

POETRY.

BURIAL OF SIR JOHN MOORE.

Who fell at the battle of Corunna, in Spain, in 1808.

No drum was heard, nor a funeral note,
The corse to the rampart we hurried,
No soldier discharged his farewell shot,
O'er the grave, where our hero we buried.

We buried him darkly at dead of night,
The sods with our bayonets turning;
By the struggling moonbeam's misty light,
And the lantern dimly burning.

No useless coffin enclosed his breast;
Nor in sheet nor shroud we wound him,
But he lay like a warrior taking his rest,
With his martial cloak around him.

Few and short were the prayers we said,
And we spoke not a word of sorrow,
But we steadily gazed on the face of the dead,

And we bitterly thought of the morrow.
We thought, as we hollowed his narrow bed,
And smoothed down his lonely pillow,
That the foe and the stranger would tread
O'er his head,

And we far away on the billow.
Lightly they'll talk of the spirit that's gone,
And o'er his cold ashes upbraid him,
But nothing he'll reck if they let him sleep on
In the grave where a Briton has laid him.

But half our heavy task was done,
When the clock toll'd the hour for retiring,
And we heard the distant random gun,
That the foe was suddenly firing.

Slowly and sadly we laid him down,
From the field of his fame fresh and gory,
We carved not a line, we raised not a stone,
But we left him alone with his glory.

CHIEF JUSTICE TAYLOR'S CHARGE.

In delineating the crimes which are cognizable by a Grand Jury, the Chief Justice thus speaks of Perjury.

"Perjury, is where a lawful oath is administered in some judicial proceeding to a person who swears wilfully, absolutely, and falsely, in a matter material to the point in question. The law takes notice of such oaths only, as are taken in some judicial proceedings, and these it requires to be taken, with some degree of deliberation; for if the falsehood be owing to inadvertence, surprize, or a mistake of the true state of the question, it is not considered voluntary and corrupt. It must be in some point circumstantially material to the question in contest; though it is not material whether the fact sworn to, be in itself true or false; for although it be true, yet if it were not known to be so by him who swears to it, his offence is as great as if it were false.

"When we reflect on the turpitude of this offence and the various mischiefs it produces in society, we shall be struck with the necessity of employing every means both of religious and moral instruction, and the due examples of punishment, to prevent its future growth. In whatever light it is considered, it is one of the greatest crimes which human nature, in its highest state of depravation, is capable of committing; and marks at once, the absence of all fear and reverence for the Deity, and all benevolence for his creatures. It assumes many shapes, in all of which it violates the divine commands, without coming, as to some, within the reach of human penalties; though in no form can it be committed without producing some injury to the public and individuals. The nature of the crime cannot be too deeply imprinted on the minds of all men, and the sanctions under which it is forbidden, kept in too lively a remembrance. It cannot therefore be unreasonable on the present occasion, when so many people have assembled together to participate in, or be affected by the administration of the law, to examine particularly the nature of an oath.

"A person who takes an oath imprecates the vengeance of the Almighty, if what he says be false, and kisses the Gospels to mark his reverence for their contents, and his belief in their promises. He may be supposed to address his Maker thus: 'I believe in thy existence, O God! that my soul is immortal, and that I must hereafter appear before thee to be judged for the deeds done in the flesh! I deliberately consent that thou mayest then adjudge me to eternal misery, if I do not now tell the truth!'

"The book, in the authenticity of which he thus solemnly declares his faith, contains certain precepts on which some of which were delineated such circumstances as we expect that exact obedience will be required. 'Thou shalt not bear false witness against thy neighbor.'

"The Lord will punish the man that speaketh lies. 'Thou shalt not bear false witness against thy neighbor.' 'Thou shalt not bear false witness against thy neighbor.' 'Thou shalt not bear false witness against thy neighbor.'

"Ye shall not swear falsely, neither shalt ye use the name of thy God, by speaking a thing contrary to our knowledge, or to the precepts which are revealed wherever a man speaks knowledge; asserts with confidence what he only believes; or

pretends to believe with perfect assurance, when he has, in reality, only ground for conjecture. As a witness is sworn to tell the whole truth, he violates his oath if he conceal, with design, any thing which he thinks may be of importance; for withholding a truth, may as frequently lead to injustice as advancing the greatest falsehood. It must result from the nature of the thing, that many of these violations of an oath cannot be reached by any human laws against perjury; but on that very account it becomes more necessary that men should be put on their guard, and distinctly understand the responsibility they incur. I consider it very clear that the great laws I have cited may be violated by any artifice which a witness employs to colour or disguise the real state of a case.

"When we consider too the fallibility of human nature, and how frequently men are influenced by improper motives, sometimes without perceiving it themselves; how often, esteem for one man and dislike of another, party zeal, resentment, or compassion, will pervert the judgment, a cautious witness will deliberate before he testifies, and take care that nothing lurks in his heart that may corrupt his integrity. Cases sometimes occur which present strong temptations, and therefore more particularly require self-examination. A man may be called to testify in a cause which he thinks may be his own, or bear some resemblance to one which he expects hereafter, and though he forms no design to misrepresent, yet the bias of partiality colours every circumstance he narrates, and almost without knowing it himself, he makes a false impression on the minds of his hearers. Sometimes a motive which has the appearance of generosity, may prompt him to the illusion, that it is a merit to transgress for the sake of serving a friend in a hard case, or for promoting a good cause; not recollecting that truth is the best of causes, and undue favour shown to one side, cannot fail to produce injustice to the other.

"Perjury was anciently punished with death by the common law; and in like manner by the ancient laws of Rome. Perjury committed in capital cases, is still punished with death in France. The law of Moses prescribes the punishment of retaliation: an eye for an eye, a tooth for a tooth; and at one period of the Roman government, a similar punishment was established. Were we to confine our view to the crime and its consequences, we should pronounce the severest judgment to be the most just one; but when we consider the design and policy of punishment, there may be reason to fear that honest witnesses might be deterred from giving evidence against men in capital cases, if thereby they might be prosecuted capitally themselves.

"Murder committed by means of perjury, has a character of deeper atrocity, than when done by open violence; because it superadds to the destruction of life, ignominy and dishonor.

"Perjury always involves the violation of truth, and every sort of injustice is aggravated where it is the offspring of falsehood. Open force a man may sometimes repel by his personal strength, or the preventive aid of the law. Neither one nor the other can guard him from the attacks of a false witness.

"This crime tends to destroy all confidence amongst men and to undermine the foundations of society: for this cannot subsist without the administration of public justice. Courts and juries can only execute the laws by giving faith to witnesses; and whenever false testimony prevails, the law becomes an instrument of injustice and oppression. Were it universally prevalent, there must be an end of civil government.

"It cannot be extenuated, as some other offences are, by passion; but must always be deliberate and malicious. Nothing can so strongly bespeak a heart steeled against every virtuous impulse; and in our estimate of the character of a false witness, we scarcely know which feeling preponderates, terror or contempt.

"Against a crime so detestable and destructive, every precaution ought to be used,—by the legislature, in enacting the most effectual laws,—by magistrates, in carrying them into vigorous execution,—and by every member of the community, in expressing the utmost abhorrence of the offence, and striving to make the very imagination of it alarming to the mind.—One method would be, to administer oaths with greater solemnity than is now used. Indeed the hasty and irreverent manner in which they are commonly administered, is, in itself, calculated to lessen our respect for them. Another useful regulation would be, to appoint as few oaths as possible; and never to require them but upon important occasions; for where they

are taken frequently, they will be taken irreverently. They should never be required by law where interest is constantly tempting men to use them falsely. The design of them will then be frustrated, and they will operate to the benefit of bad men, who are disposed to gain by perjury, and to the injury of good ones, who will not incur the guilt.

"Our law punishes this crime with a fine not exceeding \$500, with standing in the pillory for one hour, the loss of both ears, and a disqualification to give testimony thereafter."

BY AUTHORITY.

An act granting a pension to Com. Richard Taylor.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the third day of September, one thousand eight hundred and sixteen, a pension of three hundred dollars per annum be allowed to Commodore Richard Taylor, in consequence of a total disability arising from a wound received in a conflict with the enemy in the Revolutionary war, while in the command of a flotilla in the waters of the Chesapeake, under a commission of Captain in the navy from the State of Virginia, to be paid to him the said Taylor, half yearly, out of any moneys in the Treasury not otherwise appropriated by law.

March 1, 1817.—Approved JAMES MADISON.

An act making reservation of certain public lands to supply timber for naval purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the navy be authorized, and it shall be his duty under the direction of the President of the United States, to cause such vacant and unappropriated lands of the United States as produce the live oak and red cedar timbers to be explored, and selection to be made of such tracts or portions thereof where the principal growth is of either of the said timbers, as in his judgment may be necessary to furnish for the navy a sufficient supply of the said timbers. The said Secretary shall have power to employ such agent or agents and surveyor as he may deem necessary for the aforesaid purpose, who shall report to him the tracts by them selected, with the boundaries ascertained and accurately designated by actual survey or written courses; which report shall be laid before the President, which he may approve or reject, in whole or in part; and the tracts of land thus selected with the approbation of the President, shall be reserved, unless otherwise directed by law, from any future sale of the public lands, and be appropriated to the sole purpose of supplying timber for the navy of the United States; Provided, That nothing in this section contained shall be construed to prejudice the rights of any person or persons claiming lands which may be reserved as aforesaid.

Sec. 2. And be it further enacted, That if any person or persons shall cut any timber on the lands reserved as aforesaid, or shall remove or be employed in removing timber from the same, unless duly authorized to do so, by order of a competent officer, and for the use of the Navy of the United States; or if any person or persons shall cut any live oak or red cedar timber on, or remove or be employed in removing from any other public lands of the United States, with intent to dispose of the same for transportation to any port or place within the United States, or for exportation to any foreign country, such person or persons so offending, and being thereof duly convicted before any court having competent jurisdiction, shall pay a fine not exceeding five hundred dollars and be imprisoned not exceeding six months.

Sec. 3. And be it further enacted, That if the master, owner or consignee, of any ship or vessel, shall knowingly take on board any timber cut on lands reserved as aforesaid, without proper authority and for the use of the navy or shall take on board any live oak or red cedar timber, cut on any other lands of the United States, with intent to transport the same to any port or place within the United States, or to export the same to any foreign country, the ship or vessel on board of which the same shall be seized, shall, with her tackle, apparel, and furniture be wholly forfeited.

Sec. 4. And be it further enacted, That if any timber as aforesaid shall, contrary to the prohibitions of this act, be exported to any foreign country, the ship or vessel in which the same shall have been exported shall be liable to forfeiture, and the captain or master of such ship or vessel shall forfeit and pay a sum not exceeding one thousand dollars.

Sec. 5. And be it further enacted, That all penalties and forfeitures incurred for taking on board, transporting or exporting timber by force of this act, shall be sued for, recovered, and distributed, and accounted for in the manner prescribed by the act, entitled, "An act to regulate the collection of duties on imports and tonnage," and shall be mitigated or remitted in the manner prescribed by the act, entitled "An act to provide for mitigating or remitting the forfeitures, penalties, and disabilities accruing in certain cases therein mentioned."

March 1, 1817.—Approved, JAMES MADISON.

NOTICE. A JOURNEYMAN TANNER—one who understands the business of Tanning and Dressing of Leather, will meet with employment at my Tanyard, 2 miles west of Person Courthouse, North-Carolina, any time on or about the 1st of September next.

SAMPSON M. GLENN. N. B. The situation of the Tanyard is high and healthy.

JUST PUBLISHED.

AND will speedily be in the hands of the principal Booksellers throughout the United States.—The 4th Edition, greatly improved, of Ewell's celebrated FAMILY PHYSICIAN, entitled the

MEDICAL COMPANION:

Treating, in the most clear and concise manner, almost every disease to which the human body is subject, with their names, Symptoms, Causes, Cure, Regimen, & Means of Prevention. A Dispensary for preparing Family Medicine, and a Glossary for explaining technical terms. To which are added, in this 4th edition, a brief Anatomy of the Human Body; an Essay on Hygiene or the art of preserving health and prolonging life; an American Materia Medica teaching country gentlemen the very important knowledge of the virtues and doses of our Medicinal Plants—also, a concise and impartial history of the CAPTURE OF WASHINGTON; and the diseases which sprung from that deplorable disaster.

The very rapid sale of three large editions of the Medical Companion, furnishes an evidence of its worth. But as nothing is more natural than to rely on the judgment of those who are acknowledged to be masters in the science they recommend, the following criticism is subjoined, from that high class of medical authorities whom the universal suffrage has placed at the head of the healing art in the United States.

We have carefully perused Dr. Ewell's Family Physician, entitled "The Medical Companion," and consider it the most useful popular treatise on Medicine ever published; and coming from the pen of a native physician, is better adapted to the general circumstances of the people of the United States than any foreign production of the kind whatever. The writings of Tissot, Buchan and Reccé on this subject, have deservedly acquired reputation, but their practice is adapted rather to the diseases of the countries in which they lived, than those of our own. Families remote from medical aid, will find their account in possessing a book which describes diseases so plainly, and prescribes for them so judiciously, as bid fair to save valuable lives which might otherwise be lost.

- SAMUEL L. MITCHELL, Professor of Chemistry, &c. New-York.
- WM SHIPPEN, Professor of Anatomy, Philadelphia.
- B. S. BARTON, Professor of Materia Medica, Philadelphia.
- J. WOODHOUSE, Professor of Chemistry, Philadelphia.
- N. CHAPMAN, Lecturer on Midwifery, &c. Philadelphia.
- CHARLES CALDWELL, Physician Philadelphia.
- JOHN B. DAVINE, Professor of Anatomy, Baltimore.
- JOHN SHAW, Professor of Chemistry, Baltimore.
- BROWN & MACKENZIE, Physicians, Baltimore.
- JOHN WEENA, Physician, Georgetown.
- DAVID RAMSAY, Charleston.
- ALEXANDER BARROU, Physician, Charleston.
- P. C. PRIOLEAU, Physician, Charleston.

The above commendations were bestowed on the Medical Companion as soon as it appeared. In this, its first and comparatively unfinished form, it passed through two large impressions. But sensible that it might be rendered still more complete, the author was in the mean time preparing, and has now in the 3d and 4th editions added, a number of very important chapters. In its improved state, it will be found that the Medical Companion treats not only of the art of preserving health and curing disease, but also includes a familiar knowledge of the human system, with all its parts, and the laws that govern its economy. It is obvious, that b. due attention to what is termed the non-naturals, by which is meant air, food, exercise, sleep, evacuations and passions, we may go far to protect this fabric from injury or disease. To inculcate this truth more universally, the discussions contained in the work, on this subject, are enlivened with appropriate illustrations, which are well calculated to make impressions on the mind of the reader, as lasting as they are important.

Not the least valuable portion of this work is the Materia Medica, pointing out those precious simples wherewith God has graciously stored our meadows, fields and woods, for the healing of our diseases, and rendering us happily independent of foreign medicines which, while they are sometimes hard to be obtained, are frequently adulterated, and always costly.

As the principal object of this book is, to convey instruction to domestic practitioners, it is written in a style plain and familiar, accompanied by a detailed index; so that in all cases of disease, the reader may be directed, without trouble or embarrassment, to the appropriate remedies. Conducted by such a guide, it will not be presumptuous to state, any person of tolerable capacity, devoting the slightest attention, may be enabled to practise with safety and advantage in those cases of simple disease which are most incident to our climate.

How far the author has accomplished his wishes in these important respects, the reader is left to judge from the following letters.

Philadelphia, Aug 13, 1816.

DEAR SIR—I have looked over with some care the copy of the third edition of the Medical Companion, which you did me the favor to present to me

By the additions and revisions given to this new impression of the work, it is not only enlarged, but exceedingly improved.

After stating so much, I need hardly repeat an opinion which I publicly expressed on a former occasion, that I considered it as indisputably the most useful popular treatise on medicine with which I am acquainted

Compared with the European book of the same nature, it has, especially in relation to the treatment of the diseases of our own country, a very decided superiority.

I trust that the success of this literary enterprise may be equal to your very generous and benevolent disposition.

With great respect, I am, dear sir, &c.

N. CHAPMAN, M. D. Professor of the Institute and practice of Medicine and Chemical practice in the University of Pennsylvania.

Dr. JAMES EWELL.

Philadelphia, Aug. 13, 1816. DEAR SIR—I have derived much satisfaction from a perusal of the third edition of your Medical Companion.

The additions and improvements which it contains, as compared with the two first editions of the work, are extensive and valuable.

To families in the country, remote not only from medical aid, but from places where common medicinal articles are to be procured, your Materia Medica alone, disclosing to them the healing resources of their own farms and forests, will be of high value. And, provided they be true to their best interests, and avail themselves of the advantages offered at their disposal, will your rules and directions for the preservation of health, be less useful to them. In addition to these important branches now introduced into the Medical Companion for the first time, it contains a large amount of new miscellaneous matter, which cannot fail to be interesting to the reader.

On the whole, if I be not greatly mistaken, in my estimation of the character of your work, it is well calculated to prove extensively useful, and to place you in the midst of the permanent benefactors of your country.

That you may receive in reputation and wealth, your full reward, is the sincere wish of dear sir, your very humble and obedient servant,

CH. CALDWELL, M. D. Professor of Natural History in the University of Pennsylvania.

The price of the first and second editions of the Medical Companion, though scarcely exceeding 300 pages, was \$3 50. This fourth edition, greatly improved, and augmented to 700 pages, neatly bound and lettered, is put at the very moderate price of \$5.

Washington City, July 17. 32

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