

Civil law, in a restricted sense of the term are those rules, which, in contradistinction to criminal and other branches of the municipal code, refers to contracts, succession, &c.

The **law of process**, comprehending the structure of courts of law, and the various modes adapted to various circumstances, by which civil suits as well as criminal procedure must be conducted. And so of the other general departments of law. To these may be added another division:

Ecclesiastical law, which relates more immediately to the police of religion, and the rights of the church and its functionaries, as in England.

The obligatory force of any inferior law, may be considered as more immediately derived from that which is superior to it. Thus with regard to families, corporations and other subordinate societies, we can prescribe nothing that is contrary to the laws of the state of which they make part; the municipal law of each particular state must prescribe nothing that is contrary to the law of nations; and this law must, in its turn, be consistent with those essential principles of morality and religion, which the Deity evidently intended to be obligatory on every individual of mankind. And thus, good civil laws are nothing else than natural law itself, detailed, modified and applied by the sovereign power in a state.

Nothing should be so dear to a people as laws, when intended to be a rampart against despotism—the substance and safeguard of a rational liberty, and the means, in short, of rendering them good, wise and happy.

It is the **law** and not **men** that ought to rule. This constitutes the essential difference between a free and arbitrary government.

The style of laws should be simple, definite and concise—burdened as little as possible with exceptions, limitations, modifications—without subtlety, because they are not a system of dialectics—without artifice, because their prime intention being to advance the public morals, prosperity and happiness, they should speak in the purest spirit of innocence and candour.

ARCANUS.

Extracts from "A Voice from St. Helena," by E. G. Mearns, Esq. late Surgeon to the Emperor Napoleon.

MOORE.

"Moore (he said) was a brave soldier, an excellent officer, and a man of talent. He made a few mistakes, which were probably inseparable from the difficulties with which he was surrounded, and caused perhaps by his information having misled him."

This eulogium he repeated more than once; and observed that he had commanded the reserve in Egypt, where he had behaved very well and displayed much talent. I remarked that Moore was always in the front of the battle, and was generally unfortunate enough to be wounded. "Ah, (said he,) it is necessary sometimes. He died gloriously—he died like a soldier. Menou was a man of courage, but not a soldier. You ought to have taken Egypt. If Kleber had lived, you would never have conquered it. An army without artillery or cavalry. The Turks signified nothing. Kleber was an irreparable loss to France and to me. He was a man of the brightest talents and the greatest bravery. I have composed the history of my own campaigns in Egypt, and of yours, while I was at the Briers; but I want the Monitors for the dates."

ADMIRAL VILLENEUVE.

"Villeneuve (said he) when taken prisoner and brought to England was so much grieved at his defeat, that he studied anatomy on purpose to destroy himself. For this purpose, he brought some anatomical plates of the heart and compared them with his own body, in order to ascertain the exact situation of that organ. On his arrival at France, I ordered that he should remain at Rennes, and not proceed to Paris. Villeneuve afraid of being tried by a court martial for disobedience of orders, and consequently losing the fleet, for I had ordered him not to sail, or to engage the English, determined to destroy himself, and accordingly took his plates of the heart and compared them with his heart. Exactly in the centre of the plate, he made a mark with a large pin, then fixed the pin as near as he could judge in the same spot in his own breast, showed it into the head, penetrated his heart and expired. When the room was opened, he was found dead; the pin in his breast, and a mark in the plate corresponding with the wound in his breast. He need not have done it, (continued he) as he was a brave man though possessed of no talent."

"Pitt and his politics (continued he) nearly ruined England, by keeping up a continental war with France." I remarked that it was asserted by many able politicians in England, that if we had not carried on that war, we should have been ruined and ultimately have become a province of France. "It is true," said Napoleon—"England being at war with France, gave the latter a pretence and an opportunity of extending her conquests to the length she did under me, until I became emperor of nearly all the world, which could not have happened if there had been no war."—The conversation then turned upon the occupation of Malta. "Two days" said he, before Lord Whitworth left Paris, an offer was made to the minister,

and to others, about the sum of thirty millions of francs, and to acknowledge me as king of France, provided I would give up Malta." Napoleon added, however, that the war would have broken out, had Malta been out of the question. Some conversation then took place about British seamen. Napoleon observed that the English seamen were as much superior to the French, as the latter were to the Spaniards. I ventured to say I thought the French would never make good seamen, on account of their volatility of temper and impatience. "That especially, they never would submit without complaining, to blockade ports for years together, suffering from the combined effects of bad weather, and of privation of every kind, as we had done at Toulon."

"I do not agree with you there, *Signor Dolloire*," said he, "but I do not think that they will ever make as good seamen as yours—your seamen are much better than ours, as the Dutch were once to yours. I think, however, that the Americans are better seamen than yours, because they are less numerous." I observed that the Americans had a considerable number of English seamen in their service, who passed for Americans, which was remarkable, as independent of other circumstances, the American discipline on board of men of war, was much more severe than ours; and that if the Americans had a large navy, they would find it impossible to have so many able seamen in each ship, as they had at present. When I observed that the American discipline was more severe than ours, he smiled and said, "*sera difficile à croire*."

CORNWALLIS.

"Cornwallis," said he, "was a man of probity: a generous and sincere character; *un tres brave homme*. He was the man who first gave me a good opinion of the English; his integrity, fidelity and frankness, and the nobleness of his sentiments, impressed me with a very favorable opinion of him. I recollect Cornwallis saying one day, 'there are certain qualities which may be bought, but a good character, sincerity, a proper pride, and calmness in the hour of danger, are not to be purchased.' These words made an impression upon me. I gave him a regiment of cavalry to amuse himself with at Amiens, which used to manoeuvre before him. The officers of it loved him much. I do not believe that he was a man of first rate abilities, but he had talent, great probity and sincerity. He never broke his word. At Amiens, a treaty was signed by him at the Hotel de la Ville, at nine o'clock. Something happened which prevented him from going; but he sent word to the French ministers, that they might consider the treaty as having been signed and that he would sign it the following day. A courier from England arrived at night, with directions for him to refuse his consent to certain articles, and not to sign the treaty. Though Cornwallis had not signed it, and might easily have availed himself of this order, he was a man of such strict honour, that he said he considered his promise to be equivalent to his signature, and wrote to his government that he had promised, and that having once pledged his word, he would keep it—that if they were not satisfied, they might refuse to ratify the treaty.—There was a man of honour, a true Englishman. Such a man as Cornwallis ought to have been sent here, instead of a compound of falsehood, suspicion and meanness. I was much grieved when I heard of his death. Some of his family occasionally wrote to me, to request favors for some prisoners, which I always complied with." He then spoke of having given himself up to the English, and observed, "My having given myself up to you, it is not so simple a matter as you may imagine.—Before I went to Elba, Lord Castlereagh offered me an asylum in England, and said that I should be very well treated there, and much better off than at Elba." I said that Lord Castlereagh was reported to have asserted, that he (Napoleon) had applied for an asylum in England, but that it was not thought proper to grant it. "The real fact (said Napoleon) is, that he first proposed it. Before I went to Elba, Lord Castlereagh said to Caulincourt, 'Why does Napoleon think of going to Elba? Let him come to England.' He will be received in London with the greatest pleasure, and will experience the best possible treatment. He must not however ask permission to come because that would take up too much time; but let him give himself up to us without making any conditions, and he will be received with the greatest joy, and be much better than at Elba." This (added he) had much influence with me afterwards."

MARRIAGE ACT.

It appears by the New-York American, that the English new marriage act seems to have excited the odium and contempt of all parties. Those who can agree in nothing else, unite in endeavouring to render its provisions ridiculous and detested.

The marriage notices which have been exhibited on the doors of the churches in the metropolis have been pulled down during the night; and as the act requires that they shall remain stuck up during a certain period, many lovers have taken serious alarm lest their marriages should be rendered invalid.

But the greatest annoyance has occurred to that valuable and most respectable class of the community—the *old maids*. The act requires that not only the grosser but the fair sex shall be catechised, and make affidavit as well of their respective residence,

as of what of all things is most provoking—their ages—preparatory to entering their names for banns in the church. On a recent occasion, a group of mischievous young men were heard hovering at the Town Hall men were heard hovering at the Town Hall at Liverpool, bandying their jokes as the mature, lily-faced damsels approached to kiss the book; and the editor of the Advertiser seems to think that the act should be entitled "*An act to increase the fees to the Clerks of Justices and the Parish, and to prevent matrimony by unnecessary delay and expense*."

Abundance of Fruit.—A friend has sent us several extracts cut from a late Glasgow newspaper, giving an account of the fruit and potato crops in Scotland, which have yielded largely the present season. The fruit in Union Orchard, on the Duke of Hamilton's estate was sold at auction this year and brought 206 £. In no former year has the fruit in this orchard sold for more than 40 £. The orchard of Mr. Brownlie, this year brought 740 £. In 1818, the same sold for 475 £. In consequence of the great quantities of fruit, most of the orchards yielding immense crops, the best Crawford pears were selling in the Glasgow market at 5 shillings a sleek; this species of pear sells in common fruit years from 10 to 21 shillings a sleek. The early Almond apple was selling at 6 shillings a sleek, which generally sells at 15 shillings. The Glasgow paper mentions that "in England, the fruit being abundant beyond all precedent, the fruit market will be well supplied this season at a moderate rate."—The Devon newspaper says it was expected that cider will be sold from 12 to 15 shillings a hoghead. Potatoes were likely to be cheap. Many acres had been sold at auction and brought from 8l. to 17. per acre.—*N. Y. Daily Ad.*

Newbern Prices Current.

Articles.	Per	D. C.	D. C.
Bacon	lb.	10	12
Beef		5	6
Butter		25	35
Bees-Wax		32	35
Brandy, French	gall.	2 20	
do. Apple		45	50
do. Peach		75	85
Corn,	bbl.	3 25	3 50
Cotton,	cwt.	10	11
Coffee	lb.	27	29
Cordage	cwt.	13	14
Candles	lb.	18	
Flour,	bbl.	7 50	8
Flaxseed	bush.	80	
Feathers	lb.	40	45
Gin Holland	gall.	1 25	1 40
Country		45	50
Glass 10 by 12	50 ft.	6 25	
8 by 10		4 50	5
Iron, Pig	lb.		
country bar		5	
Russia		6	
Sweets		6	
Nail Rods		7	
Castings		5	
Lumber—Flooring	M ft.	14	16
Inch boards		8 50	10
Square Timber		18	20
Pine Scantling		8	10
Shingles, 22 inch	1000	1 50	1 60
Staves, W. O. hhd.		21	21
do. R. O. do.		7	10
do. W. O. bbl.		7	10
Heading, w. o. hhd		25	
Lard	lb.	10	12
Lead, bar	cwt.	9	
white, dry		16	
ground in oil		17	18
Leather, soal	lb.	50	
upper		2 25	3 40
Meal,	bush.	50	70
Molasses	gall.	35	40
Oil, Castor	bot'l.	1 25	
Linseed	gall.	1 25	
Fish		35	
Naval Stores, Tar	bbl.	1 15	1 20
Pitch		1 50	1 75
Rosin		1 10	1 25
Turpentine		1 75	
do. Spirits	gall.	30	
Pork, cargo	bbl.	12 50	
mess		14	15
Peas, Black eyed	bush.	80	
Rice	cwt.	3 50	4
Rum, Jamaica	gall.	1	1 10
W. I.		75	85
American		45	
Salt, Allum	bush.	70	75
Fine		65	
Sugar, Loaf	lb.	18	20
Lump		16	18
Brown	cwt.	10	13
Steel, Blistered	lb.	10	15
German		18	20
Tallow,	cwt.	15	
Wine, Madeira	gall.	3	4
Teneriffe		1 60	1 75
Sherry		1 60	2
Port		none.	
Whiskey		40	

Will be Leased,

FOR the term of EIGHT YEARS, a Lot on Hancock street, of Forty-eight Feet Front, and One Hundred and Fifty-nine Feet depth, the property of St. John's Lodge, No. 3, Newbern, and adjoining thereto on the South end. The situation is well known as healthy, and eligible for a family residence. Persons wishing to lease, will make application on or before the 10th day of November next, to THOS. WATSON, Secy. Newbern, October 12th, 1822.—383.

NEW GOODS.

STEWART & COOK
Merchant Tailors,
Craven-Street,
Have just received from New-York and Philadelphia,

And are now opening at their Clothing Store, THEIR FALL AND WINTER STOCK OF FASHIONABLE GOODS,

CONSISTING OF
London Cloths & Cassimeres
Shepard's Velvet, Blue & Black Cloths
Ditto Fancy Colours
Austin's Electoral blue and black Cloths and Cassimeres
Woods' Extra Saxon ditto
Drab Cloths for Great Coats
Coronation and London mixt Cassimeres
Elegant Fancy Vestings, &c.

ALSO,
A large and general supply of
READY MADE CLOTHING,
AMONG WHICH ARE

Rich Tartan Plaid Cloaks,
Great Coats,
Close Coats,
Surtouts and Frock Coats,
Pantaloons, Vests & Drawers.

These goods were carefully selected, and will compare with any in the state, for cheapness or quality. Gentlemen are invited to call and examine them;—they will be sold as low, probably lower, than they can be purchased elsewhere.

The Tailoring Business

Continues to be conducted, at the above establishment, on an extensive scale, and at moderate prices, and the work is executed according to the latest and most approved fashions.

Orders from any part of the country will be executed with the utmost dispatch, in a manner that cannot fail to afford satisfaction.
Newbern, Oct. 12, 1822.—381f.

The Subscriber

INFORMS his friends and the public generally, that he has
Just received from New-York,
And offers for sale at his Store on Pollok-Street,

A general assortment of
GROCERIES,
TEAS, WINES, &c.

ALSO,
A HANDSOME ASSORTMENT OF
Hardware,
CUTLERY.

CROCKERY, AND
GLASS WARE.

Together with a few fashionable
Oval Hats, and
IMITATION BEAVERS.

All of which he will dispose of cheap for Cash or Country Produce.

GEORGE A HALL.
Newbern, October 12, 1822.—381f.

Salt, Dye Wood & Sugar.

325 Bushels, first quality Alum SALT,
7 Tons Nicaragua DYE WOOD,
Now afloat on board sloop Spy, from Curacao, and for sale by

Devereux Chester & Orme.
WHO HAVE ALSO ON HAND,

24 Hhds. & 1 tierce Muscovado Sugar,
Just received per schooner Rufus King.
October 18th, 1822.—390f

Rum, Sugar & Tobacco

JUST RECEIVED,
And for Sale by the Subscriber,
Five Puncheons West India RUM, of a superior quality and flavor.

A few Hogsheads and Barrels West India SUGARS, of a good quality.
Richmond Manufactured TOBACCO, in Kegs of convenient size for retailers.

GEO. A. HALL.
Oct. 19, 1822.—391f.

THE SUBSCRIBER

Has just received from Philadelphia, and offers for sale low, a few
LIGHT & HEAVY CALF SKINS,
CORDOVAN & LINING SKINS.

ALSO—A LIGHT NEAT
MONROE CARRIAGE,
Suitable for one or two horses.

Apply to **JOHN TEMPLETON,**
Who requests those indebted to him to call and let him know how they are.

Subscribers for the Declaration of Independence, and the Farewell Address of Washington, are requested to call and take them away.—Apply as above.
Sept. 14, 1822.—341f.

THE SUBSCRIBERS

RESPECTFULLY inform the public that they have entered into Copartnership, under the firm of

WILLIS & DIXON,
And that they have opened a Shop on Craven street, two doors south of Mr. Simpson's Store, where every description of work in the

Tailoring Business,

Will be executed at the shortest notice, on reasonable terms, in the latest fashion (which they have just received from New-York), and in a style of workmanship which, they flatter themselves will not be inferior to any in this town.

Military Coats,

Made, or altered and repaired, at very moderate prices.
They are determined to use every exertion to please, and hope, by their diligence and attention to business, to merit a share of the public patronage.

Spence P. Willis,
George W. Dixon.
October 19th, 1822.—391f

Notice.

AT May term, 1822, of Craven County of Pleas and Quarter Sessions, the subscriber qualified as Executor to the will and testament of *Jonathan Bailey*, of said county. Persons indebted to said estate are required to make immediate payment; and those having claims against said estate, will present them within the time limited by law, otherwise the statute of limitations in such cases made and provided will be plead in bar of their recovery.
ARCHIBALD P. FLYBUS,
October 24, 1822.—40 4*

Notice.

THE Copartnership under the firm of **JACOB GOODING, & Co.** is this day dissolved by mutual consent. All persons having claims against the said firm, will call on Jacob Gooding for payment, and those indebted to it, are hereby requested to settle their accounts with him, without delay, as he is authorised to collect the debts due the concern.
JACOB GOODING,
ISAAC TAYLOR.
October 19, 1822.—393w

WILL BE SOLD,

On Monday the 4th of November next,
The interest of the late Captain William Harker in the

Sloop Thomas & Elliot
(BEING THE ONE HALF THEREOF)
As she now lies, in complete order.—

TERMS.—Twelve months credit to purchaser giving a note with approved security.
JAMES SAUNDERS, Executor.
October 19th, 1822.—1ds.

The Subscriber offers for sale,

ON ACCOMMODATING TERMS,
Several Lots of Ground,
OF FROM FIVE TO TEN ACRES, OR MORE, Adjoining Dryborough, and on Neuse road, within one mile of Newbern.

E. PASTEUR.
October 5th, 1822.—374f.

TO BUILDERS.

PROPOSALS for building a **POOR HOUSE** will be received by the Subscribers, who are appointed a Committee for that purpose. Persons disposed to contract, will receive every information relative to the same, on application to
WILLIAM HOLLISTER,
WILLIAM R. STREET,
STEPHEN B. FORBES.
Sept. 14th, 1822.—341f

P. WOODS,

Has just received from New-York, a variety of
SILVER TABLE SPOONS,
TEA SPOONS,
SOUP LADLES, &c.

Of the newest fashion, and best workmanship.—The silver warranted good.
HE HAS ON HAND,

Jewellery

OF ALMOST EVERY DESCRIPTION—ALSO,
Gold, Gilt, Silver, Steel, and Silk,
Watch Chains;
Gold, Gilt, Silver and Steel

WATCH KEYS AND SEALS;
WATCH GLASSES, single or by the dozen
Silver mounted Spectacles,

of a very superior quality;
STEEL MOUNTED DITTO.
Silver Thimbles, Salt Spoons,
Sugar Tongs, Netting Needles,
Pencil Cases, Bodkins,
Mustard Ladles, Tooth Picks,
&c. &c. &c.

CRUCIBLES.

The highest prices given for **OLD GOLD,**
SILVER, COPPER, & BRASS.
An Apprentice would be taken at the above business.
August 31st, 1822.—324f