

CAROLINA CENTINEL.

[VOLUME IV.]

NEWBERN, N. C. SATURDAY, JANUARY 12, 1822.

[NUMBER 199.]

PRINTED AND PUBLISHED WEEKLY, BY

PASTEUR & WATSON,

At \$ 3 per annum—half in advance.

DOMESTIC.

CHARLESTON, DEC. 29.

Capt. B. J. SHAIN, of the schooner *Ajax*, of Philadelphia, arrived here yesterday in the brig *Cyno*, from Havana. It will be recollected by our readers that Captain S. is the gentleman who was so cruelly wounded by certain armed soldiers in the harbor of Havana, as stated in the *Courier* of the 15th inst. He proceeds on to Washington City, as soon as the nature of his wounds will permit, in order to lay before our government, a statement of his sufferings and ill treatment in the capital of Cuba. Mr. SAMUEL WATSON, second mate of the *Ajax*, died at Havana of his wounds a few days before Capt. S. sailed.

The U. S. brig *Enterprise*, under the orders of that active and indefatigable officer Lieut. KEARNEY, had arrived off the Moro, and was engaged in examining every Spanish vessel as she came out of port.

PENSACOLA, DEC. 3.

Further Success of the U. S. Cruisers.

We are indebted to the politeness of Mr. Thomas Purser, of the *Hornet*, for the following memorandum:

"Arrived, the United States' ship *Hornet*, Capt. Henley, from a cruise, bringing in the armed brig *Centinella*. This vessel, together with the slave brigantine *Pensee*, (which parted company three days since,) are ordered here for adjudication. They were taken by the *Hornet*, off Cumberland Harbor, (south side of Cuba.) The *Centinella*, under Venezuelan colors, but commanded by Capt. Bradford, a citizen of the United States, had some days previously captured the *Pensee*, under French colors, with 249 slaves on board, and was negotiating for a sale of them on the coast of Cuba.

The *Hornet* also captured off the West end of St. Domingo, (and dispatched for Norfolk) the armed schr. *Moscow*, with 50 men; being found cruising without papers.

The *Hornet*, with her prize, the *Centinella*, came into our bay on the 30th ult.—officers and crew are all well. All our judicial tribunals, denying cognizance of the case, the *Centinella* has been ordered for New Orleans, for adjudication, as will be also the slave ship *Pensee*, if fallen in with—she not having been heard from since she parted company.—*Floridian*.

[The *Pensee*, our readers have already heard, has arrived at New Orleans.]—*Nat. Int.*

ARKANSAS, NOV. 10.

INDIAN MURDER.

Just as our paper was going to press, a gentleman arrived here from Mississippi, who informs us that a most horrid and unprovoked murder was committed about the last of October, in the new purchase of the Choctaw Nation, on a party of the U. States' Surveyors, consisting of ten persons—only one of whom escaped. The murder was committed on the lower line, and about 150 miles from Port Gibson, by the Choctaw Indians. The quarrel, we understand, originated in consequence of some trivial affair. Our informant received the above information from Col. Nicholls, who passed up the Mississippi a few days since, on his way to the Chickasaw Bluffs, with the Chickasaw Company.—*Gazette*.

NEW YORK, DEC. 30.

LIMA.—Letters from Monte Video, of October 25, says—"The official account of the evacuation of Lima, by the Spanish troops, and occupation of the place by San Martin, has been received here, and much speculation is on foot for the quarter."

Prize to the U. S. Schr. *Alligator*.

Last Tuesday arrived at Boston the Portuguese ship *Mariana Flora*, Ventura Arvelo de Breta, master, bound from Lisbon to Lisbon, with a cargo of sugar, cotton, hides, tobacco, &c. captured by the U. S. schr. *Alligator*, Capt. Stockton, for an attack upon the flag of the United States.—The following are the particulars copied from the Boston Daily Advertiser: On the 5th Nov. latitude 33° 30' N. longitude 13° 30' W. the *Mariana Flora*, was discovered by the *Alligator*, standing to the southward, and as the *Alligator* approached her, she clewed up her courses, and hoisted

a small blue pennant half mast, at the main top gallant mast, as a signal of distress. It was supposed on board the *Alligator* that she was in distress, and she accordingly run down for her, under a press of sail; but was surprised by the discharge of the ship, when within a short distance of her. She kept up firing for nearly an hour, in a raking position, before a single gun was fired from the *Alligator*.—All this time, the flag of the United States was flying on board the *Alligator*, and the ship was without any national flag displayed. The *Alligator*, at the expiration of about an hour from the first attack, commenced firing on the ship, and continued the same till within about pistol shot of her, on her quarter, when all her broadside being ready for a discharge, Capt. Stockton hailed the ship to know who and what she was, and whether she had any national flag or not. No answer was returned, but a few minutes after the Portuguese flag was run up to the main, and 2 guns were discharged at the *Alligator*, after the flag was up.—Capt. S. then hailed the ship saying if they did not cease firing, and send their boat on board the schr. he would sink her. The crew on board the ship then deserted their quarters, and the captain of the ship soon after came on board of the *Alligator*. For this attack on the flag of the U. States, Capt. Stockton thought it his duty to order her to this port for trial. The ship mounted 10 guns, viz. 2 long 12s. 2 long 6s. 4 24lb. carronades and 2 16lb. carronades, and had on board 29 men, including officers. Part of the guns were thrown overboard. All the officers and crew are still on board. She came into port with the same pennant flying, and displayed in the same manner, as it was when she first attacked the *Alligator*, or when the *Alligator* run down for her.

Extract of a letter from Lieut. Abbot, of the Navy, to Commodore John Shaw, commanding Naval Officer in Boston, dated,

"BOSTON HARBOR, DEC. 24.

"I have the honor to report to you my arrival in this place, with the armed ship *Mariana Flora*, having on board all her crew as prisoners—29 in number.

"This vessel attacked the *Alligator* on the 5th Nov. (lat. about 20° 38' N. long. 30° W.) in a most outrageous and piratical manner; but was foiled in her attempts to capture her, and after an action of an hour and a half surrendered to the *Alligator*.

"She is a ship of between 300 and 400 tons; mounted four long 12-pounders, 2 long 6-pounders and 4 24-pound carronades; four of which I was under the necessity of throwing overboard in a very heavy gale of wind, in the Gulf Stream, on the 6th inst. in which gale we lost some of our spars, and had our stern boat washed away.

"The prize crew consists of 16, including myself, and two officers, Midshipman, George S. Blake, and Mr. J. Dixon, Master's Mate; and it gives me pleasure to acknowledge their uniform, vigilant and correct conduct, and that they rendered me every possible aid.

"I will take the liberty to add, that the reason of the great length of the action was in consequence of the long guns of the prize, and Capt. Stockton's desire to get along side before he commenced, (the wind being high) gave her the fight to herself for more than one hour."

We yesterday received a letter from Lt. Abbot, in which he furnished some of the details of the above capture, not usually given in official letters. The following are extracts:

"On the 5th of Nov. in lat. of about 20, 38, N. and long. 29, W. at 9 A. M. standing on our course to the South and East, we discovered a vessel on our larboard bow. Some time after we perceived she had taken in top gallant sails, hauled up her courses and hove too, and that she had a flag hoisted half mast, which we supposed to be a national flag in a whiff, a signal of distress. We immediately hauled up and stood for her, with the expectation of relieving some worthy brother sailor. About 11 30 we discovered her to be a ship bearing the appearance of a small frigate or a sloop of war, and that her colour hoisted was a small blue flag. Soon after we were not little surprised at being greeted with a shot, and could not but at first think it was an accident. Our large American ensign and pennant were immediately hoisted. We were very soon undeceived however, and could not mistake her character and intention, for she opened a raking fire upon us with round and grape, utterly disregarding our colours, and having none other herself than the above mentioned blue flag.

"You may be assured our commander, ever ready to relieve the distressed, to fight an enemy, or maintain the honor of his country's flag, was not unprepared at this time, with his little schooner, for either. Finding our guns shorter and lighter than our antagonist's, as our shot would not reach, our commander determined to lose no time in closing with her, and if possible to board, which from the wind's being light, exposed us to her raking fire, a long time before we could return it.

"At 1,30 having received her fire for more than one hour, and finding all attempts to dissuade her from further hostilities were unavailing and having arrived within musket shot, we returned her fire. At 1,40 she hoisted the Portuguese ensign, and continued her hostilities as she had done before under her blue flag. At 1,50 she surrendered, having sustained some damage in her sails and rigging.

REPORT OF THE COMMITTEE

To whom was referred, the Reports and Resolutions of the Legislatures of Maryland and New-Hampshire; and the proceedings in the Senate of the United States, relative to the appropriations of Public Lands, for the purpose of Education; made to the Legislature of North-Carolina, Dec. 1821.

The Committee to whom was referred that part of the Governor's Message which relates to the reports and resolutions of Maryland and New Hampshire, and the proceedings in the Senate of the United States, relative to appropriations of public land for the purpose of education, respectfully Report:

That they have given to the subject all the attention and consideration which their time and opportunities would admit. Your committee are deeply impressed with the importance of education and the general diffusion of knowledge. In a government which depends upon the public will, where the sovereign power is vested in the people, and where by the frequent recurrence of elections, our citizens are periodically and frequently called upon to delegate certain portions of that sovereignty which is inherent in them, it is almost as important that they should know their rights, as that they should possess them. Without this knowledge, they too often become the dupes of intrigue and the unconscious instruments of faction.

Your committee view with pride the rapid progress which North Carolina has, of late, made in knowledge and science. Within the last twenty years, academies have been established by individual subscriptions and by individual exertions in almost every county in the state.—At these seminaries, by the generous exertions of their founders and patrons, thousands of youth of both sexes, are instructed in the subordinate branches of science, and qualified for the ordinary business of life.

Our University, too, is annually sending forth graduates, who generally embark in the business of instruction, or in some of the learned professions. Many of them are now distinguishing themselves in their several callings, and some are doing honor to the legislative councils of the state. The effect of the establishment of these institutions have been to give to the people of the state a more expanded and liberal view of her policy.

The subject of internal improvement, once thought to be impracticable, and visionary, now meets with a friend in every man of intelligence. The question now is, how shall we best render navigable our rivers, and open and improve our roads? How shall we lessen our dependence on the adjacent states, and best avail ourselves of the advantages which nature has given us? Our criminal code, once sanguinary and bloody, has become mild and just; our citizens have become more civilized and refined, and North Carolina begins to have a just sense of what is due to her own character and standing as a member of the Union.

Your committee regret, while advantages have been thus afforded to men of property and fortune, of edu-

cating their children, that the State, on her part, has not made corresponding efforts, to establish primary schools where the poor could have an opportunity of educating their children. The number who have the means of sending their children to an academy, or to the University, is comparatively small; and your committee apprehend, that while the efforts of the liberal and the more wealthy to establish these seminaries may have given to their children advantages which they did not before possess, that it may have had the contrary effect upon the poorest classes of the community.

The population of North-Carolina is so thin, that in most parts of the state, it requires the whole of a neighborhood to find employment and afford the means of paying neighborhood teachers. Where the means exist, as those who are most engaged in the cause of education generally send their children to some Academy, or to the University, the balance, not so justly appreciating the importance of the subject, suffer it to remain neglected for the want of suitable persons to give an impulse to their exertions. The establishment of primary free school, where the poor as well as the rich can have an opportunity of instructing their children in the rudiments of an English education is certainly "a thing devoutly to be wished for" by every friend of his country.

Your Committee, however, in the present embarrassed condition of the country, would despair of this State, without any fund at its disposal, except what is collected by taxes from the people, being able to do any thing effectual upon this subject, were it not for the claim which North Carolina has upon the general government for an appropriation of public lands for the purpose of education. This claim is not a new one on the part of North-Carolina. The subject was brought before the Legislature at a former session, which, by a joint resolution of both Houses, instructed their Senators, and requested their Representatives in Congress from this State, to urge the right of North-Carolina, to participate in the appropriations of Public Lands for the purpose aforesaid, in just proportions to what had been granted to the new states. This claim the Senate of the U. States thought it inexpedient to grant—Your Committee are, however, gratified that the subject has of late been much canvassed by the old States; particularly by Maryland and New-Hampshire, and that there is reason to believe that they are disposed, through the medium of their representation in Congress, to assert their rights to share in the benefits of these appropriations.

Your committee do not consider it important to enter minutely into the discussion of the question in the Maryland, and assented to in the New-Hampshire Report, whether previous to the several cessions which have been made to the general government, the non-ceding states were in justice entitled to participate in the extensive back country which then formed a part of the states, which have since made such large cessions to the United States; because they cannot see how it can be made to have any bearing upon the main question. If, however, they were to express an opinion, it would be unfavorable to the claim then set up by the minor states.

The war of the revolution was a war of defence, and not of conquest. The States, from a sense of individual weakness, associated together for their mutual safety, in the character of States, having certain chartered limits, which were recognised as their respective boundaries, for the purpose of protecting the persons and property of their citizens from the exactions of arbitrary power, and of defending the unalienable rights of man. It never was understood, or even contemplated, that the war was to be waged for the acquisition of territory. No such motives ever actuated the citizens of the United States.

It is a novel idea to your Committee, that two or more States, engaged in a war on the same side, impelled by the same motives, because they are successful, can be said to be entitled to any portions of each other's territory by right of conquest. The victory which is achieved is over the common enemy, but the conquest, it seems is over each other.—Under the articles of confederation, the States were sovereign to all intents and purposes. The confederation was only a strict alliance for purposes of mutual safety and defence.—When, therefore, Great Britain acknowledged our independence, it was as separate, sovereign and independent States.

Again, conquest implies the acquisition of territory. No one state in the Union acquired any territory by the war. Each remained within its former chartered limits. The larger States, however, have now parted with any right they formerly had in the lands they have ceded, and the other states, though their representation in Congress have admitted that the right was in the ceding States, by accepting their cessions upon the conditions and qualifications contained in the several cession acts. In 1789 the General Assembly of North-Carolina passed an act, ceding all that tract of country, which now constitutes the State of Tennessee, to the United States. As it regards the claim of North-Carolina to the territory over which she then, and previous to that time, had exercised jurisdiction, there can be no question. Her boundaries had never been defined by any charter subsequent to her own; her claim, there, rested upon as firm a basis as the claim of Maryland to the territory over which she now exercises jurisdiction.

The act of cession has the following preamble: "Whereas, the United States in Congress assembled, have repeatedly and earnestly recommended to the respective States in the Union claiming or owning Western Territory, to make cessions of part of the same as a further means as well of hastening the extinguishment of the debts as of establishing the harmony of the United States; and the inhabitants of the said Western Territory being also desirous that such cessions should be made, in order to obtain a more ample protection than they have heretofore received. Now this State being ever desirous of doing ample justice to the public creditors, as well as the establishing the harmony of the United States, and complying with the reasonable desires of her citizens: Be it," &c. Which shows very clearly, the temper of the people at that time. It was soon after the close of the revolutionary struggle, when the States, having each their quota of public debt to pay, and having no surplus fund, that is to say, the smaller States, when public and private confidence were in a great measure shaken, the creditor was apprehensive of the loss of his debts, & the people were oppressed by the burthen of the taxes imposed to defray the ordinary expense of Government, and borne down under the weight of debts already contracted.

These circumstances gave rise to much discontent and complaint, and, no doubt to the pretended claim on the part of minor States, to participate in the Western Lands belonging to other States. It was certainly generous, and may have been politic in those States, to make large cessions to the Union, for the purpose of securing the payment of the public debt, restoring harmony to the people of the different States, and gratifying the wishes of a part of their respective citizens, who were anxious to set up for themselves. It is no less certainly the duty of Congress to see that this magnanimous act of generosity be not abused, and the fund which was intended for general, applied to local purposes. This act also contains this provision: "That all the lands intended to be ceded by virtue of this act, to the United States of A-