

UNIVERSALISTS AS WITNESSES.

Whether a Universalist is a competent witness in our Courts of Justice was decided for the first time by a recent decision of the Supreme Court of this State.

The only question in the case was whether a person professing the religious faith of the denomination called the Universalists, (which is explained by the witness himself to be as stated in the first paragraph of the opinion of the Court.) is a competent witness in a judicial trial.

The case presents this question: Is a person who believes in the obligation of an oath on the Bible—who believes in God and Jesus Christ, and that God will punish in this world, all violators of his law, and that the sinner will inevitably be punished in this world for each and every sin committed; but that there will be no punishment after death, and that in another world will be happy and equal to the angels—a competent witness?

The law requires two guarantees of the truth of what a witness is about to state—he must be in the fear of punishment by the laws of man, and he must also be in the fear of punishment by the laws of God, if he states what is false; in other words, there must be a temporal and also a religious sanction to his oath.

This position is not sustained by the reason of the thing, for, if we divest ourselves of the prejudices growing out of preconceived opinions as to what we suppose to be the true teaching of the Bible, it is clear, that in reference to a religious sanction, there is no ground for making a distinction between the fear of punishment by the Supreme Being in this world, and the fear of punishment in the world to come; both are based upon the sense of religion.

We think it manifest, by a perusal of the Statute, that it was not intended to alter any rule of law, but the sole object was to prescribe forms adapted to the religious belief of the general mass of the citizens, for the sake of convenience and uniformity. Accordingly, the first section prescribes a form of oath as a general form, suited to such as hold the ordinary tenets of the Christian religion; that is, an oath, laying the hand upon "the Holy Evangelists," &c.

It is true, that in the old cases it is held to be the common law that no infidel, (in which class Jews were included,) could be sworn as a witness in the courts of England, which was a Christian country, and Lord Coke gives this as his opinion, in which he says all the cases agree, and he assigns as the reason on which the law is based, "All infidels are in law perpetui inimici: for, between them, as with the devils, whose subjects they be, and the christian, there is perpetual hostility."

It is estimated that on the 1st of April there will be 41,990 bales of India bagging in the country, which is sufficient to cover 2,519,400 bales of cotton; and by the end of the present year it is estimated that the import and home production of bagging will be sufficient to cover 6,003,400 bales of cotton.

It is held in the present case, that a witness in reference to the fear of punishment, which is the religious sanction, is not to be sworn according to the form which they hold to be most sacred and obligatory on their consciences. If it be admitted, for the sake of the argument, that besides prescribing forms for general use, the legislature had the purpose of excluding Jews and infidels, who believe in a God, and christians, who do not believe in future rewards and punishments, from the privilege of taking the oaths which are required, to enable them to testify as witnesses, or to take any office or place of trust or profit; in other words, to degrade and persecute them for "opinions sake," then it is clear, that the statute, so far as this purpose is involved, is void and of no effect, because it is in direct contravention of the 19th sec. of the Declaration of Rights.

fully concurred, for, there was no allegation or proof that the witness believed in future rewards and punishments; so there must be a mistake. The Chief Justice either used the word "future" inadvertently, and without, in his own mind, attaching any force to it, or Atkins misconceived his meaning; and yet this expression is referred to by most of the English writers who treat of evidence, and is the foundation of all the error on this subject.

Commodore Armstrong then wrote to the Viceroy demanding an apology. The reply not being satisfactory, the Americans proceeded to take the forts, which they have since destroyed. Yeh has written to the American authorities stating that their flag shall be respected; that it was a mistake.

The China Mail of the 11th of November says that the Americans met with a fatal accident in the destruction of the barrier forts. A mine exploded, through the carelessness of a seaman, killing three and wounding others.

Accounts from Naples state that deplorable terror reigns in the capital and kingdom. Arrests continue incessantly. A priest had attempted to assassinate the Archbishop of Matura, while he was giving the benediction to the people. The Archbishop was wounded.

Verages has been executed. The remains of Hon. P. S. Brooks, of South Carolina, were interred at Edgefield, S. C., on Saturday. Rev. Mr. Wheeler, of Flat Rock, N. C., read the burial service.

MR. BROOKS' BURIAL.

The remains of Hon. P. S. Brooks, of South Carolina, were interred at Edgefield, S. C., on Saturday. Rev. Mr. Wheeler, of Flat Rock, N. C., read the burial service. A correspondent of the Charleston Courier, who had conversed with President Pierce, writes from Washington as follows:

"Among other interesting particulars, connected with the closing scene, he mentioned the last words, uttered by the agonized victim, shortly before the fatal stroke which consigned him, not only in manly prime, but in undiminished vigor and strength—"his eye was dim, nor his natural force abated"—to the icy embrace of death. "While the sufferer was convulsed with efforts at respiration,—with his arms bent in a bow behind him," said the President, suiting the action to the word, "a friend at his side feeling his pulse, remarked consolingly—'Brooks, your pulse is better now, and you will soon be well.' 'Don't talk to me of my pulse, and of my getting well,' said the strong man, struggling with the King of Terrors, 'when I am dying for want of breath.'" "In fifteen minutes," added the President, "he was a corpse."

The scene, at his death bed, is said to have been most deeply affecting one. As soon as the spirit had departed, Senator Butler, the beloved and venerated relative, for whom the gallant Brooks had fearlessly perilled life, threw himself, in an agony of grief, on the lifeless body, crying, "my boy! my boy!" kissing the bloodless lips, and "dropping tears, fast as the Arabian trees their medicinal gum," on the pale face of his young champion and kinsman, now powerless in death.

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ADDITIONAL FOREIGN NEWS.

The London Times of the 31st January, states that Hong Kong correspondents to December 15th, says that on the 15th of November whilst Captain Foot of the United States ship Portsmouth, was on his way to Whampoa, to communicate with the shipping for the purpose of withdrawing the American marines stationed in the foreign factories, and while passing the barrier forts his boat was fired upon by the Chinese, and he was obliged to put back to Wampoa, notwithstanding the American flag was flying at the time, and was also warded from the boat.

In the course of the fiscal year ending June 30th, 1856, 21,682 vessels have entered the ports of the United States, which measured 6,872,253 tons, an increase of 926,914 in tonnage over the previous year. The total tonnage of the country, June 30, was 4,871,653 of which 673,018 was in steam vessels. The vessels built during the year were 221 steam vessels, 306 ships and barks, 697 brigs and schooners, and 479 sloops, making in all 1,703 vessels, measuring 469,396 tons.

The domestic exports of the year were \$310,586,330, an increase of \$63,877,777. The export of breadstuffs and provisions amounted to \$77,157,301; of cotton to 2,991,175 bales of 451 pounds each, valued at \$128,382,351.

The imports of the year were \$314,639,942, an increase of \$53,171,422 over 1855. The increase of the exports of 1856 over 1855 is about 19 per cent, and the increase of the imports for the same period is 20 per cent. The imports of wool and woollen goods were \$33,626,857, an increase of over seven millions; of foreign cottons and cotton manufactures, \$30,180,353, an increase of nearly nine millions over 1855, but a decrease of more than four millions from 1854; of silk and silk manufacture \$34,053,011, an increase of seven millions over 1855 and a decrease of three millions from 1854; of flax and linen goods, \$11,896,868. We purchased indirectly of German States \$16,491,427, the most of it in woollen goods; and of Switzerland \$8,368,074, mostly in silk piece goods and watches. The cash duties received at New York during 1856 were \$45,519,270, an increase of \$11,121,863 over 1854.

SHOCKING AND FATAL CURELTY TO A CHILD.—In June last Anna Hilton, nine years old, was adopted from the Five Points House of Industry by Mrs Simpson Decker, at Long Neck, Staten Island. On Wednesday last the child died, and a coroner's jury found that she "came to her death by being beaten in a brutal manner, from exposure, and from a want of proper nourishment, at the hands of Mrs Matilda Ann Decker."

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COMMERCIAL STATISTICS, 1856.

The summing up of our commercial transactions for the past year is highly creditable to American wealth and enterprise. As a nation we are accustomed to boast of the unprecedented success that has attended both our governmental and financial experiments, and the figures, while they do not excuse, certainly cannot condemn such wholesale exultation. In commerce we acknowledge but one superior; no other nation builds half as many vessels as this; our foreign trade has trebled since 1815 and doubled since 1842; while the vessels that annually flock to our shores from other countries measure their tonnage in millions, and the value of commodities exchanged in internal trade is estimated in billions.

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THE MATRIMONIAL MARKET.

Enough attention is not given in this country to the statistics of matrimony.—Nothing more surely marks the real prosperity of a people than the ratio of marriages to the population. In Austr this ratio is small, because marriage is forbidden by law to those who cannot show a reasonable prospect of maintaining a family, and they are many who cannot meet this condition. The ratio is small in Paris, for such is the demand for luxurious living among all classes, that marriage becomes an impossibility to those of slender income.

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PRINTERS.

Among the ranks of human kind, Some go before and some behind, But mindmost is the Printer. The lessons which you learned at school, That you might not grow up a fool, Had all in scientific rule, Been published by the Printer.

The doctor cannot meet the crooks Of all the cases, till he looks Upon the pages of the books Supplied him by the Printer. The farmer and mechanic too, Would sometimes scarce know what to do, Could they not get a certain view Of work done by the Printer.

The classes of the human race, Of different size, of different face, Appears in this and every place, How obvious to the Printer. One sings the bass, one sharp and flats, Bedecked with pantaloons and hats, And long tailed coats and smooth cravats, Of this class is the Printer.

'Tis Hymen's will of course you know, These classes should in couples go, And since the world will have it so, "So be it," says the Printer. There's not a man below the skies Who better understands to prize The charms that grace a lady's eyes, Than does this very Printer.

GEN. KNOX'S MARRIAGE.—Somebody writing to the Progressive Age, incidents in the life of Gen. Knox, relates the following: The General's marriage was something of a romantic affair, and is said to have happened somewhat in this wise: A Miss Lucy Fluker was walking out one day, she saw young Knox, (who was a book-binder in Boston at the time), and as she fancied his personal appearance, she was "smitten" with him. She could not suppress her feelings, and so gave vent to them by writing him a note as soon as she reached her house, requesting him to call and see her. Throwing aside her feminine reserve, she at once proposed that he should marry her. The profir was at once accepted, and the poor book-binder became the husband of the rich heiress.

On Monday a lady stopped at the Madison House, Covington, Ky., with her husband and thirty-two children. She was about sixty years of age, but looked young and hearty. She was the mother of them all. If this can be beat, we are extremely desirous of receiving the information. An honest Hibernian, in recommending a cow, said she would give milk year after year, without having calves, "because," said he, "it runs in the brade, for she came out of a cow that never had a calf!"

THE LARGEST WOMAN IN THE WORLD.—Madame Oceana, the largest-limbed woman in the world, is in the museum at New Orleans. She weighs 515 pounds, is 9 feet two inches in circumference, measures 29 inches around her arm and 38 around the calf of her leg, and wears No. 13 shoes. She hails from Kentucky. RESISTANCE TO RIDICULE.—Learn from the earliest days to inure your principles against the peril of ridicule; you can no more exercise your reason, if you live in the constant dread of laughter, than you can enjoy your life if you are in the constant terror of death.

What's the matter, uncle Jerry?" said Mr.—, as old Jeremiah K. was passing by, growing most ferociously. "Matter?" said the old man; "I've been luggin' water all the mornin' for Dr. C.'s wife to wash with, and what d'ye s'pose I got for it?" "About ninnepence." "Ninnepence! She told me that the Dr. would pull a tooth for me sometime!"

A CASE BEYOND MEDICAL SKILL.—Some readers may remember the curious account of a man who died suddenly in this city a while since, over whose face, as his body was exposed at the grave, a sudden shade and light passed so strangely, that the friends removed it back to the house, and kept up frictions all night trying to restore it to life. We learn since that some of the anxious friends of the deceased visited New York at the time, and tried to induce the physician who attended the dead man in his last illness, to go up and try his skill toward his restoration. Dr. S. listened a while incredulously, but at last seemed to believe the story of his informant. "But," said he, "I hope that you won't be able to restore him—I really hope you won't." "Why?" asked his visitor in amazement. "Well," said the Doctor, "I don't see how he would get along, it would be very awkward for him—for his liver and heart are in that jar on the shelf."—N. Y. Times.

NEGROES RETURNING FROM MEXICO.—The San Antonio Texan says: Hardly a week passes but runaway negroes are captured in Mexico, and returned to their masters in Texas, and it is now seldom the case that we hear of one running away to Mexico. The plain truth is, that those who are there now are in a wretched condition, and many of them would be glad to get back to their old homes. They are not only ragged and destitute of the comforts of life, but most of them are really in a starving condition.

J. S. Banks, Commission and Forwarding Merchant, WILMINGTON, N. C. REFERS TO THE EDITOR OF THIS PAPER, Wilmington, Feb. 13, 1857. 12m-pd TO HIRE, Until the 1st of January next, a prime NEGRO MAN—young and likely. T. owner would prefer to hire him to labor on a farm. Terms moderate. Apply at this Office. Feb. 17.

PROTECTION. The season being near at hand for the visitation of Thunder Storms, and being frequently attended with serious results both to Life and Property, it is proper to use necessary means for the protection of your families, and property, which can be done by properly supplied buildings with LIGHTNING RODS. Having been engaged in the business for over six years in Virginia and North Carolina, and being provided with the best recommendations, I hope to be able to give entire satisfaction to all who may employ me. Having permanently located in this place, all work done by me will be kept in good repair free of charge. Orders addressed to me through the Post Office, or left at the Residence of N. Wilkinson, will meet with prompt attention. L. J. HAWLEY. 33-34 Charlott., Feb. 17, 1856.

Take Particular Notice. The Notes and Accounts of H. SEEVERS & CO., and of J. DULS & CO., are in my hands for immediate collection. Those concerned will please march up, one by one, and settle the same. Call at Severe's new building opposite the Court House. WM S. NORMENT. Feb. 14th, 1857. 33-34 House & Lot for Sale or Rent. THE subscriber offers his Dwelling House, known as the "Crystal Palace," for sale or rent. The house is pleasantly situated on the corner of Church and Eighth streets, opposite the residence of Mr. George Cross. On the premises are all the necessary out-buildings, in the best of repair. For further information apply to the undersigned, or to J. P. Smith. Terms moderate. J. R. DANIEL. February 17, 1857. Notice. THE debts due B. H. Davidson and the late firm of Irwin, Higgins & Co., are in my hands for collection; and all the Notes exceeding \$100 will be put in suit 20 days before the Application, if not paid by that time. Small amounts will be expected to be paid immediately, (if no sooner.) J. P. SMITH. Feb. 17, 1857. 33-3w John Henry Wayt, M. D. SURGEON DENTIST, (Graduate of the Baltimore College of Dental Surgery.) Having located permanently, tenders his professional services to the citizens of Charlotte, N. C., and vicinity. Dr. Wayt prepares and inserts artificial plates and obturators, and attends to the correction of congenital and accidental deformities of the teeth and jaws. He is also prepared to insert artificial teeth, with the most approved method. Ladies waited on at their residences, if required. Office on Tryon Street, in Cason's new building, up stairs. 20-tf. Nov. 18th.

State of North Carolina, MECKLENBURG COUNTY. Court of Pleas and Quarter Sessions, JANUARY TERM, 1857. Richard Peoples, T. A. Sharpe and Miles R. Sharpe, Administrators of John Sharpe, dec'd, vs. Andrew Sharpe and Auzel Sharpe. Petition for sale of Land. It appearing to the satisfaction of the Court, that Auzel and Andrew Sharpe, defendants in this case reside beyond the limits of Mecklenburg State; and therefore by the Court, that publication be made six weeks in the Western Democrat, a newspaper published in the town of Charlotte, notifying the said defendant to appear at the next term of Court to be held for this county, at the Court House in Charlotte, on the 4th inst. in April next, and there to plead, answer, or demur, or judgment pro confesso to be taken against him. W. K. REID, Clerk of said Court, at Office in Charlotte, the 4th Monday in January, 1857, and in the 81st year of American Independence. W. K. REID, C. C. C. (32-61—Pra. Fee \$6.)

VALUABLE LAND AND Mills for Sale. THE subscriber being determined to sell to the South-west, is desirous to sell his well known tract of Land, lying in Stanley county, and on the waters of the Yadkin River containing Eighteen Hundred Acres. Said land is well timbered, and that which is cleared is very fertile, and in a high state of cultivation. A good Dwelling House, and a House, Barn, &c. are upon said tract. According to the said tract, is a most Valuable Merchant's Mill, situated on the Yadkin river; said Mill entirely new, contains three runners, and located directly opposite the Yadkin Manufacturing Company. The water power on this tract, is regarded by competent judges as of prior to any in the State. Any amount of machinery can be used on said tract, as it is well adapted for all other roads, leading to any other mill in Stanley county. Persons wishing to engage in Manufacturing pursuits, would do well to call on the subscriber. He has several other tracts of land adjoining the above, which he would also like to sell. Terms Made Easy. Those wishing to buy such property, can all times find the subscriber on the premises. MARVELL KIRK. Stanley Co., N. C., Feb. 17, 1857—33-3w