

the law suit was settled by a simple rejoinder, and meeting the cheat upon his own terms.—London paper.



SALISBURY:

TUESDAY, DEC. 25, 1821.

P. P. BARBOUR, of Virginia, was elected Speaker of the House of Representatives, on the 12th balloting, on Tuesday, the 4th instant, by a majority of one, over the whole number of votes given, and of 21 over Mr. Taylor.

Our readers (or at least those who preserve files of the Carolinian) are requested to correct the two following errors, which occurred in the Enigma published in our paper of the 4th inst. the first one is of considerable importance,—the other more trifling. In the 10th line, read *oration*,—a lesser Roman triumph,—instead of *oration*; and in the 22d line, in place of *Arround*, read *Arround's*.

A delicate little piece of poesy, the warbling of the "rural muse" of our fair correspondent, will be found in this week's paper. We regret to learn from MABELLA, that she will probably bid adieu to us and the muse, for several months; as we had indulged the hope, that we should oftener have the pleasure of listening to her "wood notes wild," and of echoing the sounds for the gratification of others. And we still hope that she will not find it necessary to remain so long silent; for we can assure her, that even "the plaintive warblings" of her muse will not sound discordantly, but will be pleasing, even should they be painful, to the soul.

CONVENTION.

This question has been brought before both branches of the legislature; in the Senate, by Mr. Williamson, and in the Commons, by Mr. Fisher. Its fate is certain. There is not the least hope that the little counties in the East will consent to give up one jot of the power, which they constitutionally, it is true, but unjustly possess. But some good will result from its discussion, even should the Raleigh editors not see fit to report the debates; the representatives of the West will hear them, and report them to their constituents. Additional light will be elicited, and much valuable information obtained. The subject will be better and more generally understood; and this increase of knowledge will prepare the way for those ulterior measures, which, it is too evident, the West will have to resort to; for that dernier resort, which there is little hope of avoiding.

EDUCATION.

The House of Commons have appointed a committee (the names of persons composing which were given in our last) to inquire whether the injunction in the constitution, respecting the establishment of schools for the convenient instruction of youth, has been complied with; and to devise such plans as they may deem expedient, for carrying the requisition of the constitution into effect. The first part of their duty will be easily performed, as the inquiry will be short, and readily answered. The latter may present more difficulties; but still they will not be of that nature to afford any serious discouragement. There are some obstacles to be removed; and in what undertaking, of any moment, are there none? But the end to be obtained is great, and will reward even the greatest exertions which are made for its accomplishment. It is no less than the moral renovation of the state; than illuminating the path-way of every individual in the community with the light of knowledge, and chasing the cold, damp mists of ignorance from every mind. This is the object! And is it not worth some labor? Is it not worth a little expense, a small disbursement from the public funds? Is it not at least of equal importance to the improvement of a river, or the construction of a rail-way? And is it an evidence of wisdom, is it a mark of sound policy in any government, to bestow all its attention, and all its disposable funds, on the improvement of the natural state of the country, while the deadly night-shade of Ignorance is overshadowing the community, poisoning its principles, and paralyzing the moral energies of the state? Every one, who has the sense of a man, and the feeling of a man, must answer in the negative.

The appointment of this committee we

hail as the harbinger of extensive good, of a new era in our state. It is at least an evidence that we are awaking from the slumbers of half a century, and are opening our eyes to the moral condition of the country. It is a first step; and that is frequently the most important one. The Maryland Resolutions, to which we have heretofore adverted, have been laid before the General Assembly, and their object approved; and should it receive the sanction of Congress,—and there can be little doubt that it will,—we shall then be put in possession of the means to make the most liberal appropriations for the general diffusion of knowledge among the people. Our prospects now, we think, are flattering; and should no adverse cloud arise to obscure them, they will grow brighter and brighter, until we shall at length behold the whole community extended before us, in a complete state of moral cultivation.

SALISBURY ACADEMY.

We are requested to correct an omission in the report of the examination of the students of the Salisbury Academy, which appeared last week. In the 6th class of scholars, in the languages, &c. consisting of Zenas Johnston, Moses Moore, Matthew Locke, Charles Pearson, Lewis G. Slaughter, Milo A. Giles, and Robert Allison, the subjects on which they were examined, and in which they displayed great proficiency, viz. Cicero's Select Orations, and Sallust de bello Catalino et Jugurthino, were not mentioned.

The examination was closed by an Oration, pronounced with much spirit, taste and correctness, by Lewis G. Slaughter.

The young gentlemen had been preparing themselves for an Exhibition, from which much gratification might have been expected; but the examination, for certain reasons, taking place sooner than was at first contemplated, defeated their arrangement. In future, public speaking by the students may be expected to constitute a pleasing part of our semi-annual examinations.

It would be injustice not to remark, that all the young gentlemen who are attending to the languages, devote a portion of every day to Arithmetic. This is so arranged as not to interfere with their daily recitations in Latin and Greek. In this manner their whole time is usefully occupied, and a grateful variety produced. Reading, writing, English grammar, and composition, are made a part of their exercises. The influence a knowledge of English parsing has in making them better skilled in the syntax of the Latin and Greek languages, has been noticed by a celebrated instructor in New-York, and will be acknowledged by all who make the experiment. In this way, their instructor has it in his power to make them understand something of the analysis of language, or of universal grammar.

The baneful tendency of grog-shops, and their pernicious effects on the morals and manners of society, although universally known, and acknowledged, have called forth few exertions,—and none adequate to the importance of the object,—to suppress them, and to root out these nuisances from the land. Like the deadly simoom, they blast the existence of every one who comes within their pestilential influence. They stand as monuments of wrath; and are like so many Golgothas scattered through the country. And these moral plagues have even been made sources of revenue! Shall it always be so? Shall a few individuals, for the paltry purpose of gain, be longer permitted to scatter "fire-brands and death" through the community, and unloose the very foundations of the social fabric, by destroying the moral and religious sensibilities of the people? Let us hope not. Let it be urged upon our legislators to do something to arrest the evil; and this they can easily do, by legislative provisions and penalties; by lessening the facilities with which licenses are at present obtained. The following remarks, from the *North-American Review*, "on the unrestricted manufacture and sale of ardent spirits," are deserving the serious attention of every well wisher to society, of every honest and independent legislator:

"Nothing is more common than the use of what was originally poetic language, in speaking on this subject. People talk of swallowing distilled poison and maddening draughts; but these expressions have ceased to be figurative. 'Tho' we are fully aware of the mischief...tho' we have seen it demonstrated to be almost the sole cause of all the sufferings, the poverty and the crime to be found in this country, we still proceed without any attempt to lessen or arrest it. We convert the exuberance of our harvests, which the bounty of Providence has bestowed, into a seductive poison, where 'the ingredient is a devil.' There is not only no restraint on the production of the article, but every facility is afforded for its distribution.—

Men who are too lazy to work, are allowed, nearly without a check, to entice others to lose their senses, their property and their honesty, in these infernal draughts! Formerly, a dram could only be obtained at taverns; but now every store in the country is turned into a dram-shop; while in the cities, they spring up in every street and at every corner. No farmer can go to purchase necessities for his family, without being exposed to the temptation; no laborer can get to his home, without passing a score of these tripping houses, but for which he would have gone home sober to his family. If he passes them at first, they are sure to decoy him at last. Fatigued, thirsty, and seeing them surrounded by his companions, he may go by a few times...but he begins to enter by degrees; the practice soon becomes a habit, and he finally consumes his earnings and his strength within their pestilential attraction. Yet with all this acknowledged, this immense, and we fear increasing mischief, when a moderate tax would be some check upon it; a tax that would supply all the deficiencies of the treasury, and be levied upon the most noxious of all luxuries, we find the legislators of this nation shrink from imposing it, for fear of popularity! Surely they ought to look with some pity on the wretch who has been drawn into the commission of crime through intoxication, and the cheapness and facilities for which they have declined to lessen."

A NEW QUESTION OF LAW.

An extraordinary case has lately arisen before the Circuit Court of the United States sitting at Frankfort, in the State of Kentucky.

A person was on his trial for resisting the Deputy Marshal in the execution of his duty, and pled Not Guilty. In the progress of the trial (says a letter published in the Kentucky Reporter) it was stated and made to appear, that John T. Mason, Esq. was appointed Marshal by the President during the recess of the Senate in July or August, 1817, and commissioned to hold the office until the end of the then next session of Congress. In November following he gave bond with security, and took the oath of office according to law. Afterwards he was nominated to the Senate, who confirmed the nomination, and he received a new commission, bearing date the 16th December, 1817, long before the end of the session of Congress, when the first commission expired, and has ever since held and exercised the office of Marshal, without again taking the oath of office, and without giving a new bond.—The deputy or deputies mentioned in the indictment as having been resisted by King, were appointed while the Marshal was acting under the first commission, and were not re-appointed or qualified again after the date of the second commission. (Some other deputies were appointed and qualified after the date of the second commission.) Upon these facts, Mr. Wickliffe, as counsel for the defendant, contended, that Mr. Mason not having taken the oath, nor given bond according to the laws requiring these things to be done before he entered upon the duties of his office, was not in fact Marshal, and that the deputies were mere usurpers of power, having no right whatever to molest the defendant; and the court, composed of Judge Todd and Trimble, instructed the jury that the law was for the defendant, and the jury thereupon found the defendant not guilty.

It will be readily perceived that the decision of this point of law goes far to authorize an inference that all the official acts of the Marshal and his deputies, of whatsoever nature, for nearly four years past, are utterly void.

It was not to be expected that a decision which seemed so universal in its application, and so tremendous in its consequences, should be received as the settled law, without a more thorough examination, and more deliberate consideration than it was possible for the court to give it, during the short progress of a criminal prosecution in which the point had unexpectedly been made.

The question was accordingly again brought before the court by a motion made by Mr. Crittenden, in behalf of the defendants, to quash the Marshal's return upon a writ of *ca. sa.* which had been issued at the suit of the Bank of the United States against Logan and Griffith, and by virtue of which the defendants had been committed.

The motion was very elaborately, learnedly, and ingeniously argued on Thursday the 10th, by Mr. Clay, Mr. Whittelsey, Mr. Monroe and Mr. Bibb, against the motion, that is, in support of the validity of the acts of the Marshal and his deputies; and by Mr. Crittenden, Mr. Littell, and Mr. Sharp, on the other side, and the motion is now under the consideration of the court.—*Nat. Intell.*

FROM THE NORFOLK HERALD.

Important opinion.—We learn that a question has been submitted to the Attorney General of the United States, whether free persons of color are, in the state of Virginia, citizens of the United States within the intent and meaning of the acts of Congress regulating the foreign and coasting trade, so as to qualify them for

owning or commanding vessels? and that the Attorney General has given it as his opinion that free persons of color in Virginia cannot be considered as citizens of the United States, and that therefore, such persons cannot, within the intent and meaning of the acts referred to, own or command vessels.

This is an important fact, from the operation of which we foresee much embarrassment; for, as the decision of the Attorney General cannot apply to free persons of color in those states where they are admitted to citizenship, a vessel may be lawfully commanded by a free colored person from N. York to Philadelphia, or from any one port to another, under the jurisdiction of states acknowledging such persons as citizens, and yet be prohibited from going from any such port to one where no such acknowledgment exists. A vessel, for example, coming from New-York, in command of a colored person, with lawful papers and regular clearance, would not be admitted to entry, we presume, in a port in Virginia; or, if permitted, it must be as a foreign vessel, and paying tonnage as such. And, again—if a free colored person, owning a vessel, wished to sell her, how is he to make the transfer? Not being owned by a citizen of the United States, no papers could be taken out for her; for the purposes of navigation, therefore, she would be useless. It is well that Congress is about to meet, as some legislation is certainly required to unravel and adjust the perplexities with which this conflicting state of things is pregnant.

From the National Intelligencer.

The President's Message left this city at half past two o'clock, on Wednesday, by two express riders for Baltimore. The one employed by Stockton & Stokes arrived at 20 minutes past 4 o'clock; the other arrived five minutes afterwards. So that the journey was performed in one hour and fifty minutes. The foremost rider lost six minutes in changing horses from unruly steeds. Deducing this loss, the distance was performed in *one hour and forty minutes*. This was rapid travelling, and, considering the state of the roads, which were slippery and heavy, must have been dangerous to man and horse. The distance from the door of our Office, from which the expresses started, at the same moment, to Baltimore, is about *thirty-seven measured miles*.

Nothing is more common, and nothing can be more unjust, than to judge of a General's talents by the simple test of a battle lost or won. To fight a successful one upon just principles, will indeed entitle a commander to high praise for his talents; and the qualities of his mind must be various and rare. The greatest exertion of the most valuable and even contradictory endowments are requisite. In the midst of havoc and confusion, his view must be rapid, and his decision and execution instantaneous; calmness must be his, when all around is turbulence and horror; and the greatest impetuosity must be united with the most consummate prudence. But a battle may be won by accident, without any exertion of these admirable qualities. Most battles indeed are so won. There are very few great generals.—*Edinburg Review.*

Sir T. Robinson was a tall, uncouth man, and his stature was often rendered still more remarkable by his hunting dress, a postilion's cap, a tight green jacket, and buckskin breeches. He was liable to sudden whims, and once set off on a sudden, in his hunting suit, to visit his sister, who was married and settled at Paris.

He arrived while there was a large company at dinner. The servant announced M. Robinson, and he came in, to the great amazement of the guests. Among others, a French abbe thrice lifted his fork to his mouth, and thrice laid it down, with an eager stare of surprise. Unable to restrain his curiosity any longer, he burst out with, "Excuse me sir. Are you the famous Robinson Crusoe so remarkable in history?"—*Walsh.*



MARRIED.

In Burke county, N. C. on the 11th inst. by the Rev. J. C. Davis, Mr. LEWIS DINKINS, of Mecklenburg county, to Miss HARRIET E. ERWIN, of the former place.



DIED.

In this town, on Thursday, the 20th instant, Mr. HENRY MULL, in the 22d year of his age.—It is with no common feelings of regret that the death of this young man is announced. Three weeks ago, his friends were called to witness scenes of innocent gaiety and mirth at his nuptials with an amiable young girl in this vicinity.

If the distresses of a bereaved father, the agonies of a lovely woman, or the tears of youthful associates, may be received as the evidences of virtue and merit, society has sustained a loss in this young man which time itself cannot easily repair.

(Communicated.)

Near this town, on Thursday, the 20th instant, Mrs. ESTHER BRANDON, aged 68 years.

In Randolph county, on Wednesday, the 12th instant, after a long and severe illness, Mrs. ELIZABETH ALLEN, aged 38 years.

VALUABLE BOOKS.

W. W. Woodward,

BOOKSELLER, at Philadelphia, has in press Bradley's Popular Discourses, two volumes in one, octavo, about 550 pages, in boards, \$2 75.

Just published, Witherspoon's Moral Philosophy, carefully revised by the Rev. Dr. Green, and freed from errors in former editions; to which is added Dr. Witherspoon's Farewell Address to the Senior Class, Letters on Education and Marriage—neatly bound, upwards of 300 pages, one dollar twenty-five cents.

W. W. Woodward is waiting the return of his subscribers to ascertain the number of an edition, in 6 elegant quarto volumes, at 7 dolls. per vol. bound, of Henry's Commentary.

In press, all the writings of the Rev. Charles Buck, author of the celebrated Theological Dictionary, a new edition of which (from the last London edition) is just published, 600 pages, three dollars fifty cents.

Burder's Village Sermons. W. W. W. has just completed a new edition, in four vols. The third and fourth volumes sold to accommodate those who have the first two volumes—price, \$4, or \$1 each volume. One hundred and one sermons, with prayers.

Jenning's Jewish Antiquities. Will shortly be put to press, the above valuable work, in one volume, with engravings.

M'Ewen on the Types: a neat edition, just published, one dollar.

W. W. Woodward has always on hand a very large and valuable collection of Books, wholesale and retail. 3wt83

CAMDEN RACES.

THE Camden Races will commence on Wednesday, the 9th of January next, and continue for two days. Free for all horses, mares or geldings on the continent. By order of the Club. Camden, Dec. 6, 1821. 2wt82

Baking Business.

THE subscriber having employed a competent person, will keep on hand a constant supply of Bread and Crackers, and Cakes, of every description,

as well as the various articles usually kept in a Confectionary Store,—all of which he will dispose of on very reasonable terms.

THOMAS HOLMES.

Salisbury, Dec. 18, 1821.—80

An Overseer Wanted.

I WILL give liberal wages the ensuing year, to an Overseer of sober and industrious habits, and good character. JOHN BEARD, Jr. December 10, 1821.—4wt82

NOTICE.

PURSUANT to an act of the General Assembly, passed in the year 1820, entitled "An act further pointing out the duty of Guardians," making it the duty of all Guardians of every description, heretofore appointed, to renew their Bonds at the first court after the first day of January, 1822, and every three years thereafter during their respective guardianships: All Guardians will do well to avail themselves of this notification, as the law has made it my duty to issue scire facias against all delinquents. 3wt81 ISAAC ALEXANDER, C. M. C.

50 Dollars Reward.

BROKE the jail of Orange county, on the night of the 30th November, 1821, two prisoners, Archibald Brown and Meredith Chavers.—Said Brown was charged with murder, and was sent to said jail from Chatham county. He resided on Rocky River, in Chatham county, where his family now lives. He is about 5 feet 9 or 10 inches high, fair complexion, has pimples upon his face and nose, and is addicted to intoxication. Chavers is a free mulatto, about 6 feet high, and formerly lived on the waters of Back Creek, in Orange county. The above reward will be paid to any person who will arrest the said Brown in this state, so that I get him again; and a reward of five dollars for the arrest and delivery of the said Chavers to me. JAMES CLANCY, Jailor. December 1st, 1821.—3wt81

10 Dollars Reward.

RAN away from the subscriber, living in Fairfield District, S. C. in August last, a Negro Man by the name of BACKUS.—He is about 30 years old, of a middle size, and is quite black; plays pretty well on the fiddle, and is rather an impudent fellow.—He was raised in Stokes Co. N. C. by Mr. Rann, and may possibly be lurking about that quarter now. The above reward will be given, if the negro is delivered to Mr. Mathieu, in Salisbury, or the subscriber in Fairfield District, S. C. or secured in any jail, and notice given, so that he may be had again. THOMAS CUSACK. November 22, 1821.—5wt81

30 Dollars Reward.

BROKE JAIL on the night of the 17th instant, a white man and two negroes. The white man is by the name of John Prince, said to have come from Grayson county, Virginia, who was confined on a charge of counterfeiting money; he is about 35 years of age, dark complexion, about five feet ten inches high.—One of the negroes says he came from Charleston, S. C. and that his name is Bill, and is a runaway; he is a trim built fellow, of a middle size and age, has been cropped, or lost a piece of one ear, I think the right ear: The other is of a yellow complexion, heavy built, thick lips, and a small scar on his under lip, supposed to be about 35 years of age, says his name is Owen, and is a runaway from the state of Georgia. It is thought by some that Prince will pass for their master, and perhaps sell them. Any person that will apprehend them, and confine them in any jail, or bring them so that I get them again, shall receive the above reward, and all reasonable expenses; or 10 dollars for each or either of them.

WM. ARMFIELD, Sheriff. Greensboro', Guilford Co. N. C. November 25, 1821. 3mt11M