

the court to show what detained Capt. Barron in Europe, after the ratification of the treaty between the United States and Great Britain in 1815.

The court adjourned to to-morrow.  
Saturday, July 14, 1821.

The court met pursuant to adjournment—Present as yesterday. The court proceeded further to deliberate upon the case, and, after mature consideration thereof, pronounced the following

#### OPINION:

The court is of opinion, that the conversation, alleged to have taken place between Captain James Barron, and Mr. Lyon, the British Consul at Pernambuco, in the year 1809, has not been proved.

And the court is further of opinion, that, although the evidence produced by Captain Barron establishes his sincere and earnest desire to return to the United States, at certain periods, and the difficulty accomplishing his wishes, yet the court is of opinion, that the evidence of his inability to return sooner than he actually did, is not satisfactory; and it is, therefore, the opinion of the court, that his absence from the United States, without the permission of the government, was contrary to his duty as an officer in the Navy of the United States.

CHARLES STEWART, President.  
H. WHEATON, Judge advocate.

The discussion in the Chambers at Paris, are very severe, and it is impossible to foresee what will be the result. The ultra-royal party is predominant; and private interest and self-aggrandizement unfortunately have so much influence over them, that they cannot be called the representatives of the people. To give each other the lie in the Chamber, while in debate, is as common, and as much the order of the day, as to ask leave to ascend the tribune; and the whole conduct during their angry debates, shows that they are aiming at anything but the interests of the community. When a member of the liberal side rises to address the audience, should the subject he is discussing or the proposition he is making not coincide with the views and feelings of the opposite party, his voice is drowned by the murmurs and commotions of the other side, and thus forced to take his seat. It is impossible for this state of things to last long. By this remark it is not meant that the government will be overthrown this year or the next; but the people feel much inward dissatisfaction, although they dare not at present show it, or utter any complaints in public.

Spain remains in the same critical situation, and the country is in arms against their rulers. Liberty and equality is sounded in every quarter. Ferdinand has acceded to the desires of his people in a measure, by removing a few of his ministers; but it is certain, that the more he grants the more his factious subjects will demand; in which event, we shall soon witness the exhibition and repetition of the same bloody spectacle, which Burk, speaking of France, called the death-dance of democratic revolution.

The letter from which we have selected the above, mentions, that Mr. Gamaliel Smith and daughter, and Mr. Cray, all of New York, had passed through Marseilles on their way to Italy.—N. Y. Com. Adc.

#### Emigration to North America.

From official returns ordered to be printed by the British House of Commons, we learn that the whole number of passengers which embarked from Ireland for the United States from the year 1812 to 1821, both years inclusive, was 50,658.

From the same authority we learn that in the same period, the number of passengers which embarked from England for the United States was 33,668.

The same authority informs us that during the same period of time, the number of passengers which embarked from Scotland for the United States, was 4,727. Thus the whole number of passengers which embarked in the United Kingdom in the period mentioned, was sixty-eight thousand nine hundred and eighty-eight.

From the same official papers we learn that in the same period there embarked for the British Dominions in North America, from Ireland 47,223, from England 23,738, and from Scotland 19,921, making a total of 90,972 persons that embarked from the United Kingdom for the British Dominions in America. Thus the whole number of emigrants from the United Kingdom for North America from the year 1812 to the year 1821, both years included, was one hundred and fifty-nine thousand nine hundred and sixty.

#### SOUTH AMERICA.

The President's late message has reduced in this country a general ex-

pression of approbation. It must produce also in the five republics of South America a correspondent feeling in our favor; and there is no doubt that each government will immediately send a minister to this. We cannot, therefore, send ministers of less grade than those we receive; and we cannot send a minister to one or two and charge of affairs to the others, without offence. What are the hundred thousand dollars to the innumerable advantages we shall derive from such sources of wealth? The sum is, even in this time of scarcity, not worthy of consideration, and 55,000 dollars a year afterwards will be all that can be called for. If such men be sent as not only our government, but the South Americans can confide in, we shall derive advantages that are incalculable; but in selecting such men, we must not only have men of known honor and integrity, but we must have men of known ability, and who are among our tried servants. We have heard Mr. Brown, a Senator of the United States mentioned: He is a good republican; a man of honor, who speaks the French and understands Spanish; a sincere friend to the Patriotic cause, and a gentleman of tried abilities. Mr. Poinsett is also spoken of as one proper to be sent; he is a gentleman of learning, who speaks French and Spanish, was well received, it is understood, in Chili, where he resided some years. Dr. Thornton has also been named as a suitable character for such a mission: The doctor was first appointed to office by Gen. Washington, and has filled various offices ever since, with increasing respect; he is a good scholar, a good writer, and a perfect gentleman; he has always been a warm friend to the patriot cause, and would, no doubt, be very well received. We have heard also of Mr. Sandford of New-York, (late Senator) who is acknowledged as a gentleman of learning, of respectability, of taste, of talent, and mercantile knowledge. We have also heard of other less conspicuous, but worthy men, whom we might mention, but with whose merits we are not so well acquainted.

Washington Gazette.

#### LATEST FROM EUROPE.

##### NEW-YORK, APRIL 3.

The Enphrates, which arrived yesterday, sailed from Liverpool on Saturday the 9th February, Capt. Stoddard had favored us with papers of that day, and London papers to the evening of the 7th.

The British Parliament was opened on the 3th by a speech from the King, in which he expressed the hope that the differences on the continent will be adjusted.

New outrages have been committed in Ireland. A conflict had taken place between the military and the Kilmichael; they have since come forward to surrender their arms and take the oath of allegiance. It is said the only parish holding out is Iveleary. On the 2d February, a desperate attack was made by the peasantry upon the police of Churchtown, Cork county. In this conflict which lasted an hour, with fire-arms, the rebels shot a sentinel, killed four other men, and wounded many others and carried off many stand of arms. The insurgents, to the number of one thousand approached Newmarket, but, on the first fire of the military, dispersed.

Letters from Madrid, of January 28th, received at Paris, assert that the CORTES HAVE RECOGNIZED THE INDEPENDENCE OF THE SPANISH COLONIES, and have decreed that the most expedient means for concluding commercial treaties with America be forthwith undertaken.

It is stated that the Caffrees are about to make war upon the British settlement at Algoa Bay, Cape of Hope.

FRANCE.—It seems there have been insurrectionary movement at Brest, Belfort, and Rochefort; the military have been the principal leaders. These risings the French papers inform us (when they are allowed to hint at them) are put down; but if so, it is only for the moment.—Liverpool Mercury.

##### PARIS, FEB. 5.

We have advices from Madrid of January 28. The governments have at length wisely acknowledged the Independence of the South American States. We have not yet obtained the particulars of this interesting event.

##### LONDON, FEB. 7.

In consequence of the above intelligence, Colombian bonds, which were purchased at 68, rose rapidly, and 77 was refused for a considerable number on change this afternoon.

##### LONDON, FEB. 5.

His Majesty proceeded this day with the usual state, to open the session of Parliament. In the most popular days of his Majesty, we never witnessed a greater degree of interest excited in the public mind. His Majesty having robbed with the customary

ceremonies, entered the House attended by the Lord Great Chamberlain, the Usher of the Black Rod, and the other officers of State. On his Majesty's entrance, the peer who wore their robes, and of whom there was a numerous attendance, together with the peeresses stood up. As soon as the Speaker and the members of the House of Commons arrived, and advanced to the bar, his Majesty, read his speech with dignity, firmness, and distinctness.

#### PIRATES.

##### FROM THE NEW-YORK GAZETTE.

The following particulars of two recent instances of piracies committed on two Boston schooners speak loudly against the practice heretofore pursued in many instances, of pardoning these miscreants, and we perfectly agree with our Boston Correspondent, who communicated these facts, that 'hemp is the only effectual cure for the piratical distemper.'

##### From Mr. S. Topliff, Boston.

The schooner Exertion, B. Lincoln, master, on her passage from Boston to Trinidad, was captured on the 13th Dec. off Cape Largo by a small schr. of about 35 to 46 tons burthens, with a crew of about 40 men of all nations, armed with one 12 and one 6 pound-r. carronades, and small arms in great abundance. The Exertion was manned from the piratical vessel carried in back of the Keys, and anchored in 12 feet water, (where she could not be seen by any vessels passing that way,) when they commenced plundering her cargo; threw over deck load to make room themselves and to lessen her draught of water to get her nearer the shore. They continued from day to day to take out her cargo as they wanted it, and sent her boat to the Island of Cuba, to make sale of the goods (as they learned afterwards.) They cut bushes and covered the mast heads with them, to prevent her being seen at a distance. On the 30th Dec. Capt. Lincoln and his crew were put on a Sand Key, about 3 miles from the Exertion, but were taken off a few days afterwards. Jan. 1st they cut down the railings and bulwarks of the Exertion. A few days after, Capt. L. his crew and 4 Spaniards (belonging to another vessel taken by them) were put on a low Sand Key about a mile from the vessels, with very little provisions and no water—neither was there any to be found on the Key. On the 9th they sent several pirates well armed to demand Capt. L's watch, having learned he had secreted it about him, which they took and then departed. On the 18th Jan. they cut away the Exertion's masts. On the 19th the pirates came and took them off, and carried them 20 miles farther west, to another small low Sand Key, nearly level with the water, and there left them to perish, (as they afterwards learned,) leaving very little provisions. On the 6th Feb. David Warren died, for want of water. About that time they constructed a boat, or box, of pieces of sugar boxes and shooks which they found on the Key (which they supposed drifted from the Exertion,) in which the mate, four Spaniards, and one Englishman, went in search of water to some of the neighboring Keys, or obtain some relief if possible. The third day after the boat or box was discovered by those left on the Key, drifting by, full of water, from which circumstance it was supposed those who went in her had perished. On Saturday, the 16th, a small prize to the pirate, having five men on board, who had determined to leave the pirate, visited the Key and took off the survivors. On the 17th, went on board the Exertion; found every thing above board gone, except the bowsprit, and all her cargo, except 70 bbls. provisions. On the 22d they arrived in Trinidad, from whence Captain L. has arrived in this place. He and his crew were on the Keys 36 days, during which time they had very little to subsist on, and not a place to shelter them from the weather; but they suffered most for want of water.

The schr. Constitution, Capt. Huxford, hence for Trinidad, was also taken by the same pirate, on board of which vessel Capt. H. remained 15 days, when he and his crew were set ashore on Cuba, whence they travelled to Havana, as has been stated before. Capt. H. states, as a positive fact, that twenty-one of the villains composing part of the crew of the piratical vessel, were the same men who had been tried and convicted of piracy at New Orleans, and pardoned by the President of the United States!!! They boasted of it; and when Capt. H. asked for permission to come on deck to take the air, as he was almost suffocated in the hold, they told him it was not so hot or uncomfortable as the jail in New Orleans. Those same twenty-one pirates in less than thirty days from the time they were on board that vessel, were at their old

trade. Many of them told Capt. H. that it was their Captain's intention, when he first started on a cruize, to murder all hands of every vessel he took, but that his heart failed him. So it appears the Captain could not shed blood—but from his extreme humanity, he thought it much better to put them on a desolate Sand Key and leave them to linger by hunger and thirst.

This statement ought to be published in every paper from Maine to Mississippi, that we may not hereafter learn of any pirates being pardoned. HEMP is the only effectual cure for the piratical distemper.

#### CAROLINA CENTINEL.

##### NEWBERN:

SATURDAY, APRIL 13, 1822.

We publish this week the replies of two of our correspondents to the remarks of Atticus in a former paper, and perhaps we owe to our readers an apology for devoting so large a portion of this week's impression to the subject under discussion; its importance however will, we trust, furnish that apology. Grateful as we may feel for those literary contributions which aid us in our vocation, yet we cannot but subscribe to the opinion that the columns of a newspaper should be devoted to other matters than subjects of religious controversy; and under this conviction, after the present discussion shall have closed, we shall feel ourselves compelled to refuse to lay before the public eye, in the pages of the Centinel, any thing which by attacking the belief, (or if the term suit better, the prejudices) of a large majority of our readers, must necessarily lead to controversy.

##### FOR THE CAROLINA CENTINEL.

Messrs. Editors,

I was surprised to find in your paper of the 30th ult. a most open and illiberal, though very weak attack, on an institution which has ever among christians, been highly revered, and appointed by Divine authority, and has justly been considered as eminently conducive to the preservation of religion and morals.

Your writer appears to be one who has recently obtained some information, however erroneous, on a point concerning which he was before ignorant, & with a self-complacency which bears strong marks of juvenility supposes that others must be in the dark as respects a subject with which he has but lately been made acquainted. I answer his piece not because it deserves answering, but because it might possibly produce some effect on a weak mind, and because I would say something on the grounds which christians have for observing their Sabbath.

On the first paragraph I shall not now make any observations; I pass on for the present to his second paragraph. He begins with modestly supposing Mr. Wright "had overlooked or never knew (had never known) the nature, &c. of the christian Sabbath. Now I cannot help supposing that Mr. Wright was quite as well informed on the subject as Atticus can be, though perhaps not so deeply read in the 7th chapter of Paley's Philosophy. And I trust the good christian, notwithstanding your writer's assertion, will continue to believe that the 4th commandment was not merely addressed to the Jews, but that he also is commanded in that as well as in other parts of the scriptures, to "keep holy the Sabbath day;"—while he is persuaded, at the same time, that there is sufficient authority for changing the Sabbath from the seventh to the first day of the week.—Atticus shews how utterly unacquainted he is with the writings of the English divines, (Paley's Philosophy of course, always excepted,) when he "presumes that Paley's opinions are consonant to (with) those of his order in England;" for I will venture to say there is scarcely a writer of any eminence among the clergy of the established church, who does not consider the keeping holy of one day in seven, for purposes of rest and devotion, as of perpetual and universal obligation to those who are made acquainted with revealed religion. I shall cite the words of one author, at least as learned and as liberal as the Archdeacon, and then merely refer to some others. Dr. Samuel Clarke, that illustrious light of science, in the 10th vol. of his sermons, serm. 3, p. 48, says "And herein consists the general morality of the Sabbath; and the eternal reason of its having perpetually a place among the unalterable commandments of the moral law." And again, p. 63—"As the moral part of the commandment concerning the Sabbath, is of perpetual obligation, so the ritual or instituted part, which had relation (as a particular memorial) to the deliverance of the Jews out of

Egypt, is abolished by the gospel. See also Mede, book 1 discourse 17. Burnet on 39 articles, art. vii. Sect. 1. on catech. lect. xxi.

Soon after follows a quotation from Dr. Paley. I shall presently endeavor to shew that the opinion which Paley opposes is correct; but shall here observe that Atticus took care to omit the qualifying phrase introduced by Paley, because it so little suited his purpose. The latter clause should have read,—"nor does any evidence remain in scripture (of what however is not improbable,) that the first day of the week was thus distinguished;" &c.

Though we have "no express direction or command" for religious worship on the first day of the week, the example of the Apostles must be considered as equivalent to such a command, as we cannot suppose they would have established an universal custom of such moment, without having divine authority for the same.—

This the Archdeacon asserts; "The assembling," says he, "upon the first day of the week for the purpose of public worship and religious instruction, is a law of christianity, of divine appointment." But this decided declaration little suited the purpose of Atticus, and he therefore gives his paraphrase of the passage. I pass over for the present what relates to the observation of the christian Sabbath, where established by law, and proceed to the next paragraph. Atticus says "our liberal divine further declares, that the first christians did not observe the present Sabbath;" but I deny that the liberal divine does declare any such thing, and I desire the writer to shew me where he does so declare. Such a declaration would be directly opposed to the testimony of ecclesiastical writers, and even to a quotation which Dr. Paley, himself, in his 8th chapter, makes from Irenaeus, a writer of the second century, who speaking of the first day of the week, says, "Unusquisque nostrum Sabbathum spiritualiter, meditatione legis gaudens, officium Dei admirans." Each one of us keeps the Sabbath in a spiritual manner taking delight in meditating on the law, and admiring the works of God." As to what is said of its being necessary that the Sabbath should be recognized by the laws of the state before it can be made an ordinance of religion, it is contradicted by notorious facts. If this were the case, how could the 4th commandment be binding on the Jews during the Babylonish captivity? How could they now adhere to it, in the midst of the different nations of the earth, among whom they are scattered? How would it then be possible for the Greeks in the Turkish empire to keep the christian Sabbath?

Let us now see what reasons we have for supposing the Sabbath of perpetual and universal obligation, and not merely enjoined on the Jews.—

1. The Sabbath was instituted long before the Jews had existence, for at the creation of the world, "God blessed the seventh day and sanctified it." Gen. 2. v. 3. Consequently it was binding on the whole human race.—We find the Sabbath was recognized (Exod. xvi. v. 23.) before the giving of the law from Mount Sinai, for the incidental manner in which it is there spoken of, plainly shews it was not then first commanded. The universality of the Sabbath is intimated by our Saviour, Mark 2. v. 27. "The Sabbath was made for man, and not man for the Sabbath." He does not say as on other occasions, "Moses gave you this precept," but considers the whole race of man as bound by the commandment. If we do not admit the institution of the Sabbath from the creation, it will be impossible rationally to account for the division of time into weeks, which has prevailed among all people; nor for the sanctification of the seventh day which was observed by the nations of antiquity. Hesiod calls it "the seventh holy day;"—Homer, "Then came the seventh the holy day;"—Porphyry says, "The Phoenicians consecrate one day in seven as holy." Philo declares, "The seventh day is a festival to every nation."

2. From the manner in which the 4th commandment was delivered, we evidently see that the Sabbath was designed to be perpetual. It is not joined with those observances which are merely ceremonial, but inserted in the decalogue (engraven in stone, and attended with all the awful circumstances, and enforced by all the tremendous sanctions with which they were accompanied. Were the other precepts then only binding on the Jews? surely not; what right have we then to except the 4th commandment? Had this commandment been designed to be repealed it surely would have been repealed in a formal manner.

But it will here be asked if it was designed that the Sabbath should be perpetually observed, and if it required a formal and express command to