

# The Kentucky Advertiser.

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[VOL. III.]

## CONDITIONS.

TWO DOLLARS if paid in advance—TWO DOLLARS & FIFTY CENTS in six months, or THREE DOLLARS at the expiration of the year.

No paper will be discontinued until all arrearages have been paid.

Those who do not direct their papers to be discontinued at the end of the year will be considered as engaged for the next.

Subscribers at a distance whose papers are sent at our expense, will be charged 25 cents per annum in addition.

ADVERTISEMENTS, not exceeding a square, will be inserted for 50 Cents the first insertion, and 25 cents for each continuance. Those coming from the country must be accompanied by the CASH, or they will not be attended to.

## FROM THE NATIONAL REGISTER.

To the literary and professional gentlemen in the United States who are willing to afford their aid to the dissemination of useful knowledge, the following letter is respectfully addressed:

## CIRCULAR.

Office of the National Register,

WASHINGTON CITY, Aug. 31, 1816.

The increasing importance of the United States, and their steady and rapid advancement to a pre-eminent rank among the nations of the world, justly awakens a laudable curiosity to become acquainted with their early history, their internal improvement, and their resources. Of their wars much has been written, but a development of their early settlement, their rise, and present state of improvement in agriculture, manufactures, and in the arts of civil life, in many of these States have not been sufficiently the subject of attention. Of the western parts of this republic but little is known in the Atlantic States, and as they will doubtless, in a very few years, constitute not the least important section of the Union, and as their improvement is rapid, and their resources every day unfolding themselves, they are, in an eminent degree, an important subject of inquiry. But every section and every state merit particular attention. We are one great political family, having one common interest. It is with regret we have observed the efforts of a few journalists to set up territorial distinctions, and thus increasing local prejudices, whilst at the same time they talk loudly about union; but to the honor of the American press, these illiberal exertions are confined but to a few, whilst many meritorious & valuable journals, under the guidance of liberal and enlightened minds, of both political parties, stand as faithful sentinels to watch the incumbents of office, and guard the liberties of the republic from usurpations or dangerous innovations. Hitherto no journal has appeared whose primary object, next to that of recording the public documents and proceedings of the general government, was to collect and embody histories of the early settlement of the different parts of our country, with sketches of their natural productions and their present state of improvement. It is believed that this subject has not been neglected because it was not considered in itself important, or because there was a deficiency of genius, observation, or intelligence, but for the want of a proper vehicle of communication to diffuse such information as might be acquired; a proper repository in which it might be preserved, and one which would call the public attention to these points. The form of the Register has been chosen as the most convenient for present use and future preservation; and the Editor now invites the public to aid him in the accomplishment of this national desideratum. He is desirous to collect the most material facts in relation to the early settlement and improvement of the various sections of our country, with a view to form a concise history, which may exhibit not only facts, but the state of the wealth and resources of the nation. Geographical delineations and topographical descriptions are also solicited, to afford materials for a correct historical and geographical dictionary of the whole. He therefore invites communications on the whole or either of the subjects enumerated below; which may be forwarded through the mail. Communications of this kind, being for a public benefit, the Editor conceives that post masters will have no hesitation in franking them; but in cases where they do not feel at liberty to do so, the postage will be cheerfully paid.

It is hoped that gentlemen will accompany their communications with their names, and state whether they have any objections to their being published or not.

Information is requested on the following:

## 1. CIVIL HISTORY.

Manners, Customs, and Amusements. State of Religion and Morals. Biography. Antiquities.

## 2. STATISTICS.

Embracing Agriculture, and its products, Manufactures, Commerce.—Population. Banks, or circulating medium. Horses, Cattle, Sheep, &c. with thoughts on improving them.

## 3. GEOGRAPHY AND TOPOGRAPHY.

As some progress has already been made in the collection of materials for a full and complete geographical dictionary or general gazetteer of the U. States, it is earnestly requested that as much aid may be afforded on this head, as will lead to the full accomplishment of the object in view.

## 4. EDUCATION.

What encouragement is there given to Schools, Colleges, and Seminaries of Learning? What has been done, or is doing, to advance Literature and diffuse Knowledge? What Literary Journals and Newspapers are published in your town or county?

## 5. ARTS AND SCIENCES.

Their progress and present state.

## 6. NATURAL HISTORY.

Zoology, Botany, and Mineralogy. Medicinal and other remarkable Springs, their nature and properties.

## 7. MEDICAL.

Epidemic and other Diseases. The influence of the climate; of particular situations, employments, or ailments, and especially the effects of spirituous liquors on the human constitution.—Remarkable instances of Longevity and Fecundity.

## 8. POLITICAL.

Military depots, Ports, and Gallies. Punishment of Crimes, & Houses of Correction.

Editors willing to aid in the attainment of our object will confer an obligation by giving the above an insertion in their respective papers.

## Law Intelligence.

### IMPORTANT DECISION.

KENTUCKY, Oct.

COURT OF APPEALS, May 22, 1816.

James Langley, Plaintiff,

AGAINST,

JAMES JOHNSON, D-Def.

Upon a writ of error to reverse a judgment of the Nelson Circuit Court.

The court being now sufficiently advised of and concerning the premises, delivered the following opinion, to wit:

This suit was commenced by the defendant in error, against the plaintiff, by a warrant issued by a justice of the peace, who having rendered judgment against the plaintiff in error, he appealed to the circuit court on the trial of the cause; in that court a verdict was found for the plaintiff in error, which on motion was set aside and a new trial granted; on the new trial a verdict was given for the defendant in error, and a judgment was thereupon entered, to reverse which this writ of error was prosecuted. It appears from the evidence, the whole of which is contained in a bill of exceptions taken to the granting of a new trial, that the suit was founded upon a verbal contract to pay forty dollars worth of cabinet work. We do not deem it material to enquire into the merits of the case since we are of opinion, it is one, of which the justice of the peace had not jurisdiction, and that consequently, though the evidence might justify a recovery in a different mode of suit, it did not support that form of action.

The act of the assembly increasing the jurisdiction of magistrates, have given them cognizance of all sums not exceeding fifty dollars; founded on any speciality, bill or note in writing, or account. As in this case there was no speciality, bill or note in writing, the jurisdiction of the magistrate could attach only on the ground of the sum sued for, being due upon account; but it is clear, where there is a special contract to pay a particular sum in property, that it cannot be said to be due by or founded on an account neither in the technical or popular acceptation of the term. If then the magistrate had not the jurisdiction of the case, and the evidence did not consequently support that form of action, it follows that the verdict for the plaintiff in error was correct, and that the court below erred in setting it aside, and granting a new trial.

Therefore it is considered by the court that the judgment aforesaid be reversed and set aside, and the cause remanded to the said circuit court, with directions for that court to enter judgment on the first verdict found in said cause, which is ordered to be certified to the said circuit court.

[Examined] A copy—Attest,  
ACHILLES SNEED, c. c. a.

## FROM THE NATIONAL INTELLIGENCER.

In the Intelligencer of July 25, I noticed, under the article or title *Gewgaws*, an account of the *Prince Re-*

gent's investing *Leopold* with the *Order of the Garter*. As St. George is the patron *Saint* of England, and of course must be supposed a great character, I presume you will gratify many by publishing the following account of this *Saint*, taken from *Gibbon's Decline and Fall of the Roman Empire*—vol. 3, p. 163, 165.

"George, from his parents or his education, surnamed the Cappadocian, was born at Epiphania, in Cilicia, in a *fuller's shop*. From this obscure and servile origin, he raised himself by the talents of a *parasite*; and the patrons whom he assiduously flattered, procured for their worthless dependent, a lucrative commission, or contract, to supply the army with *bacon*. His employment was mean; he rendered it *illuminous*. He accumulated wealth by the basest arts of fraud and corruption; but his malversations were so notorious, that *George* was compelled to escape from the pursuits of *justice*. After this disgrace, in which he appears to have saved his *fortunes* at the expense of his *honor*, he embraced, with zeal, or affected zeal, the profession of *Arianism*."

After describing his elevation to the seat of the Bishop of Alexandria—his oppressions of the people—his insolence, and his violent death by the hands of an enraged people, the historian concludes thus—

"The odious stranger, disguising every circumstance of time and place, assumed the mask of a *Martyr*, a *Saint*, and a *Christian Hero*, and the infamous George of Cappadocia has been transformed into the renowned *Saint George* of England, the patron of arms, of cavalry, and of the *Garter*."

## ALGIERS.

### FROM THE ESSEX REGISTER.

The subject which engages notice at present is the conduct of Algiers. It is now six centuries since little governments have been established on the northern shores of Africa, and for half that time have been incessant practitioners of piracy upon the commerce of Europe. Often have propositions been made to put an end to them, but various causes have yet combined to produce a common consent in so generous a design. Much was expected from the ambition of Charles II. but eventually nothing was done: From Tripoli, great depredations were made on the English trade, so that a fleet was sent in 1676 to demand satisfaction. Sir John Narborough blocked up the port, and sent all his boats into the harbor under the command of the afterwards justly celebrated Sir Cloudesly Shovel, and burnt all their vessels. The Tripolitans under the alarm made an instant peace. But when a negotiation ensued for the losses the English sustained, they refused any acknowledgment. A cannonading of Tripoli ensued, but without success, and the event made the Tripolitans more insolent. Whatever could be destroyed by the English was destroyed, but the people were not more yielding. The British fleet withdrew to Malta, and returning suddenly, so far intimidated the Tripolitans as to get peace upon their own terms. But soon after some of the vessels of Tripoli came back from their piratical expeditions, expressed their dissatisfaction, deposed the Dey and began to take every English vessel they met. The English again appeared and made a furious attack upon Tripoli. The peace was renewed, and the persons who had violated the treaty were delivered up to vengeance. In a few years afterwards the same admiral was sent against Algiers, who had violated English property. By force, a peace was obtained, but for a short time only. Another expedition was necessary, and three years had not elapsed before it became indispensable. The English had conceived that by other means they might overawe the Barbary states. They determined to fortify on the coast. The immense works of Tangiers were the result of this policy. The difficulty of the execution did indeed retard, but could not prevent this work, and the expense was incalculable. It was finished, and was a monument of national energy. But the nation was soon opposed to a work from which it seemed to derive no serious benefit, and Lord Dartmouth was sent to demolish the works, and the fame of the ability of Charles II for maritime affairs was insufficient to gain public favor to this vast undertaking. In the same manner have the Barbary states conducted in the past century. Powerful fleets threatened destruction, and promised an end to their depredations. But the expeditions, great as they seemed in some few events, have left nothing favorable to them in the general senti-

ment of Europe. The work is just as it has been for three centuries. The peace they make, whenever their policy seems to require it, and they disregard it at the first opportunity to violate it. They have so often renewed their peace and violated it, that it is the system of their affairs, and no nation has any presumption but from its power. The late acts of the Algerines seem the result of almost desperate resolution, but as they have no discretion in their measures, their violation of property and of life, might as readily follow the first burst of passion, as the most deliberate purposes of revenge. The accounts from Sardinia appear to have every circumstance of probability respecting the fate of the Europeans in Bona, which is within one of the governments of Algiers. As the life of the Dey may be offered upon every change of measures, it is not to be supposed that Europeans can calculate upon any knowledge they have of the country. It is the force they can command, and that only, upon which they can depend. And that nation which can display the greatest naval skill, the most enterprise, and the most persevering courage, will command the best and the longest peace. It can be easily understood, that whatever obedience such a people might profess to any power, it must be doubtful what obedience they would pay. It is because the Court of Constantinople leaves them much to themselves, that they seem to hold an allegiance to that power. Nothing is real, and any attempt to assert authority would produce as ready resistance to the Turkish as any other government. The success of the influence of the United States must end where it began. In the most positive demands and the full power to enforce them, peace will be sure through fear, but the first circumstance which relaxes fear will create war. The history of their treaties at the remote periods we have noticed, is confirmed by the history ever since. While they fear us they will be at peace with us. But even the peace will be attended with every wish for war, without any calculation what the peace or war may cost them. We are not to suppose this character of the Barbary powers is common to all their subjects, or held by any in an equal degree. They have the same manners at home they have abroad. As we observed, Tunis secures its treasures by its acknowledgments to the cities of Algiers and Constantinople. A constant jealousy exists, and the countries which are subject to the cities, have all the interest which the contending interests can give them, and in their divisions they are more surely at the will of their proud masters. We discover from England that the treaty lately made between that country and Algiers, has been a subject of enquiry even in Parliament, and public assurances have been given of some things which are declared not to be in it. And its real character is yet unknown. In Europe the events of the treaty have not been agreeable to expectation. The Italian powers still find themselves exposed, and an uncommon insolence marks this age of piratical adventurers. The various projects for defence must ultimately depend upon the concurrence of the maritime strength of G. Britain we must therefore expect: while British commerce is invaded, & British subjects and property destroyed, more serious designs to restrain the Barbary states, than from all other causes put together.

## GOVERNMENT OF HAYTI.

Petion has published a pamphlet under the title of "Pieces relating to the communications made in the name of the French government to the president of Hayti, by Gen. Dauxion Lavaysse, deputed by his majesty Louis 18. King of France and Navarre." The pieces are interesting, but too long to enter our columns; we shall therefore compile from them a brief history of the transactions, from first to last.

As soon as Louis 18 had mounted the throne, for the first time in 814 he began to turn his views to the island of St. Domingo; he was loth to part with one of the brightest gems in his diadem.—With a view of attempting to bring it again under his legitimate government, he sent out gen. Lavaysse, as principal commissioner. From Christophe, the chief of the black colonists, he had little to hope for; but Lavaysse bent his steps towards Port-au-Prince, where Petion, the white President of Hayti, held his court.—This Petion seems to be a man of some mind, and his influence is evidently on the flood—as he is but lately appointed President for life of Hayti.

The first piece is from gen. Lavaysse; opening his mission, and trying, all his ingenuity to prove, that Louis

18 is neither like the monarchs of the old regime, whom the revolution had displaced, nor, like Bonaparte, 'a perfidious and cruel despot,' whom the allies had dethroned; that the old principles of the monarchy had not returned with it, nor all the good ones of the revolution extinguished in its tomb; that the throne was upheld by the best men of the nation, by all the Corinthian pillars of the French monarchy, the Montmorencies, the Rohans, the Perigords, the La Rouchefoucaulds, joined to those heroic columns of modern order, the Neys, the Suchets, the Marmonts, the Bourbouvilles, the Duponts, the defenders of the independence and glory of our dear France; that the Haytians might dismiss all their fears, for that the French would make them partake in the rights of French subjects and citizens, which in truth, is preferable to the chance of being treated as mischievous savages, or pursued and ensnared like runaway negroes.' A pretty good message this.

Piece 2d is from president Petion; expresses his joy for the wonderful revolution which had restored Louis to the throne of his ancestors; but whispers a hope that from the liberal principles, by which it has been brought about, the people of Hayti might expect a disinterested and magnanimous treatment—he invites Lavaysse to leave Kingston, and come to Port-au-Prince, where he might see and judge for himself.

Piece 3d is from Lavaysse, who is then at Port-au-Prince; he asks, when 'nations so long in arms against revolutionary France' have made peace with her legitimate government, shall the people of Hayti pay less respect to the regenerated race of the Bourbons? while at every point of the French empire and of Europe, shouts of joy arise towards heaven, shall discordant voices be heard from the Queen of the French colonies? He contends, there is no longer room for any distrust; that it was the Corsican government which brought all its ills upon Hayti—that it was the usurper who had sent Le-Clerc and other brigands, to betray, to butcher and to drown—he finally proposes to Petion, to acknowledge the sovereignty of the monarchy, as soon as the people were ripe for this great and happy event!

4th piece is from Petion—it is a faithful picture of the ills they had sustained from revolutionary France—that never had a people shown more devotedness to the mother country than they had done, but that they were given at last to despair; he paints the cruelties of Leclerc, Rochambeau, and the colonists, the people drowned, or hung or run through with Bayonets, burnt and devoured by dogs trained up to this dreadful practice;—that when disease finally overtook the French army and drove them from the coast, the Haytians returned from their woods and what was the situation of their towns?—Every thing was destroyed; every thing was then to be revived; he contends, that during the war between England and France, 'separated from all nations, obliged to govern themselves, they were compelled to proclaim their independence; for eleven years they had governed themselves; and now, after they had been necessitated to raise themselves to the height of their destiny, with an army, a flag waving and respected on the seas, were they to retrograde?—abandon the advantages they had procured of liberty in all the extent of its signification?—especially to throw themselves into the power of the old colonists, who would claim the repossession of their estates, and with whom no confidence could be re-established.' He concludes with informing him that to give his people an opportunity of passing upon his propositions, he had called together the first authorities of the republic to meet at Port-au-Prince.

No. 5, from Gen. Lavaysse, ascribes these cruelties to Bonaparte, and says it is not just to charge them upon France or her legitimate king; he warns him to be on his guard against the arts of the English and American merchants, who were trying to separate Hayti from the mother country.

No. 6, from Petion, justifies the merchants; and acquits the monarch of all blame; but again claims for Hayti the reward of all her sacrifices, by the spontaneous acknowledgement of all her rights.

The 7th piece is from Petion, in the name of the generals and magistrates of the public of Hayti—they claim their independence as the recompense of their sacrifices, sufferings and exertions—that as they had no other alternative but the one they had adopted, they cannot expose their own security and existence by a change of condition—they call upon the 'greatness and philosophy of his most Christian Majesty to acknowledge the emancipa-