

# THE RALEIGH MINERVA.

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## Captions of the Acts,

Passed by the General Assembly of N. Carolina,

FOR 1813.

(Concluded from our last.)

### PUBLIC ACTS.

- 15 Making the protest of a notary public, evidence in certain cases.
- 16 To amend the eleventh section of an act passed in the year 1784, entitled "an act to empower the courts of pleas and quarter sessions of the several counties in this state to lay out roads and to establish and settle ferries, and to appoint where bridges shall be built, and to clear inland rivers and creeks."
- 17 To prevent unnecessary costs and charges, hereafter in the mode of suing for and recovering forfeited recognizances.
- 18 Relative to the power of courts of equity in cases of partition.
- 19 For regulating the fees of officers.
- 20 To amend the laws relative to the supreme court.
- 21 To raise a revenue for the payment of the civil list and contingent charges of government for the year 1813.
- 22 Requiring notice of their appointment to be given to overseers of roads and creeks.
- 23 To amend the militia laws of this state.

### LOCAL AND PRIVATE ACTS.

- 17 To emancipate certain persons therein mentioned.
- 18 To establish a separate election at the house of Mark Christian, in the county of Cumberland, and to repeal an act establishing a separate election at the house of James Adkins, in the same county.

### Political.

From the Norfolk Ledger.

The annual report of the Sec. of the Treasury was laid before our readers in the Ledger of Wednesday. It appears that Nineteen Millions, Nine Hundred and Twenty Five Thousand Dollars, which for round numbers we will call, twenty millions, are wanted beyond the income to meet the expenses of the current year. This sum, it is proposed to raise by Loans, and Exchequer Bills. The first mode might answer very well, if there were not two parties necessary to make a loan. We however believe, that the Secretary calculates, that the stagnation that will be produced in commerce by the war, will diminish the demand of the merchants for money from the Banks, and thereby facilitate the loans to government. Admitting this calculation should prove to be well founded, it will be a benefit (if we may so say) in a particular instance, procured by general calamity. The pressure of the war has not yet been felt by us; as great, if not greater activity is seen in the commerce of the country, than before the war—our ships and our produce are in the greatest demand. It is not requisite that we should point out the cause of this activity; it is enough to say, that its duration is precarious, as depending on the wants and the will of our enemy. We do believe, that our commerce will be more restricted, and that the banks will have less use for their capital, in accommodating the merchants with discounts; but prudent directors will pause, before they will see their vaults emptied of specie, which must be carried to the frontiers, and perhaps to Canada; besides, what is to become of the year 1814? If men who are now just entered into power are afraid to affect their popularity by laying internal taxes, they will not be less so, as the period of another election approaches—consequently, it will be loan upon loan, until the bank capital is merged in the public debt.

The Exchequer Bills, which are relied upon in part, will answer as long as their amount is limited, but will certainly depreciate as their amount is increased. As the revenue decreases, the demand for them will be less—if they are taken in payment of the duties, becoming due in 1813, it will be nothing more than an anticipation of the revenue, and adds nothing to the account of the income. After the duties are paid, the demand for these bills will nearly cease.

When we first perused Mr. Galatin's report, we were struck with astonishment. This report informs us, that TWENTY MILLIONS OF DOLLARS are wanted for the expenses of the year ending on the 30th of September, 1813; the reader will bear in mind, that at the treasury, the year ends on the 30th of September each year. We will give the words of Mr. Galatin:—

"It appears according to the preceding estimate, that the whole sum to be borrowed during the year 1813 will amount to about twenty millions of dollars."

Now for the cause of our astonishment. It was impressed upon our mind, that the President in his communication at the opening of this present Session of Congress, did state, that the revenue (and money already borrowed) would be a legate to the expenditure of the year 1813. We referred to the communication, and it served to confirm our impressions. We will insert that part of it to which we allude;

"The receipts into the treasury, during the year ending on the 30th Sept. last, have exceeded six teen millions and a half of dollars—which have been sufficient to defray all the demands on the treasury to that day, including a necessary reimbursement of near three millions of the principle of the public debt. In these receipts is included a sum of near \$5,850,000, received on account of the loans authorized by the acts of the last session—the whole sum actually obtained on loan amounts to \$11,000,000, the residue of which, being received subsequent to the 30th of September last, will together with the current revenue, enable us to defray all the expenses of this year."

From this we would understand that the whole sum borrowed was \$11,000,000, of which \$5,850,000 had been paid before the 30th Sept. last, and that \$5,150,000 were to be paid subsequently, which with the current revenue would enable us to defray all the expenses of the present.

That the impressions made upon us by the President's communication, were made upon others, we are confident. In the National Intelligencer of the 10th inst. we find an address from Governor Middleton to the legislature of South Carolina, in which he says:

"It appears from the statement made in the President's late communication to Congress, of receipts into our national exchequer, that it is able to defray the current expenses of the year therefrom."

We hope no person will be so illiberal as to suppose that we would so far forget the respect which is due the President of the United States, as to insinuate that he is capable of saying what he did not believe to be true. We shall for our selves indebted to any one, who can, and will prove to us that we are mistaken in our view of the subject. We believed, when we read the communication of Mr. Madison, that the loans made before the 30th of Sept. last, were to be paid subsequently, and the ordinary revenues, were adequate to the expenses of the year 1813. Mr. Galatin says new loans to the amount of TWENTY MILLIONS OF DOLLARS must be made this year! If the war lasts, from the increase of the public debt, the loans and taxes for the year 1814, will be Twenty-eight Millions additional.

Whoever will attend to the dates of Mr Russell's correspondence, will be convinced that the letter containing the first conversation with Lord Castlereagh was drawn up in the City of Washington. Its contents are a further confirmation of the fact, which in their turn receive an important illustration from their birth place. Among other petty artifices, played off with stage effect, Lord Castlereagh is made to speak of "our friends in congress," and then to correct his expression by changing it so as to mean the members opposed to the war. All this might be considered very silly, or at least very unimportant, were it not for the use to which it is converted by the Intelligencer and its echoes in every quarter, as a proof of the affinity between the British ministry and the opponents of war. This stratagem is too paltry to succeed with the most ignorant and vulgar. For, let it be observed, that the expression uttered and withdrawn by Lord Castlereagh, is uncombined with any fact to warrant it, unless it be the state of parties and the different aspects they bear towards the British, in relation to the war and the policy advocated by each. Had Lord Castlereagh boasted, like Talleyrand, that they had a party in this country strong enough to influence and overawe the government; had a member of the British parliament, in a set speech, protested in his place against the imposition of a duty upon our commerce which he added was likely to give them a decided and permanent influence over the councils of the country, as Dupont did in the French Council of Ancients; if any Federalist of distinction had received, and accepted with transports of delight, the honorary distinction of naturalization from the British government; as Mr. Madison did from the French—in such case, we grant there would be cause of suspicion, that the conduct of our affairs did not turn upon pure and patriotic principles. These allusions are made to but a few solitary facts in the chain of proof, which establishes the conclusion so opposite to the pretensions of the democratic party. Scarcely a year has passed, without adding materially to them, and the history of the origin of the war and the conduct of the executive ever since, has accumulated it to demonstration. Liable to such a load of reproach for subserviency to foreign influence, and even the dictation of measures of the utmost pith, it is preposterous indeed to see them endeavoring to shroud their own moral deformity in groundless imputations against others. We ask, how many democrats of distinction are suspected upon the most plausible grounds, of receiving pensions from the nation whose side they constantly espouse against the interest and honor of this, upon every occasion which can bring them into collision with the foreign service they support?

This is the true view of the case, and sheds more light upon the question than thousands of insinuations, were they even much more important than can be wrought up in the closing account of a mercantile charge des affaires out of business, and might be to enter anew upon political trade, or the miserably inconsistent and self-evident fabrications of John Henry, for which he was nevertheless paid fifty thousand dollars.—Geo. Fed. Repub.

## General Smith and General Porter.

### GENERAL SMYTH'S ACCOUNT.

From the Albany Gazette, Dec. 14.

On Saturday last arrived in this city, on his way from the camp at Buffalo to his family at Troy, capt. WOOL, of the 13th U. S. regiment, whose distinguished and gallant conduct in storming the batteries on the heights of Queenston, on the 13th September last, in which he was severely wounded, and in his subsequent conduct on that day, gained him the respect and applause of major general Van Rensselaer and of the whole army and the universal esteem and admiration of his fellow citizens. We are happy to observe that he is in good health, and has nearly recovered of his wounds. He was a volunteer with col. Winder in the late unsuccessful attempt at crossing the Niagara river. Capt. Wool has put into our hands, for publication, the following paper, containing general Smyth's reasons for not planting the American standard on the Canada shore, agreeable to his late proclamations. We submit it to our readers without comment.

### HEAD QUARTERS,

CAMP NEAR BUFFALO, DEC. 3, 1812.

Gentlemen—Your letter of the 2d December is before me; and I answer it in the following manner:

On the 26th of October I ordered that twenty scows should be prepared for the transportation of artillery and cavalry, and put the carpenters of the army upon lat duty.

By the 26th of November ten scows were completed, and by bringing some boats from lake Ontario, above the falls of Niagara, the number was increased to seventy.

I had on the 12th Nov. issued an address to the men of New York, and perhaps three hundred had arrived at Buffalo. I presumed that the regular troops, and the volunteers under contracts Swift and Morgan would furnish 2300 men for duty; and of general Faneuil's brigade (from Pennsylvania) reporting a total of 1650 as many as 413 had volunteered to cross into Canada. My orders were to "cross with 3070 men at once." I deemed myself ready to fulfil them.

Preparatory thereto, on the night of the 17th of November, I sent over two parties, one under lieutenant Boerstler, the other under capt. King, with whom lieutenant Angus, of the navy, at the head of a body of seamen, united. The first was to capture a guard and destroy a bridge about five miles below Fort Erie; the second party were to take and tender or less the cannon of the enemy's batteries and some pieces of light artillery. The first party sailed to destroy the bridge; the second, after rendering assistance to the light artillery, separated by some misapprehension. Lieutenant Angus, the seamen, and a part of the troops, returned, with all the boats; while captains King, Morgan, and Spruell, lieutenant Houston, and about sixty men, remained. The party, thus reduced, attacked, took, and rendered unserviceable two of the enemy's batteries, captured 34 prisoners, found two boats, in which capt. King sent the prisoners and about half his party with the other officers; he himself remaining with thirty men, whom he would not abandon.

Orders had been given that all the troops in the neighborhood should march, at reveille, to the place of embarkation. A part of the detachment sent in the night having returned and excited apprehensions for the residue, about 250 men under the command of col. Winder suddenly put off in boats for the opposite shore; a part of this force had landed, when a force deemed superior, with one piece of artillery, was discovered; a retreat was ordered; and col. Winder's detachment suffered a loss of six killed and nineteen wounded, besides some officers.

The general embarkation commenced as the troops arrived; but this being a general embarkation, the whole of the scows were occupied by about one third of the artillery, while about 800 regular infantry, about 200 twelve months volunteers under col. Swift, and about two hundred of the militia who had volunteered their services for a few days, occupied all the boats that were ready. The troops then embarked moved up the river to Black Rock without loss; they were ordered to disembark and dine.

I had received from my commanding general an instruction in the following words—"In all important movements you will, I presume, consider it advisable to consult some of your principal officers." I deemed this equivalent to an order, and the movement important. I called the field officers of the regulars, and twelve months volunteers embarked. Col. Porter was not found at the moment. The questions were put—Is it expedient now to cross over? Is the force we have sufficient to conquer the opposite coast?

The first question was decided in the negative by col. Parker, col. Schuyler, col. Winder, lieutenant Boerstler, lieutenant colonel Collins and major Campbell. Colonel Swift, of volunteers, alone gave an opinion for then crossing over.

The second question was not decided. Colonel

Winder, colonel Swift, lieutenant colonel Boerstler and captain Gibson deemed the force sufficient.

I determined to postpone crossing over until more complete preparation would enable me to embark the whole force at once, the counsel prescribed by my orders. The next day was spent in such preparation and troops were ordered to assemble again at the place of embarkation at 8 o'clock on the morning of the 30th Nov. On their arrival they were sent into the adjacent woods, there to build fires, and remain until 3 o'clock in the morning of the 1st Dec. when it was intended to put off two hours before daylight, so as to avoid the fire of the enemy's cannon in passing the position which it was believed they occupied below, to land above Chippaway, assault that place, and if successful march through Queenston for Fort George. For this expedition the contractor was called on to furnish rations for 2500 men for four days, when it was found that he could furnish the pork but not the flour, the deputy quartermaster called for 60 barrels and got but 33.

The embarkation commenced but was delayed by circumstances so as not to be completed until after day light, when it was found the regular infantry, 688 men, the artillery 177 men, Swift's volunteers estimated at 230, six companies of federal volunteers, under captains Collins, Phillips, Allison, Moore, Maher and Marshall amounting to 276 men, commanded by lieutenant col. McClure, 100 men of col. Dobbins's militia, and a few men in a boat with col. P. B. Porter, had embarked—the whole on board amounting, exclusive of officers, to 1465 men, or thereabouts; and it was two hours later than had been contemplated.

There were some groups of men not yet embarked; they were applied to, requested and ordered by the brigade major to get into the boats if they did not. The number of these the brigade major estimated at about 150. It was probably greater.

It then became a question, whether it was expedient to invade Canada, in open day light, with 1500 men, at a point where no reinforcements could be expected for some days. I saw that the number of the regular troops was declining rapidly. I saw that on them chiefly I was to depend.

I called together the officers commanding corps of the regular army. Col. Parker being sick, those present were, col. Porter of the artillery, col. Schuyler, col. Winder, and lieutenant col. Cole.

I put to them this question—shall we proceed? They unanimously decided that we ought not. I foresaw that the volunteers, who had come out for a few days, would disperse—several of them had, on the evening of the 26th, broke their muskets. I foresaw that the number of the regular troops would decrease; measles, and other diseases, being among them; and they were now in tents in the month of December. I informed the officers that the attempt to invade Canada would not be made, until the army was reinforced; directed them to withdraw their troops, and cover them with huts immediately.

You say that on Saturday every obstruction was removed, and that a landing might have been effected "without the loss of a single man." This proves you unacquainted with the occurrences of the day. Col. Winder, in retiring from the enemy's shore in the morning, lost a tenth part of his force, in killed and wounded. The enemy showed no more than 5 or 600 men, as estimated by Col. Parker, and one piece of artillery supported a nine pounder. That force, we no doubt, might have overcome, but not without loss; and that from the great advantage the enemy would have had might have been considerable.

To recapitulate. My orders were to pass into Canada with 3000 men at once. On the first day of embarkation, not more than 1400 men were embarked, and those were to have put off immediately, and to have descended the river to a point where reinforcements were not to be expected. On both days, many of the regular troops were men in bad health who could not have stood one day's march; who although they were on the sick report, were turned out by their ardent officers. The affair at Queenston is a caution against relying on cowards who go to the bank of the Niagara, to look on a battle as on a theatrical exhibition; who, if they are disappointed of the sights, break their muskets; or if they re without rations for a day, desert.

I have made to you this frank disclosure, without admitting your authority to require it, under the impression that you are patriotic and candid men; and that you will not censure me for following the cautious councils of experience; nor join in the senseless clamor excited against me by an interested man.

I have some reason to believe that the cautious counsel given by the superior officers of my command, was good. From deserters we learn that 2344 rations are issued daily on the frontiers on the British side. Capt. King, prisoner at Fort George, writes to an officer thus—"Tell our friends to take better care of themselves than it appears I have done."

I am, gentlemen, with great respect, your most obedient,

ALEXANDER SMYTH,  
Brigadier General.

To Messrs. George McClure, Lewis Birdsall, John Griffin, and Wm. B. Rochester, a committee of the patriotic citizens of the western counties of New York.

P. S. It will be observed, that the force ready could be no otherwise ascertained than by an actual embarkation—it being uncertain what portion of the volunteer force would embark.