

FOREIGN NEWS.

LATEST FROM ENGLAND.

New-York, Nov. 10.

By the fast sailing ship Maria, Duplex, which arrived last evening in 30 days from Liverpool, the Editors of the Mercantile Advertiser have received London and Liverpool papers to the 7th of October inclusive. The following extracts comprise all the political and commercial intelligence of interest they contain.

A further advance in the price of new wheat took place in the London corn market on the 6th of October. Old wheat remained at the same price as the week previous. The average price of wheat for the week ending 29th Sept. was 74s 1d.

American Stocks at London, Oct. 4. New Six per cents, 105; Savans 111, dividend from 1st of October. Bank shares, nothing done. Price of New dollars 5s 2d.

LONDON OCTOBER 5.

This morning we received German papers to the 20th ult. They confirm the former account of the death of her Imperial highness, the consort of the Archduke Palatine, in giving birth to a son and daughter. The children are said to be in good health. The plague continues its ravages in Constantinople; but a letter from Petersburg, of the 29th August, seems to threaten an aggravation of this misery, by super-inducing the horrors of a war between Russia and Turkey. Our readers have been already apprized of the execution of Czerny Georgios, by order of one of the Turkish Governors, who, it seems, did not think his character, as a rebel to the Porte, superseded by that of a Lieutenant General in the service of Russia, and Knight of St. Anne of the First Class. The intelligence of this event created a lively sensation in Petersburg, and a courier was immediately dispatched to the Russian Minister at Constantinople, commanding him to require categorically, and within 14 days, a public declaration from the Porte, disavowing this act, and the exemplary punishment of the perpetrators: and, if this be not complied with in the course of 14 days, he shall immediately leave Constantinople. The same courier carried orders to suspend the building of the new palace for the Russian Embassy at Constantinople; and another courier was at the same time dispatched to the head quarters of General Beningsen. We are not prepared to find the Porte so very tenacious of a Bashaw's head as to involve itself, for a consideration so trifling, in a contest with the formidable power of Russia.

Letters from the Hague state, that the conferences for the conclusion of a treaty of commerce and navigation, between the kingdom of the Netherlands and the United States of America, are postponed until the American Plenipotentiaries shall have received ulterior instructions.

Mr. Gallatin, Ambassador from the United States to the court of France, who had been charged with these negotiations, has returned from the Hague to Paris.

Ships continue to be equipped in the river for the purpose of conveying officers, non-commissioned officers & privates, to aid the Patriots in South America. At present one vessel is quite ready to sail, having on board officers fully equipped and 200 privates, to form a rifle corps. The officers are all men who have seen active service, and are of every rank from lieutenant colonels to ensigns. The organization is so complete, and the arrangements so happily made, that they will be ready for immediate service on their arrival.

Letters from a central part of Spain mention, that the troops destined for South America, and sent down to Cadiz and other parts of Andalusia, had been recalled into Estremadura, the government not having the means to subsist and pay them in the districts in which they were first ordered to assemble.

We understand that Spain is making an effort to restore its naval and military force, and a very considerable order for naval and artillery stores has been lately received in this country to be shipped for Spain.

It is stated that the army of the Emperor in Russia, under the command of General Beningsen, which was to have been employed in cantonments, is, according to the latest orders, to remain in the same position until further directed. If so, this measure is intended to support the deplorable situation at Constantinople, respecting execution of the law.

Oct. 4. The Allied Monarchs have issued a decree for the course of next year, coming to a determination to send the army of occupation to Frankfort and Aix la Chapelle, and to be successively assembled, but it now appears to take place at Mal-

FROM SOUTH AMERICA.

It is stated in the Nantucket Gazette, that Captain Weeks, of the ship Martha, who left Valparaiso on the 11th of July, and arrived at Edgartown on the 20th ult. touched at Rio Grande on the 6th of September, where it was reported that a "second revolt had taken place at Pernambuco, and that the city was in possession of the Patriots. The ship Enterprize, Captain Coffin, of Philadelphia, from Juan Fernandez, arrived at Valparaiso 9th July, with the garrison from that place, who had given themselves up to the Patriots.

Captain Arnold, of the ship Lucy, from Bordeaux, has brought out dispatches for government, from the American Minister at the Court of Spain. It is presumed that these dispatches relate to the negotiations carrying on between the United States and Spain, as to the purchase of the Floridas. It is distinctly understood on very good authority, that Great Britain has said to Spain, "If you choose to keep the Floridas it is well; but if you determine to sell them, we thing we have a right to the preference, and we shall expect the first offer." This language has offended and embarrassed the Court of Madrid, although we do not believe it will influence its determination; indeed we feel confident that that determination is made, and is now in the United States. We come to this conclusion from a knowledge of the fact that the Spanish Minister, Don Onis, has at this moment in his possession sealed dispatches from his Court, which dispatches he is directed not to open until the meeting of Congress.

Dem. Press.

GENERAL ASSEMBLY.

HOUSE OF COMMONS.

MONDAY, NOV. 17.

A quorum of Members of the General Assembly being present, and being duly qualified, the two Houses proceeded to business.

John Branch, Esq. was appointed Speaker of the Senate, and Gen. James Iredell, Speaker of the House of Commons.

Robert Williams was appointed Clerk of the Senate, and Benj. H. Covington, Clerk Assistant, and Pleasant Henderson Clerk of the House of Commons, and Wm. B. Lockhart Clerk Assistant.

The old Doorkeepers were elected.

TUESDAY, NOV. 18.

Messrs. Hawkins, Borton, and Nash were appointed a Committee to draft Rules for the government of the House of Commons, which they reported during the sitting and they were concurred in.

A committee was appointed to wait on the Governor to inform him that both Houses were organized, and ready to receive any communication which he might have to make to them. The Committee reported that the Governor would make his communication at 1 o'clock, to-day.

A message proposing to ballot for Engrossing Clerks to-morrow was sent to the Senate.

The following Message was received from the Governor, by Mr. Sanders, his Private Secretary:

To the Honorable the General Assembly of the State of North-Carolina, GENTLEMEN,

To meet you at a period like the present, when our country, prosperous in her foreign and domestic relations, her citizens sacrificing their party differences at the shrine of patriotism, & the earth, as if to fill up the measure of our happiness, has compensated with the richest abundance, the labors bestowed upon it—a circumstance peculiarly well calculated to afford cause of congratulation, and to call forth the warmest expressions of gratitude to the great Author of all these blessings.

The rapid progress we have made as a nation, in improvements tending to ameliorate the condition of man, seems to point to the high destiny reserved for the United States, and it behoves us as a consistent member of the union, not to be backward in exertions calculated to give us a respectable stand with our sister States in this advancement.

The rank which each State has in the union, is in a great measure, estimated by her commercial importance. Situated as North-Carolina is, voiding her export through the two adjoining States, she has not that consequence in the commercial world, to which her population and productivity so eminently entitle her. To raise her to her proper station, claims the united efforts of every North-Carolinian.

A report upon the subject of opening an outlet to the ocean, will probably be laid before you at this session. If it be practicable, the advantages arising from it to the State, would seem not worthy of a competition with any reasonable expense. A spirit of internal improvement has of late gone abroad, which if properly cherished, may be productive of the most beneficial effects; and I am not aware that the surplus funds of the Treasury can be better applied, than in aiding individual enterprise, in undertakings to advance the happiness and convenience of our citizens, and to give the State a rank among her sister States commensurate with her population and extent of territory.

To enlighten the public mind in a free government, has ever been held the surest mode of perpetuating the blessings of that government. In proportion as each individual in a community is informed,

just in that proportion is he calculated to appreciate the benefits derived from that community. To devise a plan by which instruction may be extensively diffused, occupied some portion of the attention of the last Legislature, and as the subject may again be submitted for your consideration, it may not be unseasonable for me thus to invite your attention to it in a particular manner.

Upon the two former occasions, when I had the honor to address you, I took the liberty of soliciting your attention to the Judiciary, and you may judge of the importance attached to the subject in my mind, from my again bringing it before you. It will be readily admitted, that next to the legislative, this is the next most important branch of the government, and upon its proper organization a great deal depends. The accumulating duties of the present Circuit Judges would seem to demand, that their attention should exclusively be devoted to the duties of their circuit; and whether the Supreme Court, whose decisions are to determine what is the law of the land, and are to be handed down as precedents for the guidance of future generations, should not be composed of men who could devote their time and attention exclusively to the business of that Court, seems to me well worthy of consideration. A curtailment of the circuits shows with deference recommended.

A complete revision of the criminal code of our State has in recently occupied the attention of the Legislature, and may possibly be brought before you this session. Should it not, there is one part of it which appears to me to require amendment—I allude to the punishment of horse stealing. I am fully sensible of the delicacy with which subjects of this sort should be touched; but feel myself treading upon safe ground, when I take the position, that no punishment should be inflicted in direct opposition to public sentiment. That which most men will unite promptly in pronouncing wrong, must certainly be wrong. And though the law as it now stands has been in force for some years, this circumstance is not to my mind conclusive evidence, that public sentiment is in its favor. It is to be remembered that the public attention has for some years back, been drawn to a complete change of our criminal code, and this law may have been permitted to exist in expectation of this change. For my part, I have been led to the conclusion, that public opinion is in opposition to the present mode of punishment, from the circumstance, that not a conviction has taken place in the State, since I have been in office, but a petition has been presented for a pardon, signed, in every instance coming at this time within my recollection, by all the Jury, and a long list of others of the most respectable kind, soliciting a pardon solely upon the ground of the severity of the punishment. And I have, in every instance, yielded to the prayer of the petitioner, not from the belief that the power of pardoning carried with it a dispensing power, but from a firm conviction, that public sentiment was in hostility to the present law, and that every officer is bound, no matter by what tenure he may hold his office, to pay respect to that sentiment.

A well organized and well trained Militia is no doubt the surest safeguard in a free country, and deserves all the encouragement which have upon various occasions been lavished upon that species of force. But the great difficulty in this as well as many other States seems to exist in obtaining a force of this description thus well organized and trained. Without meaning any disparagement to the courage or patriotism of the Militia of this State, the fact is too evident to be denied that they are in a deplorable state as regards discipline. To give to this great mass of moral and physical force, the efficiency which it merits and is capable of receiving, it is indispensable that they should be instructed and practised in the rules by which they are to be governed. Towards an accomplishment of this important work, the expediency of instituting a system, which shall, in the first instance, call into the field at the public expense, and for longer periods than at present, certain portions of the commissioned and non-commissioned officers, is recommended for your consideration. The instruction and discipline thus acquired, would gradually diffuse through the entire body of the Militia that practical knowledge and promptitude for active service, which are the great ends to be pursued.

In conformity with a resolution of the last General Assembly, I enquired of the commanding officers of the counties to which arms had been distributed by the act of 1812, relative to the situation of the arms. The result of that enquiry may be seen upon an examination of the packet marked (A.) containing the reports of the officers. The act of 1812 makes it the duty of the Governor to distribute the arms which may thereafter be received from the general government to certain counties named in the act. I declined complying with the requisites of this act as to the fifteen hundred and eighty stand which were received in 1816, until the sentiments of the Legislature should be expressed upon the reception of the report of the state of the arms already distributed. These arms still await your disposition at the United States' store houses in Wilmington and Newbera.

Information has been received that the Ordnance Department of the United States is prepared to deliver the proportion of arms and equipments to which this State is entitled by an act of Congress. An offer has been made to deliver in artillery a proportion of the value of what may be found due. There being no authority to assent to this proposal, the subject is submitted to your consideration.

I lost no time in transmitting to Mrs. Blakely the resolution of last session relative to the maintenance of her child. Mrs. Blakely has accepted the offer made by the Legislature, and has drawn upon the Treasurer for six hundred dollars for its support for five years, accompanied with a request, that should this sum be

thought large, the Legislature would greatly add to the obligations she is already under, if a sum could be named for which she might draw for semi-annually. That part of the resolution directing the Sword voted Capt. Blakely by a former Legislature, to be purchased and presented to Mrs. Blakely has not been carried into effect, and it is submitted if some other present, for instance a set of tea plate, would not be a more suitable present, the child being a female. Mrs. Blakely's letters upon this subject are submitted in the file (B.)

In compliance with the resolution authorizing and requesting the Governor to order a Court-Martial for the trial of General Roberts, an order was issued for the Court to assemble at the Court-House in Newbern on the 16th of June. General Roberts was arrested but permitted to go at large. He was notified of the time and place of meeting of the Court, and served with a copy of the charges and specifications. The Court assembled at the time and place appointed, and General Roberts not making his appearance, the Court declined trying him on the original charges and specifications, but cashiered him for breach of arrest in not making his appearance, and without notice of the charges. Upon the proceedings being submitted for my approbation, they were disapproved, upon the ground that a man could not be tried in his absence without notice. I then directed the Adjutant General to issue an order to the commanding officer of the county of Carter, to order out a detachment of Militia if necessary, to arrest General Roberts and keep him in close confinement until the Court could be assembled; and a Court was accordingly ordered to assemble again at the Court-House in Newbern on the 13th October. This latter proceeding was founded upon the following clause in Macomb upon Martial Law, p. 54. "Although the Martial Law makes no mention of any difference in the manner of the arrest in order to trial, a difference is established by the custom of the army, according to the degree or measure of the crime. An officer accused of a capital crime, or any offence of which the penalty is so severe as to excite a natural temptation to escape from justice, ought to be detained in a state of confinement as secure as the closest civil imprisonment. If the offence be of a lighter nature, the presumption is, that the officer whose character is thus impeached, must be solicitous to obtain a judicial investigation of his conduct, and he is therefore generally allowed to be in arrest at large, that is to walk about without certain limits, without his sword, on his word of honor; to await the issue of a trial, or his enlargement by proper authority. The degree and measure of the arrest must however, be entirely at the discretion of the commanding officer, who will in all cases regulate his conduct by the particular circumstances, and by the dictates of propriety and humanity."

Upon this latter part of the clause, believing the degree and measure of the arrest to be solely at the discretion of the commanding officer, and as General Roberts had not evinced any wish to have a judicial investigation of his conduct, and had further evinced that his honor was not to be relied on, for making his appearance, I conceived myself authorized to order him into close confinement. From this close confinement the Judge who rode the circuit thought proper to release him, and feeling no disposition to have the force of assembling a Court-Martial react without any compulsory power to compel the attendance of General Roberts, an order was issued by my direction to prevent the assembling of the Court a second time. This statement is made with a view to obtain Legislative provision, to compel the attendance of officers on Courts-Martial, if the decision of the Judge be correct.

It is much to be lamented that a cause of difference should exist between two states, having such strong inducements to union as North-Carolina and Tennessee.

The memorial which was presented to the last session of Congress, having been, as I have been informed, postponed in consequence of the pressure of business; it is most respectfully submitted, whether the bringing the subject again to the view of Congress, by another memorial (lest the one already presented should be permitted to remain another session among the unfinished business of the last,) treating with due respect the feelings of our sister state, but, at the same time, supporting with dignity and firmness the rights of North-Carolina, would be deemed superfluous or intrusive.

A letter is herewith submitted from George Graham, Esq. acting Secretary of War, containing information, that the Commissioners appointed to treat with the Cherokee Indians, have signed a treaty by which that nation have relinquished their claim to a tract of country, including the whole of the land claimed by them within the limits of the State of North-Carolina, and that this treaty would be submitted to the Senate at their next Session.

The claim of North-Carolina against the United States for monies advanced by the State, in payment of Militia called into the service of the United States, remains unsettled. The War Department has been from time to time furnished with the documents called for. By a letter received a few days since from the 3d Auditor, I am informed that upon an estimate being furnished of the probable amount of the outstanding claims, a further sum will be advanced to the Executive of the State to meet the payment of them; and that a final adjustment will be made upon the completion of the Payments, and the transmission of the additional documents. This estimate has been furnished.

I have the honor to lay before you a proposal of John Melish, Esq. of Philadelphia, relative to the publication of a new Map of the United States, also two small treatises of Robert Owen, Esq. on the subject of ameliorating the condition of the poor, and a file of English papers, in which the views of the author are more fully developed. These have been received

in the course of the current year, through the Hon. John Quincy Adams, Esq. his return to the United States from the Court of St. James, with a request of the author that they should be thus submitted, of Queens square place, Westminster, received through the same channel, on the subject of Penitentiary houses, and education, are, at the request of the author laid before you.

A letter from Nathan Starr, Esq. of Middletown, Connecticut, offering to furnish the State with any number of swains which may be ordered, is contained in the file (A.)

An artist of established reputation in Philadelphia has been engaged to execute the two full length portraits of General Washington, ordered by the last General Assembly, and I had somewhat cherished the hope, they would have been ready for the meeting of the session.

Eleven boxes of the Laws of the Session of the Fourteenth Congress, have been received and are now in this office to be distributed by the Legislature.

This communication is accompanied with such resignations of Militia Officers and Justice of the Peace as have been received at this office, together with a letter book and such other documents as it is necessary should be laid before you.

On this last occasion of addressing you, I cannot omit the fit opportunity of presenting to you, & through you to our predecessors, my sincere thanks for the repeated instances of confidence reposed in me. The indulgence with which my conduct while in office, has been viewed by my friends, will always be remembered with gratitude. In administering the affairs of the State, I have no doubt committed many errors. It is the province of humanity to have been errors of the understanding, and not of inclination.

That your deliberations will be directed to the interest and prosperity of the state, your constituents have a sure guarantee in the circumstance of your being selected from them, from your attachment to and knowledge of their interests.

With the highest consideration and respect,
I have the honor to be,
Your Obedient Servant,
WILLIAM MILLER.

WEDNESDAY, NOV. 19.

The following standing Committees are appointed:

Committee of Finance—Messrs. Reed, Davidson, Murphy, Pickett, McKay, Bland, Ch. Johnston and Baker, of the Senate, and Messrs. H. Y. Webb, Love, Phifer, J. Wiley, Nash, Brown, Burton, L. F. Wilson, Jacobs, Mauley, Prince, Standly, Sellers, A. Moore, Winslow and Gilchrist, of the Commons.

Committee of Claims—Messrs. Green, Wright, Wade, Kenan, Frink, Speight, Perkins, and Hilliard, of the Senate, and Messrs. Brittain, J. R. McDowell, Hall, Watson, Sedgwick, Jones, Craven, R. Jones, J. Williams, Perry, Hudgins, R. Cherry, H. Bryan, Pearsall, B. R. Smith, Blackman and Harrington, of the Commons.

Propositions and Grievances—Messrs. Alex. Perkins, Conner, Farrar, Atlas Jones, Leonard, McKinnic, Hall and Hill, of the Senate; and Messrs. Hoyle, Collins, Ferrand, Caldwell, Lockhart, Hayward, R. H. Jones, Boon, Nelson, Mosely, Baker, Ward, Coleman, J. C. Williams, Felton and Haghighi, of the Commons.

Mr. Jacobs, from the balloting committee for three Engrossing Clerks, reported that the following four persons had a majority of votes, viz. B. B. Smith, Thomas T. Armstrong, Wm. M. Wang and Wm. M. Sneed.

Four having a majority, and three Clerks being only wanted, presented a difficulty, and the subject was postponed till to-morrow.

THURSDAY, NOV. 20.

The House took up the Report of the balloting committee for Engrossing Clerks, and, on motion resolved that the three persons having the highest number of votes are duly elected.

In the Senate the several subjects recommended to the consideration of the Legislature in the message of the Governor were referred to distinct committees. The subject has not been taken up by the House of Commons.

THE ANNUAL MEETING of the Board of Trustees of the University of North-Carolina, will be at the Executive Office on Saturday evening next, at 7 o'clock. Raleigh, Nov. 20.

TAKE NOTICE CAVALRY.

THE Wake Troop of Cavalry are required to parade at Mr. Jeter's Tavern on the first Saturday in December next, equipt as the law directs precisely at 11 o'clock. GREEN DAVIS Capt. Nov. 20 48 2v

BANK STOCK FOR SALE.

SEVENTY-EIGHT SHARES of the Capital Stock of the Bank of Newbern, will be sold to the highest bidder for ready money at the Courthouse in Raleigh, on Friday the 15th of next month, at 4 o'clock P.M. by the Executors of Wm. Glasfording, dec. Raleigh, Nov. 17 48

NOTICE.

FIVE Cents reward for bringing home my Apprentice Wilson Ballow, to our house in Burke county, N. C. Muddy creek. I forwarn all persons from harboring him, under the penalty of the law. MARY LAUGHLIN. October 9.

NOTICE.

STRAYED or Stolen on the 26th of April last, from the subscriber, living 7 miles east of Charlotte, Mecklenburg county, N. C. a likely young Grey HORSE, five years old, about 15 hands high, no particular marks recollected. Said horse is very gentle and tractable in gear. Any person or persons taking up said Horse and returning him, or giving any information so that he get him, shall be liberally rewarded for it or their trouble. THO'S. L. HUTCHINSON. November 10 48 1v