

# The Weekly Raleigh Register,

## AND NORTH CAROLINA GAZETTE.

WEDNESDAY, AUGUST 1, 1849.

NUMBER 43.

A. S. Patton

REGISTER.  
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PROPRIETOR,  
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R. N. C.  
July 28, 1849.

MEMBER  
ELECTION takes place  
WEDNESDAY  
MORNING DAY OF AUGUST.

throughout the State will  
be in the Election returns  
as speedily as possible.

of a visit, on Wednesday  
the Hon. D. M. BARRINGER  
Minister to Spain, who was  
in the City, on his way North.

Mr. Victor C. BARRINGER, of  
the Minister's, and a young  
of talents, goes out with  
of Private Secretary.

YOU READY?  
of warning can be again  
of our more distant friends,  
be upon us, and its result  
of argument or effect. To

Chatham and Orange  
are particularly appeal, by  
of pride, of patriotism  
you ready? Are you ful-  
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**MAJOR GENERAL OF THE 4TH DIVISION.**  
The Public have been misled by publications in certain Democratic papers, relative to the Election of a Major General for the 4th Division of our Militia, we have made full inquiry into the matter, and find the following to be the state of facts. We have been more immediately led to make this inquiry, on account of a most unfair and libelous attack in the last "Carolina Republican" upon Gov. MANLY. Any one with half an eye can see, in all this, a most unworthy and pitiful attempt, upon the part of Col. Wheeler's friends, to manufacture political capital out of this paltry matter.

During the past year, Maj. Gen. Bynum, of the 4th Division of the Militia, resigned, and in September 1848, the Adjutant General issued his orders to Generals Logan, Neel and Leach, the Brigadiers of the three Brigades composing that Division, to take the proper steps to have elections held to supply the vacancy—according to Rev. Stat. page 399; which is as follows:

"When there shall occur a vacancy in the office of major general, the adjutant general shall issue orders to the brigadier generals in that division, who shall forthwith issue orders to the colonels of their respective regiments to call together the commissioned officers of their regiments, at the usual place of regimental musters, and at such time as the brigadier general shall direct, and they shall proceed by ballot to elect a major general of that division, and it shall be the duty of each colonel to transmit to the brigadier general of his brigade a fair statement of the votes so polled, within ten days after said election, and the brigadier general shall compare the votes transmitted to him by the colonels in his brigade, and shall transmit to the adjutant general a fair statement thereof, and it shall be the duty of the adjutant general to compare the statements made to him by the brigadier generals, and make known to the governor the person for whom the highest number of votes may have been given; and a commission shall be issued by the governor; and if the office of major general shall be vacated by death or removal, it shall be the duty of the brigadier general, in whose brigade the major general lived, to inform the adjutant general thereof, and all resignations of major generals shall be made to the adjutant general, and by him made known to the governor.

Elections were ordered by these Officers to be held in October, November and December, following—Col. Jno. H. Wheeler, of Lincoln, and Col. Sam'l Gaither, of Davidson, being candidates.—Gen. Logan makes a report to the Adjutant General on the 12th December; Gen. Neel makes his report on the 18th December, and therein states that no returns had been received from the Regiments in the Counties of Stanly and Montgomery; Gen. Leach makes no report; and so the administration.

On or about the 19th of February last, the Adjutant General laid before Gov. Manly, memorials and protests from the Colonels of the Regiments, in Stanly and Montgomery, and from one of the candidates for the office, complaining that the election in Gen. Neel's Brigade had not been fully and legally held; that no order had been legally issued by him to hold the election in these counties, composing a part of his Brigade; that consequently, no election had been held in them;—that the Officers in those Regiments had been virtually disfranchised, and insisting that Gen. Neel should be required to supply his omission, and give the Officers of those Regiments a chance to vote—not "to vote over again," as has been maliciously and falsely asserted, but a chance to vote once.

It appeared that the only order issued by Gen. Neel to those Counties was a notice published in the Charlotte newspapers. The law requires Military orders to be sent by express, or through the Post Office, in a special mode pointed out by the 40th Section of the Act of 1836. This order not having been thus issued, and not having in fact, in any way, come to the knowledge of the Colonels of those Regiments, they insisted that so far as they were concerned, they had received no orders at all, and of course had held no elections, and prayed that they might be allowed to do so.

Upon this state of the case, the Adjutant General, whose duty it is to order these elections, applies to Gov. Manly for advice. From these facts it was perfectly clear to any fair mind, that, if from any mistake of duty, accident, negligence or fraud, these portions of the Division had been deprived of all opportunity of participating in this election, there ought to be a remedy of some sort. Without some redress, Candidates for this office would be at the mercy and entire disposal of their subalterns, who might order the elections in some part of the Brigade, and suppress it in others, just as their caprice might suggest, or as they might wish to serve a friend, or punish an enemy.

The Governor, after mature reflection, and upon examination of the Militia law, came to the conclusion that, as the law did not require this election to be held throughout the Division, at the same time, but as the different Brigadiers ordered them to be held at different times in their respective Brigades, just as they pleased; and as no time was prescribed in which they should make their returns to the Adjutant General, it was the duty of Gen. Neel to give another and legal notice for an election to be held in those Counties where none had been held, and then by supplement, to amend his return to the Adjutant General.

In pursuance of this opinion and suggestion, the Adjutant General, on the 19th of February, 1849, issued another order to Gen. Neel. In obedience thereto, Gen. Neel issues new notices of election, and reports the result.

fore the Adjutant General, and after time allowed for exception, he, in pursuance of the law, compares the statements thus made to him, and makes known by official report to the Governor that Samuel Gaither has received the highest number of votes and that he is duly elected. Whereupon the Governor issued to him his commission.

Now these being the facts of the case, on what foundation rests the pretence that Col. Wheeler has been treated unfairly, and that a commission as Major General should have been issued to him? Where was the evidence of his election? The certificate of the Adjutant General, (on which evidence alone the Governor issues the commission) was that Samuel Gaither, and not John H. Wheeler, was elected.—Col. Wheeler neither had the Adjutant General's certificate of his election, nor did he show himself at any time entitled to it. How stands it? Genls. Logan and Neel report to the Adjutant General, showing a majority of votes for Col. Wheeler. Can the Adjutant General make his report to the Governor? No. General Leach had not reported. Before Gen. Leach reports, Gen. Neel is ordered to amend his return; the amended return comes in, Gen. Leach makes his report, and the Reports being now all in, how stands it? Why Col. Gaither has a majority.—Gen. Neel having obeyed the second order of the Adjutant General, and having reported the result, how could the Adjutant General set aside the votes so reported? Is it right that the voters of these Counties, without any fault or supineness on their part should be disfranchised? If not, what other remedy was the right one?

Surely, it cannot be that Col. Wheeler seeks to take advantage of what the Lawyers call "a diminution of the record," to seize on partial, imperfect and illegal reports, to suppress the votes of a part of the Division, and claim an election to this office, not because he has fairly received a majority of the votes of the qualified voters of the Division, but because, under a partial voting of the Officers, with the votes of two whole counties silenced, he received a plurality of votes of two Brigades; when, on the correction of a palpable error and upon the coming in of all the reports, a clear and undisputed majority has been given against him. Is Col. Wheeler striving (in the language of the "Lincoln Republican") "that the lawful voice of the majority shall be silenced by finesse and trick"? And yet this is the attitude that certain scribblers in the newspapers make him assume. What would be thought of a Candidate for Congress, who would claim to be duly elected before the returns from the whole District had come in?

But it is said why was not the whole election set aside? Why, for the good reason that there was no error in the elections in two of the Brigades; there was nothing to amend; and the correction was applied only to the error.

Now where is the tyranny and oppression complained of? Who is blameable? Not the Governor, for he merely commissions the man who is officially certified to him to be duly elected. Not the Adjutant General, for as he is the judge of the election, it was his duty to see that it was fairly held and that no injustice had been done to any. Not Gen'l Leach, for not making his report sooner; because, knowing as he did, that Gen'l Neel had been ordered to hold the elections in Stanly and Montgomery, and to amend his report, it would be sufficient if his were in simultaneously with the said amended return. Nor is Gen'l Neel to be censured. At most he was only mistaken in a point of duty—a mistake not without remedy, honestly committed, without intentional wrong, as is shewn by his ready obedience of the second order.

This poor, miserable "tempest in a Tea-pot" then, seems to be raised, not because Col. Wheeler, having received a majority of the votes, has been deprived of his rights, but because a majority of the votes has been given against him!!!

**Hon. TRUMAN SMITH.**  
The "Standard" charges this Gentleman with issuing a secret Whig Circular, the "object of which is to prove a Coalition between the Democrats and Free-Soilers" of the North, against Gen. TAYLOR. How secret that Circular was, may be judged from the fact that we published it entire, with the omission of a few immaterial details, in our paper of Saturday last—at the same time that we derived those interesting particulars relative to EDMUND BURKE, which shock the "Standard's" sensibilities so keenly.

There is no man in this Country to whom the great, National Whig party is more indebted, than to Truman Smith. He has labored for the promotion of the cause, with a disinterested zeal, energy, and assiduity, that commend him most strongly to our gratitude. That his patriotic services have been most efficient, is amply demonstrated in the reckless abuse and shameful denunciation with which the Loco Foco Press assailed him. The following Extract from one of his admirable letters, puts to blush the calumnious charge of his being an "Abolitionist." The Editor of the "Standard" may profit by its perusal:—"You cannot fail to have noticed the unprincipled coalition now being rapidly formed in all the free States between the powers of Locofocoism and Abolitionism, to render the Administration of President Taylor abortive. This is exactly what I have expected for years. Political abolitionism is only another form of radicalism. Nothing can be more dangerous to the peace of the country, or the safety of the Union, than the organization of a great party on sectional grounds. I regard sectionalism, whether at the North or the South, East or West, with abhorrence and detestation, and we must not suffer our noble-hearted President to be crushed by such unhallowed means. Already we have been deprived of three members of Congress from Connecticut by these machinations, and the Union rejoices over the consummation. President Taylor and his administration should have a fair trial, and it will be time enough to discard him when he fails to realize the expectations of the people. To elevate him to the Presidency, and then to hunt him down without cause, would be a reproach to free institutions, and to the American name and character."

### COMMUNICATIONS.

#### FOR THE REGISTER.

**MR. GALE:** As one of the Whigs of this District, I cannot consent to cast my vote for either of the Candidates for Congress.

I am compelled to withhold my vote from Major CLARK, because he assumes the same principles as his opponent, and because of his violent abuse of Gen. Taylor, last Fall. Moreover, the fable of the fox and the grapes applies. New Suckers might do more harm than old ones.

I cannot vote for Gen. DANIEL, because he is too old a sinner, in the ranks of Democracy. Let his own party re-elect him, if they choose. He has doubtless contributed his full share of the filth in the Augean Stable. Let his friends, and not the Whigs, continue him as their hack horse, to cleanse it out.

I propose, then, to those who are in the District, who may chance to see this, to cast their votes for RICHARD H. SMITH, Esq., a late member of the House of Commons, from Halifax. It will be a compliment to his sterling qualities, his high attainments, and unwavering devotion to the best interests of the Whig party.

A WAKE WHIG.

#### FOR THE REGISTER.

**Fourth of July in Henderson.**  
Mr. Editor: Will you permit me to give, through the medium of your excellent paper, a brief description of the proceedings of the Fourth, in the pleasant little Town of Henderson? Seeing in almost every paper, cheering tidings from every portion of the country, of the great interest manifested by all in that memorable day, we wish to inform them that we did not forget to assemble together, to commemorate the deeds of the Fathers of our Country.

The time for the meeting was announced at 11 o'clock, by the ringing of the bell. A spacious room was soon filled to overflowing, with one of the most respectable, genteel and orderly audiences it has ever seen our pleasure to witness. The young, the old, the grave and the gay, were here, all of whom seemed to have been brought together by feelings of the most patriotic nature. The President announced the proceedings of the day, and introduced to the audience, P. W. Wychley, Esq., as reader of the Declaration of Independence. After the Declaration was read, Mr. Edwin W. Cheatham was introduced himself in a most beautiful and eloquent Oration, couched in the most chaste and elegant language. He spoke of the past, the present, and the future; each of which he discussed in the most appropriate manner. In truth, his speech exhibited a high order of talent, and was a most successful effort.

After the Oration, the audience partook of a most sumptuous feast, which had been previously prepared for the occasion. Many toasts were drunk, but I will not trespass on your time by giving them. Suffice it to say, that the day passed off in the most agreeable manner, and will long be remembered by all who were present on the occasion.

July 24, 1849.

#### From the Baltimore Sun.

**BY MAGNETIC TELEGRAPH.**  
Progress of the Cholera North and West.  
PHILADELPHIA, July 24.  
The board of health report 65 new cases and 18 deaths of cholera to-day. The disease is mostly confined to the hospitals and filthy parts of the city.

PITTSBURG, July 24.  
The cholera is fast disappearing from our city, owing, it is supposed, in some measure, to the favorable state of the weather. But one death from that disease has taken place for the past 24 hours, ending at noon to-day.

CINCINNATI, July 24, P. M.  
I am glad to announce that that dreadful scourge, the cholera, is fast abating, and the gloom which it has cast over our city, is giving place to more cheerfulness. For the past 24 hours, ending at noon to-day, there have been but 20 deaths of cholera, and 12 from other diseases.



FOREIGN NEWS.  
From the Baltimore American.

**ARRIVAL OF  
THE STEAMER CALEDONIA.**  
7 Days Later from Europe.  
POLITICAL INTELLIGENCE.  
FRANCE AND ROME.

**SURRENDER OF THE ETERNAL CITY.**—The Legislative Assembly has been the scene of most turbulence and recrimination during the past week. The despotic spirit which marks the proceedings of the Government is having the effect to unite various sections of the Assembly, not heretofore friendly, into a compact opposition to the Barrot Ministry, and in defence of republicanism. Towards the close of the sitting on Wednesday evening, some astonishment was created among the members by M. Granden declaring that another movement was in preparation. The statement, however, was vaguely given by the Hon. member, and appeared to have no foundation in fact, so that it soon ceased to produce any impression.

On the 30th ult., the Constituent Assembly of Rome, finding that further resistance to the French Arms would be in vain, ceased hostilities and virtually surrendered the Eternal City to the besiegers. On the 15th ult., an official notification was made to the French Legislative Assembly, that in consequence of the arrangement entered into between Gen. Oudinot and the Roman Triumvirate, the gates of Parolto Portica and Pancrazia had been thrown open to the French troops, who were adopting measures for the immediate occupation of Rome, which would take place with perfect quietness and order.

This communication produced a deep sensation in the Chamber. A correspondent writing from Paris says, just as the Bourne was closing, it was stated, positively, that the Governor had received Gen. Oudinot's despatches, announcing the entry of the French army into Rome on the 2d, and that they were received with acclamations by the people. The Divisions of Garibaldi have been conducted to Civita Vecchia, where they would lay down their arms.

Two divisions of the army would be lodged and maintained by the Roman Government. The Funds rose on the reception of this news 1 per ct.

Just previous to the reception of the decisive news from Rome, Gen. Bedau left Paris to take command of the army in Italy. Gen. Oudinot had been ordered home in disgrace. Arrangements were also promptly made to increase the army of Italy to 50,000 men. Immediately on the reception of the news of the surrender of Rome to Gen. Oudinot, a telegraphic despatch was sent to Marseilles, desiring Gen. Bedau to wait there for fresh instructions before proceeding to Rome.

**HUNGARY AND AUSTRIA.**  
An official bulletin has been issued by the Austrians, announcing the compulsory retirement of the Hungarians from Raab. They are said to have retreated towards Acs previous to the capture of the city. Gen. Georgy declined to give the Austrians battle at Raab, and was continuing his retreat towards Gran, which will impose upon the Austrian and Russian armies the necessity of leaving the city.

Nevertheless, Georgy would never have abandoned Raab except with the intention of detaching a portion of his force against Paskewich. A second edition of the London Herald says that a rumor prevailed in Paris, originating in the National Assembly; that the Hungarians had obtained an immense advantage over the Russians in the vicinity of Raab. The Russians are said to have lost ten thousand men at Fume.

A conspiracy had been discovered against the Austrians. A desperate battle was fought on the 23d ult., between the Prussians and the insurgents, in the neighborhood of Calascue and Muglenstede, between the towns of Carleisehue and Radstadt.—The insurgents were defeated.

**LIVERPOOL MARKETS, July 7.**  
The results of this week's business in Liverpool are highly satisfactory to almost every branch of trade.

The London and Provincial markets in the absence of home supplies have been equally active. **COTTON MARKET.**

The operations of the week have not been so extensive as those of the last week, but the market is firm with a slight upward tendency and actual advance of the price per lb. in the lower qualities of American. This Week's transactions have reached 63,955 bales, of which 16,500 were taken on speculation, and 5000 for export. The American description sold consist of 14,000 at 4d to 5 1/4d; Middling 4 5/8d; 22,000 bales N. Orleans at 33-4 61-4d; middling 43-4d; fair 51-5d; 14,000 Alabama and Mobile at 41-16-5d; middling 45-8d; fair 47-8d; and 500 Sea Island at 81-4-14d. The Hungarian advices stimulated the Havre market, and the sales of Cotton on the 5th reached 3,500 bales at an advance on former rates.

**PROVISIONS.**  
Beef is only in retail demand. Pork—Western prime mess at 35s4d; Bacon—Some large parcels of Western have brought 27s 6d; Ham bits, have exhibited the most curious perturbations and irregularities. The Newtonian theory of universal attraction seems to have been entirely subverted, and young Mr. Tyler's counter-project of universal repulsion is manifestly in full force. First, we had the Missouri Jupiter shooting madly from the Southern sphere, and in a sweep of his Northern transit, rushing into violent collision with the South Carolina Mars. Then Sirius, the Mississippian dog-star, was seized with a sidereal St. Vitus, and without waiting to see what Mars would do, danced and bounced about the unmoored planet of the West, as any snappish little dog will assail unheeded a powerful mastiff, as he walks along. But curiosity was now all directed to Mars, who had been selected as the polar star of the Southern combination; but the planet of war was veiled for nearly two months in diem eclipse. At length, he bursts out with lurid glare, passes with tremendous impetus athwart the political sky, and explodes harmoniously on its orb, without waiting to see what Mars would do, danced and bounced about the unmoored planet of the West, as any snappish little dog will assail unheeded a powerful mastiff, as he walks along. But curiosity was now all directed to Mars, who had been selected as the polar star of the Southern combination; but the planet of war was veiled for nearly two months in diem eclipse. 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