

A PENITENTIARY.—We copy from the Hillsborough Recorder, the following communication, against the adoption of the Penitentiary system in this State.

From the Hillsborough Recorder. "AUDI ALTEREM PARTEM."

The supremacy of law is one of those fundamental maxims which every jurist and sagacious observer admits without hesitation is necessary for the security and peace of society.

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A SERIES of articles on the Tariff, have appeared in the Washington Union, which shew extensive knowledge of the practical working of the tariff law.

This writer, in his 8th number, published in the Union of the 11th inst., shows that the excuse of many of the protective men, that our manufactures must have protection to enable them to compete with the "pauper labor" of England, is all "fal the ral."

But what we wish to point the attention of the public to, is that while those who ask for protection, ask for it to enable them to compete with the pauper labor of England, they are actually getting their labor as cheaply performed as the English, taking all things into consideration, particularly theft stolen by the writer, that the English operatives only work 69 hours in the week, and the American 74.

1. In freight.—It costs the British manufacturer, as appears by Hunt's Magazine, October, 1845, about one cent per pound for freight upon his cotton from New Orleans, or Mobile, to Liverpool; while it costs the American manufacturer less than half-a-cent for freight from New Orleans or Mobile to New York or Boston.

2. The American manufacturer generally buys his cotton immediately from the producer, and thus saves a commission to the cotton importer, which the British manufacturer is compelled to pay, and which is equal to 5 per cent. more.

3. In the cost of flour, used in bleaching and sizing, the American cotton manufacturers use about 30,000 barrels of flour per annum, in bleaching and sizing. In consequence of the high duties on flour, the same quantity would cost the British manufacturer about \$3 more per barrel than it costs the American manufacturer.

4. In the greater cheapness of the water-power used by the American manufacturer, as compared with steam, used by his British rival.

A REFORM TICKET.—The New York Globe says, the following ballot was voted in the First Ward, 3d District of that city: "For the amendment of the Constitution in relation to the removal of Judicial Officers: For the removal of all officers and the appointment of new ones, from the body of the people every six months."

The following case resembles very much the one we published about twelve months ago, as happening in Orange county. A colored man was arrested for the same offence, and recognized and sworn to by several witnesses as the perpetrator of the act, but he proved an alibi by several respectable witnesses.

MOBILE, Nov. 5. MR CALHOUN.—This distinguished gentleman reached our city yesterday, and took lodgings at the Mansion House. Information was received early in the morning by Capt. Kinney of the Noxubea, that Mr Calhoun was a passenger on board the H. Kinney, which was expected in the course of the forenoon.

THE N. O. Republican publishes the following from a highly respectable citizen of Louisiana. FARMVILLE, La., Sept. 30, 1845. Col Calhoun—I have seen, not long since a statement in the Jeffersonian Republican, that a buzzard's eye taken out, would in a few minutes fill out again by placing the head under the wing, the down under the wing being a cure for blindness.

TEXAS VOLUNTEERS RETURNED.—The steamship Cincinnati, Capt. Smith, arrived here yesterday with Major Gally's company on board, consisting of 103 men, all in excellent health and spirits.

MISSISSIPPI SENATOR.—The Governor of Mississippi has appointed Joseph H. Chalmers to the seat in the U. S. Senate, vacant by the resignation of Mr Walker.

A case was tried in the United States District Court, Baltimore, last week, being an action to recover for the violation of the copyright of a song, called "The Old Arm Chair."

LARGE COTTON PLANT.—The Savannah Republican says:—Mr R. P. Burton, of Camden county, has sent us a Cotton Stalk, grown upon his plantation, which in its line, beats anything we have ever known in these parts.

SOMETHING NEW.—We have been told by a gentleman of this city that he has received an order from England, for some Chesapeake canvass back ducks, to be sent over in one of the steamers.

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HUMAN TESTIMONY.—A REMARKABLE CASE. The Lowell Courier contains a report of a remarkable case before the Court of Common Pleas, in that city, last week—in which the witnesses for the government were all mistaken as to the identity of the prisoner—a fact, as the judge well remarked, almost sufficient to shake all confidence in human testimony.

Henry Sherman was charged with two assaults with intent to commit a rape, upon two young girls who were picking berries—the one at Medford, on the 26th of July last, and the other on the 28th, two days after, at Newton. Sherman was arrested, and examined before a justice, at Spring Hotel, in Watertown.

And both of these witnesses testified that on the 26th of July (the day on which the assault was made in Medford) they saw the prisoner at a Caravan exhibition in Keene. A Mr Ward, a Concord and Keene stage-driver, was also called, who testified that on the morning of the 28th of July (the day on which the assault was committed in Newton) the prisoner registered his name at the stage office in Keene for Concord, and that he rode on the seat with him all the way from Keene to Concord that day, and he had much conversation with him on the road.

With regard to the morality of capital punishment, it is certainly not necessary for me in this enlightened age of the universality of the Bible, to refer to that Holy Book to sustain an argument that there is nothing immoral or against nature in this punishment.

APPOINTMENT BY THE PRESIDENT.—James Clark as Governor of the Territory of Iowa, in place of John Chambers, removed.

A new Post Office has been opened on Cane Creek, in Orange county, by the name of Rock Spring. Wm. Thompson, Esq. has been appointed Post Master.

CAPE FEAR RIVER. Mr Bayne: You close the article on the Cape Fear River in your last paper, with this remark: "We are informed that competent engineers have pronounced that three locks, at most costing probably \$20,000, will give steamboat navigation the year round."

The Cape Fear River has been again and again examined and surveyed by skillful engineers—first, by engineers at the instance of the Navigation Company, again by the State's engineers, and again by engineers in the U. States service, and all have concurred in the opinion that it is impracticable to improve the navigation otherwise than by taking out the obstructions in the channel as they occur.

The subject of locks in the river has been well considered—the cost of a lock at Spring Hill should amount, at the least calculation, to \$50,000—and if the lock was built, the community would give half the cost to have it out of the river again—the writer has no doubt of this!

It is not worth while to name the Engineer named to us as having expressed the opinion above quoted, as he lives in this place, and has changed his opinion since, which was 4 or 5 years ago, though our informant was not aware that he had changed his opinion.

CAPITAL PUNISHMENT.—I see, Mr Editor, that a writer in your paper of last week, signing himself "A," intends to inflict upon us some arguments in opposition to capital punishment.

But leaving their motives to be judged of by themselves, let us ask what the object of punishment by law is? Is it to prevent crime by setting before men's eyes terrible examples of the penalty of committing it, or is it merely intended as a sort of satisfaction required by the State to appease the majesty of the law?

It is necessary that sacrifices should be made to the public welfare in this particular as in every other. There are numerous instances where States and individuals have to make sacrifices for the common good, and where a man transgresses the law of man in so flagrant a manner as to call for the death-punishment, the common good requires that that man be offered as a sacrifice to the country.

With regard to the morality of capital punishment, it is certainly not necessary for me in this enlightened age of the universality of the Bible, to refer to that Holy Book to sustain an argument that there is nothing immoral or against nature in this punishment.

THE Vibratory Movement recently substituted for the Rotary in this Machine, by the subscriber, endows it with an extraordinary superiority over every form in which it has been constructed.

FOR SALE. 3000 BUSHELS ALUM SAIT, 500 sacks Liverpool ditto, 40 barrels ditto, 100 bags prime Rio Coffee, ditto, 20 bags N. O. and St. Croix Sugars, 20 bags Pepper, Spice & Ginger, 15 tons Swedes & English Iron, 2000 lbs. viz: Cast, German, English, and Am Blister, Am Blister, 250 sides Sole Leather, 250 ditto Upper ditto, 100 ditto Skirting ditto, 80 pieces Cotton Bagging, 100 kegs Nails assorted, 50 coils Hemp Rope, 200 lbs. Bagging Twine, 60 bbls. Brandy and Whiskey, 6 ditto Old Rye Whiskey, 1 pipe HOLLAND Gin, 1 ditto French Brandy, Old "Hennessy's" Brandy, in glass, 1 pipe super Malaga Wine, 15 qr. cases White and other Wine, 40 dozen London Porter, in quarts and pints, 5000 lbs. Dr. Huler's, 5000 lbs. Castings, Sperry Candles, Cider Vinegar, Chocolate, Sillpice, Coppras, Indigo, Madder, Epson Salts, Bar Soap, Starch, Cigars, Cabbins, Smoked Herring, Mackerel, No. 3, in barrel, 8 x 10 Glass, Putty, Lard Sugar, Hylon and Imperial Teas, Collins Axes, Horse Shoes, Fur and Wool HATS; SHOES, &c. &c.

FOR SALE. A Two Horse Wagon and Gear, and one Mule, now in the hands of Wm. F. Brown. GEO. MCNEILL, Nov. 22, 1845.

HOUSE & LOT For Sale. Will be sold at public Auction, on Monday the 1st day of December next, at the Court House in Fayetteville, the House and Lot situated on the northwest corner of the Court House Square, the property of the late Mrs Ann Murl. The lot is a desirable one, containing about one and a half acres. Terms of sale, 6 and 12 months credit, the purchaser giving negotiable notes with approved security, bearing interest from day of sale.

TOWN BAKERY. MRS. E. NEETZEL RETURNS her most grateful thanks to the friends of her late husband, and others who have befriended her in her bereavement, for their kind attention and assistance, and begs to assure them all, from the bottom of her heart, that while her life is vouchsafed, her gratitude for their kind offices will be unending.

REMOVAL. Jas. D. McCallum, MERCHANT TAILOR. Has removed his Establishment from his late stand, to the store next door west of the Cape Fear Bank, recently occupied by Mr Wm. J. Anderson. He will warrant his work to be equal to any in the place, and charges as moderate. Nov. 22, 1845.

LIFE INSURANCE. CAPITAL \$2,500,000. The Insured entitled to participation of Profits in both European and American policies. NATIONAL LOAN FUND LIFE ASSURANCE SOCIETY, LONDON. U. S. BOARD OF LOCAL DIRECTORS. (OFFICE 74 WALL STREET.) New York. Jacob Harvey, Esq., Chas. George Barclay, Esq., John L. Palmer, Esq., Saml. S. Howland, Esq., Jonathan Goodhue, Esq., Gookin A. Worth, Esq., James Burrum, Esq., Samuel M. Fox, Esq., Philadelph. Clement C. Biddle, Esq., Louis A. Godey, Esq., Sears C. Walker, Esq., Geo. Rex Graham, Esq., J. LEANDER STARR, Manager and General Agent for the United States and British N. A. Colonies.

SHERWOOD'S Vibratory Magnetic Machine. THE Vibratory Movement recently substituted for the Rotary in this Machine, by the subscriber, endows it with an extraordinary superiority over every form in which it has been constructed. It is compactly fitted together with its battery, wires, and other appliances, in neat mahogany cases, of several sizes and powers, at (two sizes) \$14 and \$16 each; and forwarded to order, to any part of the Union, the Canadas, West Indies, or South America. Each case is accompanied with a Manual (7th edition, pp. 224, 32 mo.)—including a complete Manual of the Practice of Medicine, with a very full Glossary—giving clear and ample directions for the use of the instrument in the various diseases to which it is applicable, and which are found, by the successful practice of hundreds of operators, to include the most prevalent, as well as the most peculiar and obstinate, that are known to the medical profession; and with the proper Medicines for each case. A. H. SHERWOOD, M. D. 102 Chamber st., New York. Nov. 22, 1845.