

made themselves parties in the war; and no previous order could have been expected to meet a case which was not supposed to exist.

In page 6, the committee remark, that "here also (at St. Marks) were taken two Indian chiefs one of whom pretended to possess the spirit of prophecy—they were hung without trial, and with little ceremony." The committee have forbore to state, that Francis the Prophet had long been one of our direst and most dangerous foes—that he had a Brigadier's commission from Great Britain—and that he successfully employed his superstitious influence and the promises of his trans-atlantic friends to instigate his deluded brethren to deeds of rapine and massacre. They seem also to have forgotten that Homathlimico, the other chief, had headed the party who in cold blood murdered Scott and his unhappy companions—struck the reeking tomahawk into the bosoms of defenceless women, and dashed out the brains of their infants against the boat.

Was it mere "technical retaliation" under which these monsters were executed, or, was their death an awful but just punishment for their unhallowed crimes? Is it wrong to speak of the policy of executions, and I trust that mere policy shall never be urged as an excuse for depriving a fellow being of existence—but criminals are executed both for example and punishment, and the awful example made of Francis and Homathlimico had a wide spread influence.—Two Indians had been taken with them and released—and, in a few days, the whole Ocheese tribe surrendered at discretion. They were treated humanely, furnished with transportation and provision, and sent into the Creek nation.

An effort is made by the committee to shew, that, at the time Gen. Jackson believed the war to be ended, he had resolved on occupying Pensacola. To establish this charge, they more than once refer to extracts from his letters, wherein he states that the Seminoles are dispersed and their means of annoyance destroyed.—It will be recollected, that these letters were written after the end of that part of the campaign which was conducted in East Florida, and had a necessary reference to the General's success in securing that portion of our frontier immediately open to the incursions of the Eastern Seminoles. At the time the despatches were written, the numbers of hostile Indians in West Florida were unknown—and, without attributing to General Jackson the powers of prophecy and magic, it was impossible, in stating "the Seminole war was ended," that he meant to extend the remark to all future aggressions, both on the eastern and western extremities of our southern border. The Seminoles in East Florida were dispersed, not exterminated—their towns were burnt and their cattle taken from them—of course, when scattered and in a state of starvation, the commanding general safely said the war with them was at an end. But the means of subsistence they might soon again procure from labor and the sympathy of their Spanish friends east of Savannah—and, these obtained, they still possessed the power of concentration and incursion, although it was confidently trusted that the awful lesson which they received would have permanent salutary influence.

In West Florida, the same outrages had for some time been committed, almost daily, on the frontier of Alabama; and the letter from Governor Bibb of the 19th May, which was received on the arrival of the army at the Escambia, plainly shewed that the territorial border called as loudly for defence and security as the frontier of Georgia.

East and West Florida were similarly situated; both were inhabited by Indians hostile to the United States—in both had British instigators cherished and nurtured this spirit of hostility, and in each had the savages a depot, whence they drew their warlike munitions, and on which they could retire in case of defeat. Of all these facts, the General had the fullest proofs: and with these proofs before him, he had to choose between retiring from Florida into Tennessee, content with doing half his duty by securing half the frontier, or executing his orders entire, by pursuing the same course to tranquilize the West, which he had successfully adopted in the East.

I mean not now to enter upon a defence of the occupancy of Pensacola. General Jackson believed it necessary, and therefore he did it. If it saved the life of a single frontier settler, it was right; and it can only be proved wrong by shewing that there was not a single body of Indians in West Florida at the time Pensacola was occupied. The savages west of Pensacola Bay were scattered in the swamps, obtaining, after their dispersion by the movement of Major Young's, and General Jackson's advance into the country, a miserable subsistence by hunting and depredating on the cattle of the inhabitants. Had these Indians, irritated by defeat, been granted access to their old depot, they would, in parties of ten and twenty, have committed more murders on our open border than could ever have sat easy on General Jackson's conscience, had any act or neglect of his facilitated their commission.

Common sense as well as national law prohibits any violation of neutrality to prevent an evil remotely prospective. But, where the expected danger is both of vital character and certain occurrence, to neglect any means of preventing it is not only falsely generous but grossly criminal. Individuals may make such sacrifices, when mere personal danger

or inconvenience is apprehended, but to avert so dreadful an evil as the murderous incursion of a savage foe, all accessible means of security and prevention are imperiously called for. Men, who know the Indian character, are well aware of the folly of defensive operations to restrain their massacres and predatory expeditions. If the whole army had been extended in a cordon, along the southern frontier, they would have been laughed at by the Indians. Relieved from all apprehension of attack, and the privation of their Spanish depots, they would have leisurely concentrated their forces, and broken the cordon at almost any point. It was then necessary to attack them, and, as in West Florida they never were embodied, the General had either to march his whole army in pursuit of each little squad of warriors, and exterminate them in detail, or to adopt such measures as would relieve his army from useless toil and bloodshed, and his country from unnecessary expense. This measure was the provisional occupation of Florida. It was an act of necessity; the necessity we were under, in all cases, to protect the lives and liberties of our citizens. If the occupation of Amelia Island is justifiable, the seizure of Pensacola is still more so; for the lives of our citizens are of infinitely greater importance than the plunder of our commerce, and the security of a frontier from Indian invasion, of much greater interest than the prevention of smuggling.

To destroy the scattered parties in West Florida, Captain Boyles, with two companies of rangers, was ordered to scour the country, and his gallantry and success are well known. In page 7, of the report, there is a sentence calculated to induce a belief that the terms of capitulation were forcibly imposed upon the Governor and garrison of Pensacola. These terms were proposed by the Governor himself, before surrendering the Barrancas; and were fully accepted, except in such points as affected the security of the occupancy, and the objects of the campaign.

It was unnecessary to remark that General J. abolished the revenue laws of Spain (p. 6.) The capitulation engaged for the transportation of all the officers of government, civil and military, to Havana. What then became of their revenue laws? The Governor virtually abolished them himself.

It is not a fact that all the officers of the new government were military men. The temporary governor, Col King is an officer of the army; but civil officers were appointed in the different departments from among citizens, and M. McKizie, a native of Mobile, was placed at the head of the magistracy. The civil rights of the inhabitants were secured to them, and, in some instances, particular privileges of individuals were held sacred, which were totally repugnant to the nature of our political institutions.

In the 9th page of the report, there is a remark that before general Jackson could make a hostile movement on the Spanish possessions, they must have "opposed him by physical not moral force." It is not easy to understand this distinction, but I presume the committee mean by moral force, the use of persuasion and instigation among the Indians, and furnishing them with arms and ammunition. If the use of such a "moral force" is not to be opposed and avenged, without an infraction of natural law, and the constitution, in what a situation are we placed? The adoption of such a principle forever puts a stop to frontier emigration and the proud source of our hardy population. It declares to a surprising settler of the wilderness, that it is illegal to protect him from Indian incursion; and it says to the infamous emissaries of Britain: Your safety is now secure, go among our Indians, and, by gold and superstition, spirit them to reiterated outrage; deluge our frontier in blood; we dare not touch you; standing under the shelter of our constitution, your punishment would be a stab to the liberties of our country.

In regard to general Jackson's order to general Gaines to occupy St. Augustine, it is only necessary to say, that it was issued in conformity to the same principle which governed the general in all his movements in Florida, viz: That where the Spaniards identified themselves with the Indians, by arming or sheltering them, they were to be treated as enemies in our own defence; one of the most sacred necessities imposed on man.

In page 11, the committee ask, "if these things are admitted in the South, will not they be considered as authorized in the North?" I answer, yes.

It is needless to remark on that part of the report which regards the execution of Arbuthnot and Ambrister. The committee admit, "that having left their country and united their fate with savages with whom the United States were at war, they forfeited their claim to the protection of their own government, and subjected themselves to the same treatment, which ought, according to the principles and practice of the American government, to be extended towards those with whom they were associated." If their crimes and merited punishment, (and where in the catalogue of depravity, can we find a blacker crime than the excitement of savages to butcher women and children?) and the civil powers of our country had no jurisdiction over their acts, it remains only to state, that general Jackson had the right and the power to execute the law of nature and of nations upon them. If the two great points are admitted, the guilt of the prisoners and the power of the general, what object have we in cavilling at the mode of their trial? An error in the formal part of the proceedings would not have proved the innocence of the accused, and of course could not vitiate the whole transaction. If the conduct of these men had been such as was imputed to them their death was richly merited; and if it is even admitted that general Jackson, in punishing such monsters, erred in for-

malities, the establishment of their guilt and the application of the corrective, not only consummated his duty, but repaired all the insubstantial defects which might have given impunity to crime.

To conclude—these remarks are presented to the world, from a deep conviction, that the report of the committee not only does the greatest injustice to general Jackson, but in its character and tendency is destructive of our dearest rights. Every citizen of the republic is willing in duty to his country who does not solemnly protest against so novel and unconstitutional a proceeding. If inquisitorial investigations can be instituted into the charter of individuals, at the will of the legislative branch of our government, why did the great framers of our constitution give us a judiciary and executive? If the Senate can assume the judicial and executive functions, why may not the President usurp the legislative power? If such a precedent is acquiesced in by the honorable body from one of whose committee it emanated; it is greatly to be feared, that such an usurpation will be infinitely more dangerous than the open efforts of ambition, even when supported by the licentiousness of standing armies.

Washington, March 3, 1819.

P. S. It has been intimated that some gentlemen of the committee have expressed their regret, that all the facts on the subject of their enquiry had not been obtained before they made their report. No excuse is left for not procuring all the facts; for general Jackson stated to one of the select committee, that he was willing to appear before them as a witness and expose to them all the documents in his possession. It should be recollected that the general himself furnished the copy of his order to general Gaines respecting the seizure of St. Augustine.

NOTICE.—STRAYED from the subscriber on the 14th day of February last, a BAY MARE, about 10 years old with her left eye out, and a small white spot in the corner of her right eye. Any person giving information of said Mare, will be thankfully received, by the subscriber living in Wake county, and all expenses paid.

March 15, 1819, JOHN KING, 9-31.

NOTICE.—The subscriber having received JOHN C. STEADMAN, as a partner in the WATCH and CLOCK making business, &c. The business will hereafter be conducted under the firm of SAVAGE & STEADMAN.

As it is indispensably necessary that he should close his former accounts, he earnestly solicits those indebted to him to make payment as soon as possible, and to recover a want of real cash, he begs him to call on his creditors for settlement, or to deposit some cash delay payment, and would reluctantly resort to coercive measures to effect the same.

JOHN Y. SAVAGE. THE subscribers inform their friends and the public, that they have on hand a variety of WATCHES and JEWELRY, SILVER, GILT and PLATED WORK, which they offer for sale on very reasonable terms. Also WATCH-MAKERS TOOLS and MATERIALS, and a few SUPERIOR CLOCK-MOVEMENTS. Watches and Clocks repaired and warranted.

S. SAVAGE & STEADMAN. Raleigh, March 10th 1819. N. B. Old Gold or Silver received in payment.

\$10 REWARD.

STOLEN on Friday last a BLACK MARE, Bridle and Saddle, four feet, 10 or 11 months high; with a white spot in her forehead, and branded with the letters J. B. on her shoulder. Whoever will deliver the said mare to me, or give me information so that I get her again shall receive the above reward.

JAMES BROWN, 9-31.

ORTH CAROLINA MUSEUM.—This establishment is now open for the reception of visitors. Admittance, 25 cents.—Tickets for the year, five dollars.

As the plan embraces a Reading Room, where most of the principal newspapers, literary works, reviews, &c. are regularly filed, it is confidently believed that it will afford an agreeable and useful place of resort.

Natural and artificial curiosities, sketches, maps, drawings and paintings, rare coins and books, will be gratefully received and added to the collection, with the names of the liberal donors appended, to them.

General Calvin Jones has obligingly transferred the above to the collector of this institution. Raleigh, Aug. 12. J. MARLING & CO.

WROCKERY STORE.—Fayetteville, adjoining King the Mansion Hotel.—WILLIAM W. SHREVEY has received, direct from the manufacturers and is now opening an extensive assortment of rich CUT-GLASS, COBALT, and BOTTLEWARE, which he offers at a low advance on the original purchase.—Also by retail—viz.—Blue and other Glass, Dinner Dishes, Tea and Coffee sets, Blue and Fancy Teapots, Pitchers of various descriptions, Chamber Glasses, and Vases, Cut and Plain Glass, Teacups, Goblets, Tumblers and Wine glasses, Silver-plated and Gilded stands, Butter-cups, and Salted-boxes, Cruet-stands and Hall-lamps, with other articles too tedious to mention.

N. B. Country orders, paid as low in price as can be bought in the original packages, and with equal safety. February 6, 1819. 6-31.

NOTICE TO MERCHANTS AND OTHERS, That on Thursday the 25th

of March next, at the law office of John P. Farris, in the City of Raleigh, will commence the sale of the Stock of Goods on hand, consisting of a well selected assortment of Dry Goods and Hard Ware of various kinds, lately purchased in Philadelphia and New-York, many pieces and packages of which have never been cut or opened.—It would be useless to attempt a description of the Goods as they are composed of every article generally constituting an assortment for this market, and that of good quality.—As this sale must be without reserve, or by bidders, it will be well worth the attention of merchants and others who like good bargains.

Six months credit will be allowed to purchasers, for all sums over four dollars, on giving notes with two approved Securities.

At the same time will be rented until the first of January next, two convenient Houses, either of which would suit a Student of Law or Physician, or any person who wished to have a Room or Rooms to themselves.—Some Negroes belonging to the Estate will probably be hired at the same time for the balance of the year, both male and female, of a size and age to be serviceable.—The sale will continue from day to day until the whole is sold.

MARK COOKE, Adm'r with the will annexed, of the estate of John Farris dec'd. Raleigh, Feb. 25, 1819. 7-4w.

WRAPPING PAPER FOR SALE AT THIS OFFICE.

STATE OF N. CAROLINA, Superior Court of Law, INDELL COUNTY. Fall Term, A. D. 1818. Squire Parker, vs. his wife Elizabeth Parker, Petition for divorce.

ORDERED by the Court in this case, that publication be made for three months in the Star and Minerva, that unless the defendant appear at the next Superior Court of Law, to be held at the county of Iredeil, on the fifth Monday after the fourth Monday in March next; the plaintiffs petition will be taken pro confesso and heard ex parte.

R. WORKS, Clerk. 1-3m



THE celebrated and unvanquished RACE HORSE, THURMOLEON, will stand the coming season at the subscriber's stable, 3 miles north of Warrenton. The terms, blood and performance will be made known in due time. ROBERT JOHNSON. Fayetteville, March 18. 8-31-19.

STATE BEAR NAVIGATION COMPANY.—Pursuant to a resolution of the President and Directors, Notice is hereby given that the Sixth instalment of the original capital and the second instalment of the increase of December 1818, of Ten Dollars on each and every share, is required to be paid to the Treasurer, in Fayetteville, on the second Monday of April next.

J. W. WRIGHT, Treas. Fayetteville, March, 1819. 7-4w.

STATE BEAR NAVIGATION COMPANY.—Stockholders under the original subscription, and under the resolution of July 1818, and the using an increase of capital, are notified that a dividend of five per cent. on the capital, or of seven and one half per cent. on the instalments paid, has been declared by resolution of the President and Directors, the same will accordingly be paid by the Treasurer in Fayetteville to the Stockholders, or their attorneys, regularly authorized from and after the second Monday in April next. For the payment of this dividend, Stockholders by transfer will be required to exhibit the original Scrip.

J. W. WRIGHT, Treas. Fayetteville, March 1, 1819. 7-4w.

BOOKS FOR SALE.—Will be sold at the late residence of William Smith, deceased, (in Warren County,) on the 2nd day of August next, on a credit of nine Months, fifteen Likly Negroes, and the balance of the personal Estate of said J. Smith.—The larger part of said Negroes are young fellows and girls, and very likely.

February, 1819. M. SMITH, Executor. 7-4w.

THE subscriber being anxious to close his concerns, and to enable him to go to the southward, wishes to dispose of his property lying in the City of Raleigh, and in the county of Wake.

The lot containing one acre on which resides, certainly one of the most eligible in the City, it being a street's width only, from the state house opposite Mr. Rufin's Hotel; the improvements are such as to suit the accommodation of a genteel family, or any person disposed to do business of any kind, it being adjacent to stand, and in the immediate neighborhood of the most wealthy and public part of the City. Likewise a tract of land, about 2 miles from the City, containing 333 acres, by one means, leads to any part of the neighborhood, having on it a SAW MILL, newly erected on a never failing stream, with a rock dam made as permanent as any other perhaps in the world, on the adjoining county, affording as much timber of the highest quality, as will be sufficient for any ordinary use, and the great demand for lumber of all kinds, in the City and the adjoining country, render this a most valuable source of profit; also, a large MERCHANDISE MILL, partly finished, which when completed will be of more value than any other within fifty miles, being in the heart of a rich neighborhood, and no manufactory being near it. In the City I have a Lot, in a convenient part of 3 acres of ground, with small improvements, yet sufficient for a family residence; and near the market-house, a lot which I purpose to divide to accommodate those who wish to obtain eligible sites for stores, shops, &c. &c. being in a most convenient and suitable situation; this last mentioned lot near the market house, I will sell at auction, on the 15th inst.—it runs as a side, and is the other property a reasonable credit, to wit, one hundred on the 9th of October next, and the balance on one and two year upon good and ample security. Possession will be given by the 25th of October next, or sooner if required.—J. H. SCOTT takes this opportunity of informing all those who have claims against him to exhibit them for settlement, and those who stand indebted to him are earnestly desired to make payment as soon as they can, as the situation of his business absolutely demands longer indulgence.

J. SCOTT. Raleigh, Feb. 4, 1819.

P. S. A List determined to send the above property a good bargain may be had by a ready payment.—I will meet you at this opportunity, or at any other time, for a general view of the premises, and to agree that I have a right and ample security of my property, and that I will give you a good price for the same, and a great value for your services, and good night day tickets, with other conveniences, warranted to keep you; also, a quantity of new plates, military articles, &c. &c. &c. at a moderate price. For a full description of your property, you will be done as I stand until I remove.

FOR SALE, A VERY VALUABLE LOT, containing one acre, in the NEUSE RIVER NAVIGATION COMPANY. Also, a quantity of land, situated near Mr. Smith's, in Edge County, well.

JOHN D. DELANEY. Raleigh, December 7, 1818.

RAYWOOD'S MANUAL.—A new Edition of this valuable Book, being the 4th, is just published, by J. RAYWOOD, and is entirely revised to the present time, by a gentleman of high standing.

The form of this work, in which all the Law is arranged under distinct heads in a plain and concise manner, by experience has been found to be most convenient to the profession and others.

This edition is greatly improved by the addition of a new and correct edition of errors and omissions discovered in the former work.

WHERE MAY BE HAD POTTER'S JUSTICE. A new and much approved Work for Judges, Clerks, Jiffs, and other officers. Raleigh, Jan. 22, 1819. 8-31-19.

STATE OF N. CAROLINA, Superior Court of Law, INDELL COUNTY. Fall Term, A. D. 1818. Thomas Giddons, vs. his wife Mary Giddons, Petition for divorce.

ORDERED by the Court in this case, that publication be made for three months in the Star and Minerva, that unless the defendant appear at the next Superior Court of Law, to be held at the county of Iredeil, on the fifth Monday after the fourth Monday in March next; the plaintiffs petition will be taken pro confesso and heard ex parte.

R. WORKS, Clerk. 1-3m