RALEIGH REGISTER.
PUBLISHED BY
SEATON GALES,
EDITOR AND PROPRIETOR,
AT THREE DOLLARS PER ANNUM

Ours are the plans of fair delightful peace
Unwarp'd by party rage to live like brothers

RALEIGH, N. C.

Saturday, Dec. 13, 1851.

RESOLVED, That we regard the series of acts known as the "Adjustment measures as forming, in their mutual dependence and connexion, a system of compromise the most conciliatory and the best for the entire country, that could be obtained from conflicting sectional interests and opinions, "and that, therefore, they ought to be adhered to and carried "into faithful execution, as a final settlement, in principle "and substance, of the dangerous and exciting subjects which "they embrace."—[Resolution of Whig Congressional Caucus, December 1, 1851.

The Weekly Raleigh Register,
AND NORTH CAROLINA GAZETTE.

Volume LIII. RALEIGH, N. C., DECEMBER 17, 1851. Number 11.

KOSSUTH.

We publish, *in extenso*, to day, the remarkable Speech of KOSSUTH, written out for the Press by him, as he was unable, on account of the confusion, to deliver it on the occasion of his enthusiastic reception in New York, on Saturday last. After reading that Speech, no one can be at a loss to discover the real *object* of KOSSUTH's visit to this Country. He comes not, he tells us, however *grateful he may be, and undoubtedly is, solely to* thank this Government for its generous kindness and sympathy; he has other aims to accomplish —he comes to "use every honest exertion to gain *operative sympathy and financial, material and political aid for his country's freedom and independence!*"

The whole tenor of Kossuth's Speech plainly indicates that he has been egregiously deceived as to the purposes of this Government in its course towards him, by the Addresses of American politicians in Europe and this Country, and by the tone of a large portion of the Press of the United States; and we cannot blame *him*, therefore, so much, for the candid and startling avowals he has made. The reproach lies mostly at the door of his deluders. But the sooner he is undeceived the *better*; and it is to be hoped, indeed, that he may not be further blinded by the smoking incense which hundreds of political demagogues are burning and will continue to burn before him. He should be told once for all, that it lies not in *his* power to develope anything under our form of Government, and our Constitution, beyond a strong Public Opinion against, and detestation of Despotism and Monarchy in general. The strength and sincerity of that Public Opinion he is hourly realizing in his own person. Since the foundation of this Government, no man—native or foreign—or however exalted and valuable his immediate services—has been received with such overwhelming demonstrations of popular enthusiasm. The freedom of our Cities has been extended to him—fetes and banquets, without number and without regard to cost, have been pressed upon his acceptance—the hearts, and purses, and *throats* of our entire population have been opened at his coming. To a certain extent, this is right enough —KOSSUTH is the exiled Champion of a brave and down-trodden race, down-trodden under the heel of the worst tyranny that ever existed; but we, who live at a distance and are removed from the immediate influence of all this excitement, can but be disgusted with much of the servility and *toadyism* that are so unsparingly exhibited. That Public Opinion, of which we speak, however, will not consent to have this Government mixed up either with the Politics or Wars of Europe.—The lessons taught us by the Fathers of the Republic, and the teachings of our practical, living Statesmen and Patriots, are not to be unlearned in one day, or disregarded in the ebullitions of a momentary popular excitement. The late letter of the Hon. J. J. Crittenden, at that time Acting Secretary of State, to M. de'Sartiges, the French Minister, with referenee to matters growing out of the Cuban difficulty, declares, in pointed and manly terms, the true American policy: in substance, that European Governments, or Europeans, must not interfere with the politics of this Country, inasmuch as this Government has no right or disposition to meddle with theirs. Every right-minded man and true patriot cannot too heartily deprecate that loose and licentious spirit, which prevails too extensively in our midst, and which, unless promptly suppressed, will send our Country on a crusade of propagandism, embroil us in interminable difficulties, and pervert the Government from the noble designs of its good and wise founders.

As to the Speech of Kossuth, the following remarks from the "N. Y. Express" embrace our own sentiments so fully, that we substitute them in place of what we might otherwise have said:

We have marked many passages in the written and revised address for comment, but our space, this morning, does not admit of it. We are glad to hear a man from the far off land of Hungary declare, "*I am a Republican*," and we are sorry to hear him, necessarily or otherwise, qualify the praises he thought proper to bestow upon the officers of the Mississippi. We are glad to hear him say that he will not mingle with our Party Politics, and sorry again to hear him declare that he means here to secure "financial, material, and political aid for his country's freedom and independence." We especially regret the allusions and seemingly intended rebuke to this country, for allowing an American representative to the Court of Vienna, as if it had done wrong, or as if it was not the best judge of its own honor and interests. We suppose a representative from the United States to Russia would be quite as offensive, since Russia was the geat stumbling block to Hungarian Liberty. Nor do we think it in good taste to speak of "Hulsemann's digesting the caustic pill which Mr. Webster gloriously administered to him!" Not that we do not think "the pill" both caustic and seasonable, but that we also think it would have been in better taste for Kossuth to have omitted the allusion in such a way; but especially do we dislike the distinction which this distinguished man *has already twice drawn in this country, between the Government and the People.* The American Government and the American People are one. It is the sovereignty of the last which makes the power of the first, and they who separate the two mistake the character of this country. In no other country in the world is there such a daily reflex of the popular sovereignty as is found in these United States, where the Government is ever as quick as lightning to vindicate the honor, the power, and the dignity of the American name.

P. S. Since the above was put in type, we have received further accounts of Kossuth's movements, by which it will be seen that he takes exception to and expresses dissatisfaction at the course of Congress. We shall learn a lesson out of the Hungarian chieftain yet!

☞ The Pensacola Gazette has hoisted the flag for MILLARD FILLMORE, as President, and WILLIAM A. GRAHAM, of North Carolina, as Vice President of the United States, in 1852.

TRIAL OF MR. AVERY.

We insert to-day what purports to be "an authentic account" of the trial of W. W. Avery, Esq., charged with the murder of Samuel Fleming. Whilst we have, from the first, sympathized deeply for those whose hearts were wrung by the fatal termination of the difficulty between the parties named, and felt a desire that the administration of the law should be tempered with the utmost mercy, or that the hand of Executive clemency should be extended, yet we feel it our duty to enter our protest against some of the doctrines advanced on the trial—reiterated in this "authentic account," and, we fear, acquiesced in by many, who, under the immediate influence of sympathy, have not maturely considered the consequences to which they will lead.

In the first place, it was contended, that the jury were the judges of the *law* of the case as well as the facts. Now we contend, that it is the duty of the jury, under their oath, to look to the presiding Judge for the law. It appears from this authentic account, that the Judge charged the jury, that though they had the "*physical power* to judge of the law, as well as of the facts, yet if they did so, it was upon their own responsibility."—With all deference, we submit that this "physical power" did not make the *right*. In a criminal case, the jury has the *physical power* to disregard the charge of the Judge on the law, and convict the prisoner, *against the law*, as applicable to the facts, but would any Judge permit such a verdict to stand? Certainly not. If he were determined to do his duty, he would grant a new trial. The fact that when the jury *acquits*, the Judge has no right to disturb the verdict, does not lesser, in the least degree, the moral obligation resting on the jury, under their oath, to take the law from the Court. If they assume the "physical power" to acquit, against the law as laid down by the Judge, they depart as far from their duty, and do as much violence to their oaths, as when they convict in defiance of the law.

It is this very principle which secured the acquittal, against law, of the Boston violators of the Fugitive Slave law. Their counsel contended that the law is unconstitutional, and that the jury were the judges of that question, and had a right to disregard the instructions of the Court. Judge CURTIS, who has been recently promoted to the Supreme Court Bench of the United States, met this position with an argument which is unanswerable. It has been given to the public, and is doubtless familiar to them, and he shews conclusively that the establishment of such a principle will otherthrow the judiciary, and end in the total subversion of all law. We do not see how it could be otherwise, and we must insist, that *if* the jury in the case we are considering, assumed and exercised the "physical power" of deciding the law, against the instructions of His Honor, they did what they had no *right* to do—they transcended their legitimate and lawful authority, and, so far as they thus acted, did violence to the law itself.

Again: From the facts given in this authentic account, upon mature reflection, we have been able, with all our sympathies for and leanings towards Mr. A., to come to no other conclusion, than that it was a case of murder, *unless*, at the time of the homicide, he was insane. Of course, the question of sanity was one for the jury, but we were under the impression, that it is not every species of insanity which will excuse one. If one is grossly insulted by words, his reason may, thereupon, be temporarily dethroned, and he may be for the moment insane. Yet, if he slay the person thus insulting him, it is *murder*, says the law. If one is assaulted, and under the influence of sudden fury, which is a species of temporary insanity, he kill his assailant, the law does not acquit him entirely, but mitigates his offence from murder to manslaughter.

There is also an artificial, voluntary, contracted insanity or madness, such as *drunkenness*. Here there may be a *total* dethronement of the reason, so that the party knows nothing whatever of his acts, or their consequences, but yet the law does not, on this account, excuse one for any criminal conduct, but, on the contrary, declares it an aggravation of the offence.

If there be thought and design, a faculty to distinguish the nature of actions, to discern the difference between moral good and evil, then, the fact of the offence being proved, the perpetrator is, in the eye of the law, responsible: so, also, if in this case, the jury found that, at the time of the homicide, the prisoner was laboring under *legal* insanity, having not the faculty to distinguish the nature of his action, to discern the difference between moral good and evil, between right and wrong, then they did right to acquit him; but if he acted under the influence of passion, under the promptings of revenge, or a cool and deliberate purpose to avenge the insult given him, however gross that insult, the *law* says, whatever one's personal inclinations may be, that acquittal was wrong.

This authentic account holds the following language:

"The reason why murder is mitigated to manslaughter is, because by the provocation given, reason is dethroned, and the slaying takes place, whilst reason has thus temporarily lost its empire — that the length of time allowed the passions to cool is to be determined by the character of the provocation. How long would it take a man's passions to cool, who has suffered such an indignity as that offered the prisoner? *The more he brooded over it, the more his passions would be inflamed, and the less prospect there would be for reason to resume her empire—the physical pain here was nothing; it was the indignity, the loss of caste, of position, of character,"* &c. Again:—"*Admitting his reason was not overwhelmed, had he not a right to do it?*"

Now, we undertake to maintain, with all due deference, we say again, that this is not only *not law*, but, that the establishment of such doctrines will subvert all law, and give unbridled license to those passions which the law was intended to curb. Let it be borne in mind that *two weeks* intervened between the insult and violence of Flemming and the homicide. Admitting the principle is right, that "the length of time allowed the passions to cool is to be determined by the character of the provocation," it is certainly not correct, that the law allows a man to nurse his passions, and keep them warm, for fourteen days! But this is not all. It is here asserted, that this was a case of such gross insult, that the more the person upon whom it was inflicted, "brooded over it, the more inflamed his passions became." So that had three hundred and sixty five days, instead of fourteen, intervened, the prisoner would have been much more excusable! This doctrine gives the passions scope and play—permission to "brood"—whilst the law bears tenderly with them, when suddenly excited, but *commands* them to *cool down*, more and more, as time passes! Such doctrines will justify the duelist, and legalize his deliberate taking of human life—will make *words* a legal provocation—will make guilt or innocence, when blood is shed, depend, not upon any certain principle of law, founded on reason, but on the station, the grade, the caste, the character, the sensitiveness of mind, the revengefulness of temper, &c., of him, who in any way, either by word or deed, may receive injury or insult! Such doctrines, when once established, will be quickly followed by lawlessness and bloodshed!

We must express our regret at hearing such principles avowed in North Carolina, where obedience to the laws, and a love of order, have always been distinguishing characteristics. We go for upholding the laws, whoever may thereby fall! *They*, administered in their purity and with fidelity, are worth more than any set, or generation of men, however noble or exalted! *They* are the only political master to which, as a people, we owe allegiance, but whilst they are thus our master, they are at the same time our best friend and protector!

FILLMORE AND GRAHAM.

The "*Fond du Lac* (Wisconsin) *Patriot*" hoists the names of FILLMORE AND GRAHAM to its mast-head for the Presidency and Vice Presidency. We are rejoiced to see this demonstration in that distant region.—It shows that the conservative course of the Administration is appreciated everywhere, throughout the whole county, by the honest and reflecting of the people, and that our own immediate distinguished fellow-citizen is rapidly acquiring a *National* reputation.

In hoisting the banner of FILLMORE and GRAHAM, the "Patriot" eloquently says:

To day, we raise the name of Millard Fillmore, as our first choice for the next President, and that of the Hon. William A. Graham, Secretary of the Navy, for Vice President. We do this in conformity with our well known views which we have promulged from time to time in the columns of the "Patriot." We do so because it shall always be our endeavor to devote whatever of talents we possess in giving "honor to whom honor is due," in rewarding the deeds of those who have raised themselves high above section and party, but have had an eye single to the welfare of their country, their whole country, and nothing but their country—who have shown themselves patriots in deed and in truth. Such a man we regard President Fillmore, and we honor him from the bottom of our heart. Nor are we single in our admiration of this patriot President. His praises are upon the lips of millions of his countrymen, and time only serves to increase and expand his already unbounded popularity. We are not unaware that there are those even in our midst, who, from narrow and contracted views, and sectional prejudices, whose minds never extend beyond the territorial section in which they have been reared—disagree with with us in our views respecting Mr. Fillmore. Such men regard him as the Draco of modern times, whose laws "were written with blood and not with ink." Gerret Smith calls all the friends of the Compromise, murderers, and those are not wanting who stand ready to echo far and near the sentiments of Smith, Phillips, and Garrison. But the number of such men is small, compared to that of those who look upon the Constitution as the guiding star of our destiny, and who are determined to adhere to its compromises at every hazard. Let us view the matter calmly and dispassionately.

What has Mr. Fillmore done that was not required of him to do, both by his party and his country. Our free soil friends will say that he approved the Fugitive act. Well, what is the Whig doctrine in reference to the veto power? The law in question was declared constitutional by the President's constitutional adviser. Of course then, he could not interpose his veto without treachery to the party that had placed him in power. Had he interposed his veto, as the Abolitionists contended he should have done, he would have been consigned to deeper political infamy than John Tyler ever dreampt of. But fealty to party alone did not dictate the course pursued by the President. Fealty to his country, her constitution and her laws, made his path plain, and he did not hesitate. In all matters of domestic concern, and in our foreign relations, Mr. Fillmore has truly been the President of the People. The nomination of any other man would be virtually repudiating his Administration. For one, we wish to see President Fillmore endorsed, as we believe we will be, by the American people. We do not wish to see the country frightened from its propriety by the ravings and rantings of fanatics and disunionists

We have associated the name of William A. Graham for the next office in the gift of the people, because we believe him to be pre-eminently qualified for the position, and one of the best men and purest patriots in the land. He is at present, Secretary of the Navy, and although this department does not afford great facilities for displaying one's talents, yet in discharging the duties of his office, Mr. Graham has shown himself to possess eminent abilities. He has held at different times the several posts of Speaker of the House of Commons in the North Carolina Legislature, U. S. Senator, and Governor of the State, and in each he discharged his duties with consummate ability."

From the N. Y. Express of Monday.

HIGHLY IMPORTANT!

Kossuth's opinion of the recent debate in the U. S. Senate, on the Foote Resolution—Expressions of Disappointment and Regret!

The important speech from Governor Kossuth which we copy below, was delivered at the Irving House, here, Saturday, in reply to an invitation from the Philadelphia Special Committee to visit that city.

The declarations and admissions, we have underscored, make this the most important speech Kossuth has yet delivered in America. (The Committee bade him welcome to Independence Hall.)

To this Kossuth replied, substantially, that he was extremely rejoiced at this demonstration on the part of Philadelphia, and that he felt the highest gratification in being thus honored by the glorious corporation of that renowned city.

But he went on to say that, at the present moment, it was quite impossible for him to declare at what time he could go there, and that, indeed, it was not certain that he could go there at all.

While he was sure the people of the United States sympathized in his object in coming to this country, he could not but say that he was deeply distressed at the action which had been taken by Congress.

He had the highest respect and regard for Congress—he recognized it as the exponent of the national will, and in view of what it had done, his own movements were necessarily embarassed.—Whether he will be content to go beyond New York he could not now say; but he was free to declare that had the proceedings in Congress to which he had adverted reached him before he left Europe, *he would have hesitated about coming to this country at all.*

KOSSUTH'S ADDRESS AT NEW YORK.

M. KOSSUTH has furnished to the Press the written Address which he had prepared to be delivered on Saturday last, on the occasion of his public reception in the city of New York, but which he was prevented from formally pronouncing by the disorder which prevailed in his audience. We copy it entire, as follows:

I am yet half sick, gentlemen; tossed and twisted about by a fortnight's gale on the Atlantic's restless waves, my giddy brains are still turning round as in a whirlpool, and this gigantic continent seems yet to tremble beneath my wavering steps. Let me, before I go to work, have some hours of rest upon this soil of freedom, your happy home.—Freedom and home, what heavenly music in those two words! Alas, I have no home, and the freedom of my people is down trodden. Young giant of free America, do not tell me that thy shores are an asylum to the oppressed, and a home to the homeless exile. Asylum it is, but all the blessings of your glorious country, can they drown into oblivion the longing of the heart and the fond desires for our native land? My beloved native land! thy very sufferings make thee but dearer to my heart; thy bleeding image dwells with me when I wake, as it rests with me in the short moments of my restless sleep It has accompanied me over the waves. It will accompany me when I go back to fight over again the battle of thy freedom once more. I have no idea but thee; I have no feeling but thee. Even here, with this prodigious view of greatness, freedom, and happiness which spreads before my astonished eyes, my thoughts are wandering towards home; and when I look over these thousands of thousands before me, the happy inheritance of yonder freedom for which your fathers fought and bled, and when I turn to you, citizens, to bow before the majesty of the United States, and to thank the people of New York for their generous share in my liberation, and for the unparalleled honor of this reception, I see, out of the very midst of this great assemblage, rise the bleeding image of Hungary, looking to you with anxiety whether there be in the lustre of your eyes a ray of hope for her; whether there be in the thunder of your hurrahs a trumpet call of resurrection. If there were no such ray of hope in your eyes, and no such trumpet call in your cheers, then wo to Europe's oppressed nations!—They will stand alone in the hour of need. Less fortunate than you were, they will meet no brother's hand to help them in the approaching giant struggle against the leagued despots of the world.—And we also to me! I will feel no joy even here, and the days of my stay here will turn out to be lost to my fatherland—lost at the very time when every moment is teeming in the decision of Europe's destiny.

Citizens, much as I am wanting some hours of rest, much as I have need to become familiar with the ground I will have to stand upon before I enter on business matters publicly, I took it for a duty of honor not to let escape even this first moment of your generous welcome without stating plainly and openly to you what sort of a man I am, and what are the expectations and the hopes, what are the motives, which brought me now to your glorious shores. Gentlemen, I have to thank the People, Congress, and Government of the United States, for my liberation from captivity. Human tongue has no words to express the bliss which I felt when I, the down-trodden Hungary's wandering chief, saw the glorious flag of the stripes and stars fluttering over my head; when I first bowed before it with deep respect; when I saw around me the gallant officers and the crew of the Mississippi frigate, the most of them the worthiest representatives of true American principles, American greatness, American generosity; and to think that it was not a mere chance which cast the star spangled banner around me, but that it was your protecting will; to know that the United States of America, conscious of their glorious calling as well as of their power, declared by this unparalleled act to be resolved to become the protectors of human rights; to see a powerful vessel of America coming to far Asia to break the chains by which the mightiest despots of Europe fettered the activity of an exiled Magyar, whose very name disturbed the proud security of their sleep; to feel restored by such a protection, and in such a way, to freedom, and by freedom to activity, you may be well aware of what I felt, and still feel, at the remembrance of this proud moment of my life. Others spoke—you acted; and I was free! You acted; and at this act of yours tyrants trembled; humanity shouted out with joy; the down trodden people of Magyars—the down-trodden, but not broken—raised its head with resolution and with hope, and the brilliancy of your star was greeted by Europe's oppressed nations as the morning star of rising liberty. Now, gentlemen, you must be aware how boundless the gratitude must be which I feel for you. You have restored me to life, because restored to activity; and should my life, by the blessings of the Almighty, still prove useful to my fatherland and to humanity, it will be your merit, it will be your work. May you and your glorious country be blessed for it!

Europe is on the very eve of such immense events that, however fervent my gratitude be to you, I would not have felt authorised to cross the Atlantic at this very time only for the purpose to exhibit to you my warm thanks. I would have thanked you by facts contributing to the freedom of the European continent, and would have postponed my visit to your glorious shores till the decisive battle for liberty was fought, if it were my destiny to outlive that day. Then what is the motive of my being here at this very time? The motive, citizens, is that your generous act of my liberation has raised the conviction throughout the world that this generous act of yours is but the manifestation of your resolution to throw your weight into the balance where the fate of the European continent is to be weighed. You have raised the conviction throughout the world that by my liberation you were willing to say, "Ye oppressed nations of old Europe's continent, be of good cheer; the young giant of America stretches his powerful arm over the waves ready to give a brother's hand to your future." So is your act interpreted throughout the world. You, in your proud security, can scarcely imagine how beneficial this conviction has already proved to the suffering nations of the European continent. You can scarcely imagine what self confidence you have added to the resolution of the oppressed. You have knit the tie of solidarity in the detinies of nations. I cannot doubt that you know how I was received by the public opinion in every country which I touched since I am free, and what feelings my liberation has elicited in those countries which it was not my lot to touch. You know how I, a plain, poor, penniless exile, have almost become a centre of hope and confidence to the most different nations, not united but by the tie of common sufferings. What is the source of this apparition unparalleled in mankind's history? The source of it is that your generous act of my liberation is taken by the world for the revelation of the fact that the United States are resolved not to allow the despots of the world to trample on oppressed humanity. It is hence that my liberation was cheered, from Sweden down to Portugal, as a ray of hope. It is hence that even those nations which most desire my presence in Europe now have unanimously told me; "Hasten on; hasten on to the great, free, rich, and powerful people of the United States, and bring over its brotherly aid to the cause of your country, so intimately connected with European liberty." And here I stand to plead the cause of the solidarity of human rights before the great republic of the United States. Humble as I am, God, the Almighty, has selected me to represent the cause of humanity before you. My warrant to this capacity is written in the sympathy and confidence of all who are oppressed, and of all who, as your elder brother, the people of Britain, sympathize with the oppressed; my warrant to this capacity is written in the hopes and expectations you have entitled the world to entertain by liberating me out of my prison, and by restoring me to activity.

But it has pleased the Almighty to make out of my humble self yet another opportunity for a thing which may prove a happy turning-point in the destinies of the world. I bring you a brotherly greeting from the people of Great Britain. I speak not in an official character, imparted by diplomacy, whose secresy is the curse of the world, but I am the harbinger of the public spirit of the people, which has the right to impart a direction to its Government, and which I witnessed, pronouncing itself in the most decided manner, openly, that the people of England, united to you with enlightened brotherly love, as it is united in blood; conscious of your strength as it is conscious of its own, has forever abandoned every sentiment of irritation and rivalry, and desires the brotherly alliance of the United States to secure to every nation the sovereign right to dispose of itself, and to protect the sovereign right of nations against the encroaching arrogance of despots; and leagued to you again-t the league of despots, to stand, together with you, god father to the approaching baptism of European liberty.

Now, gentlemen, I have stated my position. I am a straight forward man. I am a republican. I have avowed it openly in the monarchical but free England, and I am happy to state that I have nothing lost by this avowal there. I hope I will not loose in republican America, by that frankness which must be one of the ef qualities of every republican. So I beg leave frankly and openly, to state the following points: First, that I take it to be a duty of honor and principle not to meddle whatever with any party question of your own domestic affairs. I claim for my country the right to dispose of itself; so I am resolved, and must be resolved, to respect the same principle here and elsewhere. May others delight in the part of knight errant for theories. It is not my case. I am the man of the great principle of the sovereignty of every people to dispose of its own domestic concerns, and I most solemnly deny to every foreigner, as to every foreign power, the right to oppose the sovereign faculty. Secondly, I profess, highly and openly, my admiration for the glorious principle of Union, on which stands the mighty pyramid of your greatness, and upon the basis of which you have grown, in the short period of seventy-five years, to a prodigious giant, the living wonder of the world. I have the most warm wish that the star-spangled banner of the United States may forever be floating, united and one, the proud ensign of mankind's divine origin, and taking my ground on this principle of union, which I find lawfully existing, an established constitutional fact, it is not to a party, but to the united people of the United States that I confidently will address my humble requests for aid and protection to oppressed humanity. I will conscientiously respect your laws, but within the limits of your laws I will use every honest exertion to gain your operative sympathy and your financial, material, and political aid for my country's freedom and independence, and entreat the realization of those hopes which your generosity has raised in me and in my people's breasts, and also in Europe's oppressed nations. And, therefore, thirdly, I beg leave frankly to say that my aim is to restore my fatherland to the full enjoyment of that act of declaration of independence, which, being the only rightful existing public law of my nation, can have lost nothing of its rightfulness by the violent invasion of foreign Russian arms, and which, therefore, is fully entitled to be recognised by the people of the United States, whose very resistance is founded upon a similar declaration of independence.

Thus, having expounded my aim, I beg leave to state that I came not to your glorious shores to enjoy a happy rest. I came not with the intention to gather triumphs of personal distinction, or to be the object of popular shows; but I came an humble petitioner in my country's name, as its freely chosen constitutional chief. What can be opposed to this recognition which is a logical necessary consequence of the principle of your country's political existence? What can be opposed to it? The frown of Mr. Hulseman, the anger of that satellite of the Czar, called Francis Joseph of Austria; and the immense danger with which some European and American papers threaten you, and by which, of course, you must feel extremely terrified; that your minister at Vienna will have offered him his passports, and that Mr. Hulsemann will leave Washington, should I be received and treated in my official capacity.

Now as to your minister at Vienna, how you can combine the letting him stay there with your opinion of the cause of Hungary I really dont know; but so much I know, that the present absolutist atmosphere of Europe is not very propitious to American principles. I know a man who can tell some curious facts about this matter. But as to Mr. Hulsemann, really, I dont believe that he would be so ready to leave Washington. He has extremely well digested the caustic pills which Mr. Webster has administered to him so gloriously. But, after all, I know enough of the public spirit of the sovereign people of the United States, to know that it would never admit to whatever responsible depository of the Executive power, should he even be willing to do so, (which, to be sure, your high-minded Government is not willing to do,) to be regulated in its policy by all the Hulsemans or all the Francis Josephs in the world. So I confidently hope that the sovereign of this country, the people, will make the declaration of independence of Hungary soon formally recognized, and that it will not make a bit of it if Mr. Hulseman takes tomorrow his passports. *Bon voyage* to him. But it is also my agreeable duty to profess that I am entirely convinced that the Government of the United States shares warmly the sentiments of the people in that respect. It has proved it by executing in a ready and dignified manner the resolution of Congress on behalf of my liberation. It has proved it by calling on the Congress to consider how I shall be treated and received, and even this morning I was honored, by the express order of the Government, by an official salute from the batteries of the United States in such a manner as, according to the military rules, only a public high official capacity can be greeted.

Having thus expounded my aim, I beg leave to state that I came not to your glorious shores to enjoy a happy rest; I came not with the intention to gather triumphs of personal distinction, but because an humble petitioner in my country's name, as its freely chosen constitutional chief, humbly to entreat your generous aid; and then it is to the aim that I will devote every moment of my time with the more assiduity, the more restlessness, as every moment may bring a report of events which may call me to hasten to my place on the battle field, where the great and I hope the last great battle will be fought between liberty and despotism—a moment marked by the finger of God to be so near that every hour of delay of your generous aid may prove fatally disastrous to oppressed humanity.

And thus, having stated my position to be that of an humble petitioner in the name of my oppressed country, let me respectfully ask, do you regret to have bestowed upon me the high honor of this glorious reception, unparalelled in history? I say unparalelled in history, though I know that your fathers welcomed Lafayette in a similar way; but Lafayette had mighty claims to your country's gratitude, he had fought in your ranks for your freedom and independence, and, what was still more in the hour of your need. He was the link of your friendly connection with France—a connection, the result of which were two French fleets of more than thirty-eight men of war, three thousand gallant men, who fought side by side with you against Cornwallis, before Yorktown; the precious gift of twenty four thousand muskets, a loan of nineteen millions of dollars, and even the preliminary treaties of your glorious peace, negotiated at Paris by your immortal Franklin. I hope the people of the United States, now itself in the happy condition to aid those who are in need of aid, as itself was once in need, will kindly remember these facts; and you, citizens of New York, and you will yourselves become the Lafayettes of Hungary.

Lafayette had great claims to your love and sympathy; but alas, I have none. I come an humble petitioner, with no other claim than those which the oppressed have to the sympathy of free men, who have the power to help; with the claim which the unfortunate has to the happy, and the down-trodden has to the protection of eternal justice and of human rights. In a word, I have no other claims than those which the oppressed principle of freedom has to the aid of victorious liberty. Then, I would humbly ask, are those claims sufficient to ensure your generous protection, not to myself, but to the cause of my native land—not to my native land only, but to the principle of freedom in Europe's continent, of which the independence of Hungary is the indispensable key-stone? If you consider these claims not sufficient to your active and operative sympathy, then let me know at once that the hopes have failed with which Europe's oppressed nations have looked at your great, mighty and glorious republic; let me know at once the failure of our hopes, that I may hasten back and tell Europe's oppressed nations, "Let us fight, forsaken and single handed, the battle of Leonidas; let us trust to God, to our right, and to our good sword; there is no other help for the oppressed nations on earth." But if your generous republican hearts are animated by the high principle of freedom and of the solidarity in the destinies of humanity; if you have the will, as, to be sure, you have the power, to support the cause of freedom against the sacrilegious league of despotism, then give me some days of calm reflection to become acquainted with the ground upon which I stand—let me take the kind advice of some active friends on the most practical course I have to adopt; let me see if there be any preparatory steps taken in favor of this cause which I have the honor to represent; and then let me have a new opportunity to expound before you my humble requests in a practical way. I confidently hope, Mr. Mayor, the corporation and citizens of the Empire city will grant me the second opportunity. If this be your generous will, then let me take this for a boon of happier days; and let me add, with a sigh of thanksgiving to Almighty God, that it is your glorious country which Providence has settled to be the pillar of freedom, as it is already the asylum of oppressed humanity.

I am told that I will have the high honor to review your patriotic militia. Oh, God! how my heart throbs at the idea to see this gallant band enlisted on the side of freedom against despotism; the world would be free, and you, the saviours of humanity. And why not? These gallant men take part in the mighty demonstration of the day, proving that I was right when I said that now a-days even the bayonets think. Citizens of New York, it is under your protection that I place the sacred cause of freedom and independence of Hungary.

PRICE 50 CENTS PER VOLUME.
Abbott's Illustrated Histories.

THE series comprises Alexander the Great,
Alfred the Great.
Charles the First.
Charles the Second.
Cleopatra, Queen of Egypt.
Constantine.
Cyrus the Great,
Darius, King of Persia.
Elizabeth, Queen of England.
Hannibal the Carthaginian.
Josephine.
Julius Cæsar.
King John.
Madame Roland.
Maria Antoinette.
Mary Queen of Scotts.
Nero.
Queen Anne.
Richard the First.
Richard the Third.
Romulus.
William and Mary.
William the Conqueror.
Xerxes the Great.

For sale by
H. D. TURNER,
N. C. Book Store.
Raleigh Dec 17th, 1851. tf 100

The Annual Meeting of the members of "The North Carolina Mutual Insurance Company" will be held at the office of the Company, in the City of Raleigh, on Tuesday the 13th day of January next, at 12 o'clock, M., for the purpose of electing a Board of Directors for the ensuing year.
JNO. C. PARTRIDGE,
Secretary
Raleigh, December 12th, 1851. 101

Calhoun's Great Work.

JNO. C. CALHOUN on the Government and Constitution of the United States.
Vol. 1, now ready, $2 00
Just received and for sale by
W. L. POMEROY.
Raleigh, December 11th, 1851. 101

RALEIGH AND GASTON RAIL ROAD.
SECOND INSTALMENT.

AT a meeting of the Board of Directors of the Raleigh and Gaston Rail Road Company, held at Raleigh on the 28th ult, it was resolved, that an instalment of 20 per cent upon the stock of the Raleigh and Gaston Rail Road Company be called for, payable on the 1st day of January next, interest to be charged if not paid within ten days thereafter, to the President, Treasurer or either of the Directors of the Raleigh and Gaston Rail Road Company, who are authorized to receive the same and give receipts therefor; and that interest would be allowed on all advance payments of Stock.
W. W. VASS, Treas. and Sec'y.
Office Ral. and G. R. R. C.
Raleigh, December 11th, 1851. 101

GROUND ALUM SALT.
FOR sale by the Sack, at
W. H. & R. S. TUCKER'S.

PROSPECTUS
OF THE NORTH CAROLINA
University Magazine.

THE Students of the University of North Carolina having deliberated in a body on the expediency of establishing a literary organ, and well convinced of the mental and perhaps moral benefit which may result therefrom, have resolved to execute their design. They take this appropriate means of informing the public.

No legitimate department of literature will be excluded rom the Magazine, and it is presumed that none will be held objectionable, provided the articles be thoroughly winnowed of the chaff of improprieties. Every effort will be exerted to interest its readers with originality and enlighten them with valuable information.

We do not indeed expect to produce aught "which the world will not willingly let die," but as we are aiding in the purpose which has placed us at College, on this account we may justly expect encouragement. To those who take an interest in us personally, and to those who sympathize to any degree in the ends which prompt us, we appeal unceremoniously, and with sure hopes of success.

The Editorial Corps will always consist of six members of the Senior Class.

The Magazine will be issued monthly (excepting January and July) from the press of Wm. D Cooke, Raleigh, N. C. To him also all subscriptions and communications must be addressed, post paid. The first Number will be issued 1s of February 1852. Terms of subsbription $2.00 per annum, in advance. City papers will please copy till February. 88
Nov. 1851.

EXTRA new hulled Buckwheat Flour, and a lot of superior Goshen Butter just to hand,
W. H & R. S. TUCKER.

Price $1,25.

THE Swallow Barn: A Sojourn in the Old Dominion, by the Hon. J. P. Kennedy, illustrated with 20 fine engravings on wood, from original designs by Strother 1 large vol. 12mo.

This remarkable book was first published 20 years ago and made a sensation. It has been since then quite "O P."—This edition is revised throughout and the illustrations are very happily characteristic of Southern life and manners.

For sale at the
N. C. BOOK STORE.
Raleigh, Dec. 12th, 1851. 101

OXFORD MALE ACADEMY.
GRANVILLE COUNTY, N. C.

THE next session of this institution will commence the 2nd Monday in January, under the conduct of Mr. J. H. Horner as Principal.

Mr. Horner was prepared for College under the tuition of Mr. W. J. Bingham, and was graduated at the University of N. C. in June 1844, with the highest distinction in an unusually numerous class. Since that time he has been constantly engaged in the business of Teaching, and for the last four years has had charge of the Male Academy, at Hamilton, N.C. He brings with him the most flattering testimonials of high moral character and of his eminent success in the government and instruction of boys

Tuition in the English Department, per session of 5 months, $12,50
Tuition in the Classical do 15,00

Oxford is considered one of the prettiest and most moral towns in the State, and is situated in an undoubtedly healthy region. It is thirteen miles from Henderson depot on the R. & G R. Road, which renders it very accessible to the Eastern part of the State. THO. B. LITTLEJOHN, *Pres't.*

Thos. H. WILLIE, *Sec'y.*
Thos. J. Hicks, Robert B. Gilliam, John C. Taylor, Jos. T. Littlejohn, Jno H. Herndon, W. W. Young, R. W. Lassiter, *Trustees.*
Oxford, Dec. 12th, 1851. wth 100

MUSICAL INSTRUCTION.
TO TEACHERS AND LEARNERS OF MUSIC.

THE undersigned respectfully represents, that in his native country, Germany, he was, for sixteen years, Professor of Music in a Government School for the education of Teachers, and as the fruit of his long experience, he has perfected a method of instruction for Piano-playing which combines a thorough knowledge of principles with a great saving of time and labor to the pupil. In one year may be acquired a pleasing execution of the usual Parlor Music, and, in another, the severer Studies of the great Classics, Haydn, Mozart, Beethoven and Handel may be successfully entered upon.

The undersigned will communicate to other teachers his method of instruction with the necessary exercises for $25. And he will give lessons to learners on the Organ, Piano, and Violin, in Singing and the art of Composition in any place at the South, where a class of fifteen can be secured, at one dollar the lesson. ☞ No charge will be made if after six lessons, entire satisfaction is not given.

The undersigned will soon publish several compositions, written since his arrival in this country, the schemes being popular and some of them national in their character.

HENRY WEBER,
Address to the care of Rev. Dr. WHEAT, Chapel Hill

Professor Weber comes introduced to me by a friend now travelling in Europe, and in the highest terms of commendation With the best means of judging for myself, I do not hesitate to say, that I have never met with his equal. He is not only a very fluent and brilliant performer, but employs Musical notation, with as much rapidity as I do the letters and words of this note, whether he would take down an air that a lady is singing at a party, or an original composition, as he sits daily at my Study-table.
J. T. WHEAT,
Dec. 10th, 1851. 100

Plants, Trees and Shrubs.

I HAVE just received a large lot of choice Plants and Trees, among which are many varieties recently introduced from China, Mexico, Chili, &c.

My stock is now sufficient, both as to quantity and quality, to justify me in seeking orders for almost any thing in my line.

Plants and Trees can be sent any distance, packed in boxes, with perfect safety any time during winter
C. LUTTERLOH,
Rowan street, Fayetteville.
December 12th, 1851. 100 3t
P. S. Flower Pots always kept for sale.

F. MORRIS & CO.,
(SUCCESSORS OF D. PAINE & CO.)
Managers of Lotteries.

WE have again the pleasure of announcing to the public the arrival of two more Magnificent Prizes sent to this Agency. On the 22d of August we sold to a citizen of Richmond the whole of the Capital of TWENTY THOUSAND DOLLARS, and on the next day we returned for the want of a purchaser, the whole of the Grand Capital of FORTY THOUSAND, making three Capital Prizes sent to this Agency in the short space of 60 days, amounting to ONE HUNDRED and TEN THOUSAND DOLLARS! In addition to these we have sold since the first of August, a Prize of 6,000, 2,000, 1,000, and numerous smaller ones.—Let it be remembered these prizes have all been sold in lotteries under the management of F. Morris &