had been made by the government of the U. States to some of the principal Powers of Europe, for a recognition, in concert, of the independence of Buenos Ayres, was founded, as I have observed to you, upon an opinion then and still entertained, that this recognition must, and would, at no very remote period, be made by Spain herself; that the joint acknowledgment by several of the principal powers of the world at the same time, might probably induce Spain the sooner to accede to that necessity, in which she must ultimately acquiesce; and would thereby hasten an event propitious to her own interests, by terminating a struggle in which she is wasting her strength and resources, without a possibility of success; an event ardently to be desired by every friend of humanity, afflicted by the continual horrors of a war, cruel and sanguinary almost beyond example; an event not only desirable to the unhappy people who are suffering the complicated distresses and calamities of this war, but to all the nations having relations of amity and of commerce with them. This proposal, founded upon such motives, far from giving to Spain the right to claim of the U. States an engagement not to recognize the South American Governments, ought to have been considered by Spain as a proof at once of the moderation and discretion of the U. States—as evidence of their disposition to discard all selfish or exclusive views in the adoption of a measure which they deemed wise and just in itself, but most likely to prove efficacious, by a common adoption of it, in a spirit entirely pacific, in concert with other nations, rather than by a precipitate resort to it, on the part of the United States alone.

The conditional promise therefore, now offered by you, instead of the positive one which you have declared yourself authorized to give, cannot be accepted by the President, and I am constrained to observe, that he can consider the procedure of your government in thus providing you with powers and instructions utterly inefficient for the conclusion of the negotiation with which you are charged, in no other light than as proceeding from a determination on its part, still to protract and baffle its final successful issue. Under these circumstances he deems it his duty to submit the correspondence which has passed between us since your arrival, to the consideration of the Congress of the U. States, to whom it will belong to decide how far the U. States can yet consistently with their duties to themselves, and the rights of their citizens, authorize the further delay requested in your note of the 5th inst.

In the conclusion of that note, you have remarked, alluding to a great change which appears to have taken place since your departure from Madrid, in the Government of Spain, that the circumstance alone would impose on you the obligation of giving no greater latitude to your promise previous to your receiving new instructions. If I have understood you right, your intention is to remark, that this circumstance alone would restrain you in any event from giving without new instructions the unconditional promise of ratification, which, in a former note, you had declared yourself authorized in the name of your Sovereign to give. This seems to be equivalent to a declaration that you consider your powers themselves in the extent to which they were instructed to you, as suspended by the events to which you thus refer. If I am mistaken in taking this as your meaning, will you have the goodness to inform me how far you do consider your powers affected by the present state of your information from Spain.

Please to accept the assurance of my distinguished consideration.

JOHN QUINCY ADAMS.

From the Nat. Intell. 13th May.

OUR RELATIONS WITH SPAIN.

The following Message and Documents were yesterday transmitted by the President of the United States to both Houses of Congress:

To the Senate and House of Representatives of the United States.

I communicate to Congress, translations of letters from the Minister of Spain to the Secretary of State, received since my message of the 9th instant.

JAMES MONROE.

Washington, 12th May, 1820.

General Vives to the Secretary of State.

[TRANSLATION.]

Sir: In answer to your note of yesterday's date, I have, in the first place, to give you the explanation requested of me, of the import of my last proposal, and in doing so, to repeat, in other words, that I am authorized solemnly to promise to this government the ratification of the treaty by His Majesty, only in case the third point of my proposals be satisfied; but, as the answer given to this point has not been such as I could, agreeably to my instructions, receive as satisfactory, I can by no means commit myself, by giving a greater extension to my promise, than that expressed in my note.

My object in intimating to you, that, although I knew nothing officially, yet I considered as authentic the information circulating of an important change in the government of Spain, a circumstance which would of itself effectually prevent me from giving greater latitude to my promise, was, to apprise your government, that