

The ordinary... of the Rev. Mr. Caldwell... is evidently from the hands of a superior writer. The simple, interesting and excellent character of the deceased, as well as the merits of the article as a composition, redeem it from the charge of commonplace, and commend it to all who admire virtue in the character of man and purity in a style of writing. We are determined at the hazard of giving offence to many, to view from our columns the genuine adulation that piety and affection so often pour forth to departed friends. "While sorrow is yet green," such articles as this however, we will always insert with alacrity.

DEATHS.—Last week by some unknown accident the clothes of an old woman in the suburbs of this town, by the name of Polly Fitzpatrick caught fire, and no one living near her, she was burned so, before her situation was discovered that she died the day after in great pain.

AN ORDINANCE.

To provide for arresting the operation of certain Acts of the Congress of the U. States, purporting to be Laws, laying Duties and Imposts on the importation of Foreign Commodities.

Whereas, the Congress of the United States, by various acts, purporting to be acts laying duties and imposts on foreign imports, but in reality intended for the protection of domestic manufactures, and the giving of bounties to classes and individuals engaged in particular employments, at the expense and to the injury and oppression of other individuals, and by wholly exempting from taxation certain foreign commodities, such as are not produced or manufactured in the United States, to afford a pretext for imposing higher excessive duties on articles similar to those intended to be protected; and whereas, the said Congress, exceeding its just power to impose taxes and collect revenue for the purpose of effecting and accomplishing the specific objects and purposes which the Constitution of the United States authorizes it to effect and accomplish, hath raised and collected unnecessary revenue for objects unauthorized by the Constitution;

And whereas, the people of the State of South Carolina in Convention assembled, do declare and ordain, and it is hereby declared and ordained, that the several acts and parts of acts of the Congress of the United States, purporting to be laws for the imposing of duties and imposts on the importations of foreign commodities, and now having actual operation and effect within the United States, and more especially an act entitled "an act in alteration of the several acts for the imposition of duties on imports," approved on the nineteenth of May, one thousand eight hundred and twenty-eight, and also an act entitled "an act to alter and amend the several acts imposing duties on imports," approved on the fourteenth day of July, one thousand eight hundred and thirty-two, are unauthorized by the Constitution of the United States, and violate the true meaning and intent thereof, and are null, void, and of no law, nor binding upon this State, its officers or citizens, and all promises, contracts and obligations made or entered into or to be made or entered into with the purpose to secure the duties imposed by said acts, and all judicial proceedings which shall hereafter be had in affirmance thereof, are, and shall be held, utterly null and void.

And it is further ordained, that it shall not be lawful for any of the constituted authorities, whether of this State or of the United States, to enforce the payment of duties imposed by said acts within the limits of this State; but it shall be the duty of the Legislature to adopt such measures and pass such acts as may be necessary to give full effect to this ordinance, and to prevent the enforcement and arrest the operation of the said acts and parts of acts of the Congress of the United States, within the limits of this State, from and after the first day of February next, and the duty of all other constituted authorities, and of all persons residing or being within the limits of this State, and they are hereby required and enjoined to obey and give effect to this ordinance and such acts and measures of the Legislature as may be adopted in obedience thereto.

And it is further ordained, that in no case of law or Equity, decided in the Courts of this State, wherein shall be drawn in question the authority of this Ordinance or the validity of such act or acts of the Legislature as may be passed for the purpose of giving effect thereto, or the validity of the aforesaid acts of Congress, imposing duties, shall any appeal be taken or allowed to the Supreme Court of the United States nor shall any copy of the record be permitted or allowed for that purpose, and if any such appeal shall be attempted to be taken, the Courts of this State, shall proceed to execute and enforce their judgments, according to the laws and usages of this State, without reference to such attempted appeals and the person or persons attempting to take such appeal may be dealt with as for a contempt of the Court.

And it is further ordained, That all persons now holding any office of honor, profit or trust, civil or military, under this State, shall within such time, and in such manner as the Legislature shall prescribe, take an oath, well and truly to obey, execute, and enforce this ordinance, and such act or acts of the Legislature, as may be passed in pursuance thereof according to the true intent and meaning of the same, & on the neglect or omission of such person or persons so to do, his or their office or offices shall be forthwith vacated and shall be filled up as if such person or persons were dead, or had resigned, and no person hereafter elected to any office of honor, profit or trust, civil or military, shall, until

the Legislature shall otherwise provide and direct, enter on the execution of his office or be in any respect competent to discharge the duties thereof, until he shall, in like manner, have taken a similar oath; and no juror shall be impanelled in any of the Courts of this State, in any cause in which shall be in question this ordinance, or any act of the Legislature, passed in pursuance thereof, unless he shall first swear in addition to the usual oath, that he will well and truly obey and enforce this ordinance, and such act or acts of the Legislature as may be passed to carry the same into operation and effect, according to its true intent and meaning thereof.

And we, the people of South Carolina, to bind and to bind ourselves, the United States, and the people of the Co-States, that we are determined to maintain this, our ordinance and declaration, at every hazard, do further declare, that we will not submit to the application of force, on the part of Federal Government, to reduce this State to obedience; but that we will consider the passage, by Congress, of any act, authorizing the employment of a military or naval force against the State of South Carolina, her constituted authorities or citizens; or any act, abolishing or closing the ports of this State, or any of them, or otherwise obstructing the free ingress and egress of vessels, to and from the said ports; or any other act on the part of Federal Government, to coerce the State, shut up her Ports, destroy or harass her commerce; or to enforce the acts hereby declared to be null and void, otherwise than through the civil tribunals of the country, as inconsistent with the longer continuance of South Carolina in the Union; and that the people of this State will therefore hold themselves absolved from all further obligation to maintain or preserve their political connexion with the people of the other States, and forthwith proceed to organize a separate Government, and do all other acts and things, which sovereign and independent states may of right do.

Thus we see that the monstrous fiat of Nullification has gone forth. Under the auspices of Messrs. McDuffie, Hayne, Hamilton, and Miller—this Convention has forbid the collection of the Revenue of the Government within the limits of South Carolina: they have ordained that any attempt by the Federal Government, to execute this law of Congress, in the only way that it has power to enforce it at all, to wit, either by force, or by repealing the acts making her Atlantic cities Ports of Entry, will put the State out of the pale of the Union without any thing more. In the mean time all the functionaries of the State are to be solemnly sworn to sustain the system of trickery which is hereby established to evade the action of the Supreme Court: nay, the very jurors, who may be called on to determine the constitutionality of the Tariff are first to be sworn to obey this ordinance, which is to be submitted to them, and to determine the Tariff law unconstitutional, null and void, before they have heard the case argued—indeed, before it is before them for consideration. We have fallen upon evil times—there are four members of Congress—the very Congress that passed the Tariff, contriving in the solemn form of a State Convention, the means to resist the Supreme Law of the land, declared so by the very instrument which they pretend, they are endeavoring to preserve from infraction. Well, they have fairly made up the issue—either the Federal Government must suffer itself to be nullified out of its deliberate measures; or South Carolina must retract from her present position, or this Union is dissolved. We had expected from this Convention some mad expedient—but we confess we were unprepared for this daring defiance of all law and order: for all must own that this Ordinance lays the axe to the root of our civil government? Unjust and appalling as these proceedings are it is much to be hoped that this refractory and perverse spirit will not prevent the majority in Congress from doing that which a sense of equality and right would seem to dictate, and which from former legislation, we had every right to expect—to wit, reduce the Tariff to the scale of our reasonable wants as a Government. We admit that the course of these misguided people is calculated to kindle in the friends of the protecting system, a corresponding spirit of pride and obstinate adherence—and so far as they are concerned, we confess they deserve almost any extremity of rigour that their opponents might impose upon them; but Congress should remember that there is a large majority of the Southern States that are really oppressed with the high exactions of the Tariff—who have complained and still are complaining of this measure, in a language of decent, orderly, and firm remonstrance, and who have never yet forfeited the right of having their grievances duly considered and redressed. We have our councils are not to be misled by the false consideration, that consistency or firmness requires of them to maintain the present provisions of the Tariff. We are satisfied that but for these bravadoes, Congress would have gone on further to reduce the Tariff, and we hope they have magnanimity to overlook the conduct of these factionists, and do what of right they ought to do—Father forgive them, for they know not what they do. This Convention has taken no doubtful stand, they occupy the whole ground of Protection, and demand under the penalty of their Session that this principle shall be abandoned in toto. A further reduction of the Tariff would be no concession to them, and would no doubt come as far short of satisfying them as the standard determined on a rupture with the General Government, and we hope that by a reasonable and conciliatory course, they may put as far in the wrong as possible.

O TEMPORA!

The Ordinance of the Nullifiers has provided that no juror shall be impanelled in any court in which that Ordinance shall be brought in question by any act of the Legislature passed in pursuance of the same, unless the said juror shall first swear to obey and enforce the same. There is here any law in South Carolina exempting a man from serving on juries, because he may be of a particular mode of thinking on an abstract political subject? If no, he is bound to swallow the oath here prescribed against the stomach of his conscience, and under the alternative of being fined or imprisoned for a contempt of Court, if he shall refuse to serve? You may talk about prescription, but this ordinance that which every man out of office, who designs to question a law which nine-tenths of reasonable men must condemn, and which shuts the door of civil objection against all who are of a different opinion from those that made it, is in our opinion the most sweeping and unjust of all the party denunciations and exclusions, that we have ever heard of. The Catholic disqualification

is not less an evil as that, because it was brought to bear on those in office as this law. The principle of an ex post facto law is just in all instances, whether sanctioned by Legislature or a body giving itself a higher name. In the present case it will drive from the ranks of the most distinguished men in the State—unless they palter with their conscience and gulp down the bitter cup here offered. A law which inflicts such a general disfranchisement on the conscientious, and holds out such a temptation to the mean and time-serving, which is so cruelly vindictive in its present operation, & so exclusive in its future, must needs, be held as a surety that its power must be most immediate and dispising, and the madness of party beyond all bounds that could thus trample upon the rights of individuals, and jeopard the well being of twelve millions of people.

Andrew Hunt Esq. has been appointed by His Honour, Judge Martin, Clerk of Davidson Superior Court—vice B. D. Rounsaville, deceased.

Having received the Constitutional list yesterday mail, (which we never did before on Friday) we are enabled to give some of the Legislative news in this number.—We have not given the whole category of this proceeding, nor do we intend to do so in future. Our readers are very little interested in the usual of Herring bills, pilot bills, wreck bills and hundreds of other bills that pertain to the salt sea, and which are intended for no other purpose, than to immortalize Senator A. or Congressman B. on Nags Head or the Point of Marsh, until after the next Election. There is, however, one piece of Legislative intelligence, which we must insert, and which, pardon us we National, we had like to have omitted, it is the following—

Mr. Montgomery of Orange, presented the petition of Peggy Johnson, praying the passage of an act to secure to her, such property as she may hereafter acquire; also the petition of John Johnson praying to be divorced from his wife Peggy Johnson; which were referred to the committee of Propositions and Grievances.

From the elevated standing of the parties concerned & the vast acquisitions & liberal Statesman-like views of the learned Senator from Orange, we may expect a display of "wisdom and wit," which will scarcely be equaled on any other occasion this session.—Dr. Montgomery is from the University Court, the focus of literature and science, and we have no doubt but that he will give presentment matter of the weighty matters he shall have in charge from Apollo, and the Muses.—We are glad to see the Doctor figuring so largely at the beginning of the session, it argues well for all that sound politicians and enlightened men hold dear.—We may expect to hear of a bill being passed to elect Clerks, and all other officers by the People.—We are sorry that our limits will not let us bestow a more deserving need of Praise upon the erudite Senator from Orange. We hope hereafter to do him ample justice; we likewise wish to notice with our respects the Gentleman in the House of Commons, who introduced the bill to elect the Clerks of Court by the People, all this shall be done at leisure.

North-Carolina Legislature.

IN SENATE.

Wednesday Nov. 21.

Mr. Parker presented the petition of Henry Hunspry, of the county of Guilford, praying the Legislature to pass an act, exempting from taxation for the term of fifteen years, a Cotton Factory, with the lands and appurtenances thereto belonging, situated in Greensborough, which was read and referred to a select committee, consisting of Messrs. Parker, Welborn, Matthews, Skinner and Vanhook.

Mr. Long introduced a bill, making an appropriation of commissioners for the rebuilding the Capital in the city of Raleigh; which was read the first time, passed and ordered to be printed.

Service will be performed by the Rev. Thomas Wright, on to-morrow morning (Sunday, Dec. 2.) at 10 o'clock, in the Episcopal Church. Also, there will be preaching in the Lutheran and Methodist Churches by their respective Pastors.

NO MISTAKE.

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Bacon pr lb 8 a 9; Cotton pr lb 8 1/2 11; Coffee pr lb 16; Flour pr bl 4 a 5; Flaxseed pr bl 1 20 a 30; Feathers pr lb 30 a 33; Corn pr bush 50 a 6; Iron pr lb 4 1/2 5; Molasses pr gal 34 a 36; Nails cut 7 1/2 a 8; Salt pr bush 70 a 75; Sugar pr lb 8 1/2 a 10; Tobacco; leaf 2 a 3; Wheat pr bush 90 a 95; Whiskey pr gal. 32 a 33.

Married.

In this county, on Thursday evening last, by the Rev. Mr. Tabler, Mr. Henry Krier, to Miss Lavina Brinkle.

On the 21st ult. by the Rev. B. L. Hoskins, Mr. William S. Clary, Printer, of Perquimans county, to Miss Nancy Calhoun, of Onslow.

OBITUARY.

Died, in Statesville, N. C. on the 17th inst. after an illness of five weeks, borne with the utmost resignation, in the 28th year of his age, the Rev. Robert Lindsey Caldwell, pastor of the Presbyterian church of Fourth Creek.

The death of this young and beloved minister of Jesus Christ, by which a church has been bereaved of a zealous and laborious pastor—and an infant so deprived of the nurture and admonition of a tender father, is one of those events which constrains us to "weep with those that weep," and to mark a dispensation so plainly intended for our instruction and admonition.

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The disease which terminated his existence here was a fever, which deprived him of the full exercise of his mental faculties during a great part of the time. Nevertheless, even his wanderings indicated that his mind was chiefly fixed on religious subjects; and when asked any question respecting his hopes and views, his answers were always direct and satisfactory. His prayers, to the last, were connected, fervent and appropriate. During the first stage of his illness he suffered no opportunity to escape him, to exhort those who attended him, and whom he knew to be in an unconverted state, to repent of their sins and seek an interest in the Saviour; and when delirious, it was still evident that the spiritual welfare of his people lay near his heart, and for them he poured forth his most ardent and latest prayers. He declared repeatedly that he had no desire to live except that he might do good, and preach the gospel to poor perishing sinners. His affection for his family was of the most tender kind, yet his prayers, particularly towards the close of his life, were chiefly for his people, for the conversion of the inhabitants of the place of his residence, and of sinners every where.

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Mr. Long introduced a bill, making an appropriation of commissioners for the rebuilding the Capital in the city of Raleigh; which was read the first time, passed and ordered to be printed.

Service will be performed by the Rev. Thomas Wright, on to-morrow morning (Sunday, Dec. 2.) at 10 o'clock, in the Episcopal Church. Also, there will be preaching in the Lutheran and Methodist Churches by their respective Pastors.

NO MISTAKE.

Whose indebted by note or account, must sell and make settlement on, or before the 25th December next, after that time they will have to settle with my next friend, which to me, will be a disagreeable way of doing business; but necessity compels me to this course. My former patrons will accept my sincere thanks for their liberality towards me in my profession.

KIAH P. HARRIS.

Concord, Dec. 1—4w 19

CHERRY.

Brandy, Peach, gal 50; Apple 85 a 40; Molasses 37 a 40; Bacon, lb. 8 a 8 1/2 Butter Fresh 20; Cotton 104 a 10 3/4; Corn per bush 50 a 62; Coffee, lb. 16 a 12; Cheese 10 1/2 1-2 Candles, 18; Flour—(from Wagon) 45 a 55 1-2; Flaxseed bush. \$1 a 25; HIDES, dry lb. 10 green 5; Iron, (Swedes) 5 1-2 6; Lime, (Cask) 3 a 3 1/2; Meal bush, 62; Oats 37 1/2; Salt (in bulk) bush. 75, in sacks 4 bush. \$2 75 a 3; Steel German lb. 15 a 17, Blister 8; Sugar \$0 a 37; Tobacco leaf, 2-1/2 3-1/2, Manufactured 8 25; Caviendish 5 a 75; Whiskey per gal. 29 30; Wheat bush. 75.

FAVETTEVILLE.

Bacon pr lb 8 a 9; Cotton pr lb 8 1/2 11; Coffee pr lb 16; Flour pr bl 4 a 5; Flaxseed pr bl 1 20 a 30; Feathers pr lb 30 a 33; Corn pr bush 50 a 6; Iron pr lb 4 1/2 5; Molasses pr gal 34 a 36; Nails cut 7 1/2 a 8; Salt pr bush 70 a 75; Sugar pr lb 8 1/2 a 10; Tobacco; leaf 2 a 3; Wheat pr bush 90 a 95; Whiskey pr gal. 32 a 33.

Married.