

Western Carolinian.

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By PHILIP WHITE.

SUPREME COURT.

The following are such of the cases decided at the late term of the Supreme Court, as we were unable to publish in our paper of the 12th: we then gave those which most immediately interested our readers: such as we now give are of less immediate concern to the great bulk of our readers, but may still be worth coming over.

William Bryan and others, heirs at law of Moses Griffin v. The Executors and Trustees of Moses Griffin, from Johnston. Bill of Review dismissed with costs, and the original decree affirmed.

Robert H. Wynne v. Marmaduke N. Jeffreys and Thomas Alston, from Franklin. Decree for Plaintiff—Clerk ordered to take an account of the purchase money due, with interest, and report to the next term.

Newton Wood v. Daniel L. Barringer, Executor, &c. from Wake. Decree in part for Complainant. Retained as to balance for further proof.

John Wilcox's Heirs v. McLane and Morris, from Orange. Rule to dismiss made absolute, and the bill dismissed accordingly, each party paying his own costs.

Samuel Mills v. William Miller, from Pitt. Decree for Complainant.

A. L. Gomez v. A. Lazarus, from Cumberland. Bill dismissed, each party paying his own costs. Clerk to deliver to the Trustees, the bond and cash filed in his office.

Isaac Williams, Adm'r. v. R. H. Helme and others, from Johnston. Bill dismissed with costs.

Lewis G. Lanier, v. Wm. P. Duke, from Granville. Bill dismissed with costs.

Elizabeth and Susan Dorum, v. Edwin Dorum and others, from Wake. Final decree for Complainants.

Isaac Williams, Adm'r. v. R. H. Helme and others, from Johnston. Decree for perpetual injunction with costs.

James Kirby and Stephen Grice, v. Joel Newson and Jesse Aycock, from Johnston. Decree for Complainants—Defendants to pay the costs at Law and in Equity.

Whitlip Sturdevant, v. Wm. Sturdevant, from Halifax. Decree according to agreement.

James H. Smith Adm'r. v. Bryan Smith, from Johnston. Bill dismissed with costs.

James H. Smith, Adm'r. v. R. H. Helme and others, from Johnston. Remanded to the Court below, for proof of the execution of a deed.

James Sproul, v. Thomas Wheeler and others, from Rockingham. Decree of the Court below, confirmed.

Wm. Petty and Wife, v. Hez. Harmon and Step. Petty, Adm'r. from Chatham. Bill dismissed with costs, on the ground of lapse of time.

Henry Stephenson, v. H. W. Rodes, Jon. Stephenson and Mark Christian, from Cumberland. Decree for Plaintiff.

Thomas Shewell, v. Ambrose Knox, from Chowan. Judgment affirmed and rule for new trial discharged.

James Tyer, v. Jesse Harper, from Randolph. Judgment reversed and new trial granted.

Richard B. Jones and wife, v. Isaac Taylor, from Pitt. Nonsuit set aside and rule for new trial made absolute.

Wilson H. Hodges, Adm'r. v. Henry N. Jasper, from Washington. Petition to re-arr dismissed with costs.

Mary Gregory, v. S. R. Hooker's Adm'r. appt. from Halifax. Judgment affirmed.

Doe on demise of David and Wm. M. Clark v. Roe and Saml. Hyman and Wm. R. Bennet, appeal from Martin. Judgment affirmed.

Francis Ward v. Horace Ely, appt. from Washington. Judgment reversed, and rule for new trial made absolute.

Lovett Bell v. Thomas Ballance, appt. from Beaufort. Judgment affirmed.

Servanus Howett v. Henry Alexander, from Perquimans. Judgment affirmed for Defendant.

Robt H. Smith v. Wm. B. Shepherd, from Perquimans. Judgment affirmed.

John Granberry, surviving Ex'r. of John H. Frazier, appt. v. James G. Moon and wife from Northampton. Judgment reversed and rule for new trial made absolute.

Samuel S. Downy v. David J. Young, appt. from Granville. Judgment reversed and new trial granted.

Patrick Hamilton v. Shadrack Parish, from Granville. Rule for new trial discharged and Judgment affirmed.

Judges, to the use of Willis Rogers, Ex'r. v. William P. Williams and James

House, from Franklin. New trial granted.

Mott Bedwell, v. State Bank, from Wake. Judgment affirmed.

Wm. Humphreys Appt. v. Jno. R. Rule, from Richmond. Judgment reversed and Judgment for Plaintiff.

James S. Battle, to the use of Marmaduke N. Bell v. the Adm'r. of Gray Little, Appt's from Edgecomb. Judgment reversed and rule for new trial made absolute.

Mitty Williford v. Edward Conner, Appt. from Robeson. Judgment affirmed and rule for new trial discharged.

Benj. H. Martin, Appt. v. John W. Williams, Adm'r. from Beaufort. Judgment reversed and a rule for a new trial made absolute.

State Bank, Appt. v. Wm. Wilson, et. al. from Gates. Judgment affirmed and rule for new trial discharged.

Carr Darden v. Wright Allen, Appt. from Hertford. Judgment affirmed and rule for new trial discharged.

The Executors of James Stewart, v. the surviving Exr. of Duncan McFarland, from Richmond. Judgment affirmed.

David Justice v. Th. Cobbs and Sarah Jeter, Appt's from Waks. Judgment affirmed and rule for new trial discharged.

David Worth, assignee v. Th. Festress, appt. from Randolph. Judgment affirmed.

David Shelton v. Ch. Yancy, from Granville. Judgment affirmed and rule for new trial discharged.

Robert A. Jones v. John T. P. Yeargain, from Johnston. Judgment reversed and rule for new trial made absolute.

A. Linsey, Ex'r. v. Heirs at Law of Birchlett Lee, from Johnston. Judgment affirmed and rule for a new trial discharged.

Anne and Nancy Daniel, appt's. v. J. M. and Wm. Proctor, from Currituck. Judgment reversed and rule for a new trial made absolute.

Chairman of the county Court of Granville v. William Hunt, Ex'r. of Joseph Taylor, dec'd. from Warren. Judgment for Plaintiff.

Burwell Simms v. Nathl. Thompson and wife, from Wake. Petition dismissed with costs.

Alex. S. Martin v. Robert Martin, appt. from Rockingham. Judgment affirmed and rule for a new trial discharged.

Wm. Anderson v. John H. Hawkins, from Franklin. Judgment affirmed and rule for a new trial discharged.

Jesse Stocumb and Wm. McKinnie v. Calvin B. Blackman, Sheriff of Wayne. Judgment final, according to *sci. fa.*

Alfred M. Side v. Whitmel H. Pugh, from Bertie. Stricken from the docket, not having been filed in time.

State v. Jim, a negro Slave, from Brunswick. Judgment reversed and new trial granted.

State v. Hugh Simpson and John Fisher, from Bladen. Judgment for the State.

State v. Major Barden, from Wayne. Judgment for the State.

FROM THE GEORGETOWN COURSE.

We "give it up." Neither Horn snakes nor any thing else will stop emigration to such rich land as is to be obtained in the "Chatahoochie region." The Milledgeville Journal of the 14th, says "we are credibly informed, a man one evening, after using an iron hand-spike, usually called a crow bar, stuck one end of it in the ground and left it; and in the morning when he returned to his work, to and behold the crow bar was covered with tenpenny nails, that had sprouted out during one single night." Now it would be an excellent anti-tariff movement and it might be a very profitable speculation to buy up all the iron in Augusta, and transport it to plant in the neighborhood of Columbus. It would stop the "Yankees" from bringing any more of their nails to the South, and nails will be in great demand shortly about the new towns, when the lots are improving.

Will our friends of the Journal please to ascertain, if nails or tacks sown in this fine soil would produce a crop of axe-bars and waggon tire?

Mad horse... A horse under the influence of hydrophobia, lately exhibited a distressing spectacle in the streets of Norfolk, Va. The poor animal was in a violent paroxysm, flying first in one direction, then in another, utterly insensible. The horse had been bitten, a short time previous, by a rabid dog; which was afterwards killed.

The corn field of Mr. Asabel Ives, of Berkshire, Massachusetts, as we are informed, was attacked by an army of crows this spring, which in the space of a few minutes destroyed 2,400 hills of corn.

POETRY.

CHRIST ON THE CROSS.
Bound upon th' accursed tree,
Faint and bleeding, who is He?
By the eyes so pale and dim,
Streaming blood and writhing limb,
By the flesh with scourges torn,
By the crown of twisted thorn,
By the side so deeply pierc'd,
By the baffled burning thirst,
By the drooping death-dew'd brow,
Son of Man! 'tis Thou, 'tis Thou!

Bound upon th' accursed tree,
Dread and awful, who is He?
By the sun at noon-day pale,
Shivering rocks, and rending veil,
By earth that trembles at his doom,
By yonder saints that burst their tomb,
By Eden, promised ere he died
To the felon at his side,
Lord, our suppliant knees we bow,
Son of God! 'tis Thou, 'tis Thou!

Bound upon th' accursed tree,
Sad and aying, who is He?
By the last and bitter cry,
The ghost given up in agony;
By the lifeless body laid
In the chamber of the dead;
By the mourners come to weep,
Where the bones of Jesus sleep;
Crucified! We know Thee now;
Son of Man! 'tis Thou, 'tis Thou!

Bound upon th' accursed tree,
Dread and awful, who is He?
By the prayer for them that sleep,
"Lord! they know not what they do!"
By the spoils and empty grave,
By the souls He died to save,
By the conquest He hath won,
By the saints before His throne,
By the rainbow round His brow,
Son of God! 'tis Thou! 'tis Thou!

THE CHRISTIAN'S WISH.

BY THE REV. JOHN O'BRIEN, M. A.
Occasioned by Stanzas in the "Lantern Journal," entitled "A Poet's Wish for a Grave."
I CARE not where my body lies,
In vault, or grave, or clay;
For where'er it lies, it will surely rise,
On the resurrection day.

'Tis vain to fear sepulchral cold
For a senseless mass of clay;
Or to talk of things we could wish to behold,
When the power of night's away;

Or to wish to be laid on a soft clay bed,
When we'd rest as well on a stone;
Or to pray for cowslips over our head,
When the sense of smelling's gone.

In the cold gray tomb let the lizard sleep,
Without hurt or harm to me;
Or the snail on my coffin slowly creep,
When my soul from the flesh is free.

My cares are all for the noble part,
In the shade where the faithful rest;
I pray to Christ for a contrite heart,
And a place among the blest.
—March 27, 1828.

MISCELLANEOUS.

FROM THE NEW-YORK ENQUIRER.
*Coats off (in warm weather).—*A gentleman by the name of Coats, took himself off; last week, from his boarding house, and unfortunately forgot to pay his landlady for some two or three months' board; he will probably make an attempt to put himself on some other person, which would be quite uncomfortable this warm weather.

Catching Cold.—A reward of fifty dollars is offered in Kentucky, for the apprehension of a horse thief, whose name is *Cold*. There are hopes of his being taken.

Adams men.—A Mrs. Adams, of the town of Jefferson, had three sons at a birth, about a month since. They and their father are all the Adams men, that have been seen in "those parts" lately.

Shoulders arms!—Owing to the bursting of a cannon in Pennsylvania, on the fourth ult. a man was under the necessity of having both arms taken off near the shoulders. By the laws of that state, he is excused from carrying arms for the future.

A great Walker.—A Mr. Walker near Albany, weighed 310 pounds a few days since. This is the least he has been known to weigh for several years.

Robbing the Mail.—A male (not a female) was knocked down, a short time since, in the suburbs of Philadelphia, and robbed of four or five dollars, and a silver watch.

Currying favors.—A tanner, near Utica, advertises for the favor of tanning and currying the farmers' hides. It is said he will be refused by most of them.

Good Advice.—An old tax gatherer gave to a young one, his successor, the following advice of civility in his vocation. "Remember," said he "more flies are caught in honey than with vinegar."

Soundness of the Lungs.—Dr. Lyons, Edinburgh, proposes an ingenious and practical test for trying the soundness of the lungs. The patient is directed to draw in a full breath, and then begin to count as far as he can, slowly and audibly, without again drawing in his breath. The number of seconds he can continue counting is then to be carefully noted. In confirmed consumption, the time does not exceed eight, and is often less than six seconds. In pleurisy and pneumonia it ranges from nine to four seconds. But when the lungs are sound, the time will range as high as from twenty to thirty-five seconds.

In Leipzig, which has always been the centre of the book trade in Germany there are 60 book stores in addition to which 450 foreign book sellers have regular agents in that city. Twenty-two printing offices; employing 424 workmen, and 125 apprentices, furnish work for 126 presses. The quantity of paper annually printed is estimated at 40,435,000 sheets. Two hundred individuals are employed as type foundry lithographical and copperplate printers. From the celebrity of the Leipzig book fairs, it might reasonably have been inferred that a much greater number of persons was employed in the trade.

In a time of much religious excitement and consequent discussion, an honest old Dutch farmer, of the Mahawk, was asked his opinion as to which denomination of Christians were in the right way to heaven: "Well den, (said he,) ven we ride our wheat to Albany, some say dis is de best way; but I don't tink it makes much difference which road we take; for when we get dare, dey never ask us which way we come—and it is none of deir business—if our wheat be good."

George the Third once said to Sir J. Irwin, a famous bon vivant—"they tell me Sir John you love a glass of wine." "Those Sire, who have so reported me to your Majesty," answered he, "do me great injustice; they should have said a bottle."

ADAMISM AND JACKSONISM.

John Q. Adams in the Senate of the United States voted in favor of requiring a large property qualification before a freeman should be allowed to vote and choose his own rulers. Andrew Jackson in the Convention of Tennessee, was the champion of the rights of the poor, and in favor of allowing every freeman the right to vote.

Two of the propositions, when Louisiana was admitted into the Union, were the following, in favor of which the monarchist John Q. Adams, true to the principles of the Braintree dynasty, voted.

1st. That no person shall be eligible to a seat in the territorial legislature, unless he own one hundred acres of land or a house and lot in the city of New-Orleans.

2d. That no person shall be qualified to vote for a representative unless he own fifty acres of land.

John Quincy Adams said with his father, that the "common people—husbandmen, mechanics, and merchants in general," "are destined to labor,"—"while the rich are qualified for superior stations."

The following is the clause of the Constitution of Tennessee, which was advocated in the Convention by the republican Jackson, who was one of the framers of that Constitution:

Art. 3. Sec. 1. Every freeman of the age of twenty one years and upwards, possessing a freehold in the county where he may vote, and being an inhabitant of this state, and every free man being an inhabitant of any county in the state, six months immediately preceding the day of election, shall be entitled to vote for members of the general assembly, [Senate and House of Representatives] for the county in which he shall reside.

Disgusting.—The Arkansas Gazette mentions the execution of a man named Jacob Strickland, found guilty of the murder of George Deacon, and that he was carried to the gallows in a state of intoxication, in which situation he was not only permitted to harangue the crowd, but to take two additional drinks of grog! What a disgusting spectacle.

The three things most difficult are, to keep a secret, to forget an injury, and to make good use of leisure time.

Watches, Jewelry, &c.

THE subscriber has just returned from the North, with as good an assortment of Jewelry, Watches, Silver-Ware, &c. as was ever offered for sale in this place: his Jewelry is of the latest importations, and the most fashionable and elegant kinds to be had in any of the Northern Cities: elegant Gold and Silver Watches, plain Do.; &c. &c. And in a few days, he will receive a very elegant assortment of Military Goods. Also, all kinds of Silver-Ware, kept constantly on hand, or made to order on short notice. All of which will be sold lower than such goods were ever disposed of before in this place.

The public are respectfully invited to call and examine these goods; their richness, elegance, and cheapness, cannot fail of pleasing those who wish to buy.

All kinds of Watches Repaired, and warranted to keep time: the shop is two doors below the court-house, on Main-street.

ROBERT WYNNE.
Salisbury, May 26, 1828.

Trotter & Huntington, Watch and Clock Makers and Jewellers, CHARLOTTE, N. C.

HAVE just received an elegant assortment of articles in their line; which they will sell very low for cash, or to punctual customers on a credit. All kinds of Watches repaired, and warranted to perform well.
July 3d, 1828.

A CARD.

DOCTOR B. L. BEALL
BEGS leave to inform his friends, that he has declined locating in Lexington, and has taken the office of the late Dr. Moore, in Jersey Settlement; where he can be found, by those who wish his professional services, prepared and willing to accommodate them.
August 8, 1828.

To the COTTON Planters.

THE subscriber has been engaged in the manufacture of COTTON GINS, for many years; he has travelled, within a few years, through the states, of S. C., Alab., Geor. and Mississippi, for the purpose of improving himself in the principles and construction of these useful machines: from his enlarged experience in this business, he feels some confidence in presenting his claims to the attention of Planters; he feels assured, that by combining the late improvements in Cotton Gins with a recent improvement of his own, he can make Gins pick from a 1-4 to 1-3 faster than the common Gins, and at the same time to most, in a superior manner: these improvements can be put upon the common Gin in an effectual manner, inasmuch as they appertain mostly to the breast of the Gin.

He will repair, or make Gins to order, at a short notice.

For reference as to the plan and execution of his work, he would refer to Jesse Hargrave, of Lexington, Anderson Ellis, of the Jersey Settlement, and Michael Brown, of Salisbury. He has on hand, and for sale, when finished, five or six excellent Gins.
HENRY A. CLINGAMON.
Lexington, August, 1828.

Cotton Yarn.

FOR sale, wholesale and retail, Snow Cotton, Number 6 to 15, inclusive; at the Factory prices, from Fayetteville. Apply to
J. MURPHY, Agent.
Salisbury, May 5, 1828.

Committed to the Jail

OF Wilkes county, a negro Boy, who says his name is BILL, belongs to Ezekiel Trotman, of Alabama, and ran away below Fayetteville. He is 5 feet 8 or 9 inches high, well made, rather light complexioned, between 22 and 25 years old: no particular marks perceptible on him. His owner is requested to prove property, pay charges, and take him away.

N. B. Since the above was published, this fellow says his name is Daniel, and that he belongs to William Povel, of Richmond county, N. C.
CHARLES PHELPS, Jailor.
Wilkesboro', May 30, 1828.

Taken Up.

ON the 3d of August, and committed to the jail of Cabarrus county, N. C. a negro fellow who says he belongs to a man living in Georgia, by the name of Willis Oton, Hancock county, Sparta (and says he is free), and calls his name George, dark complexioned, 45 years of age, the fingers on his left hand somewhat contracted or drawn inward, occasioned, he says by a stroke on the hand; one of his upper fore-teeth out; 3 feet 6 1/2 inches high; the owner is requested to come forward, prove property, pay charges, and take him away.

WM. O. MAHAN, Jailor.
August 4, 1828.

Estate of Capt. D. Craige.

HAVING qualified at November court last, as administrators on the estate of Capt. David Craige, late of Rowan county, dec'd. we desire all persons indebted to said deceased, to make payment with as little delay as possible; and all persons having claims against the estate, to present them, legally attested, within the time prescribed by act of assembly, otherwise this notice will plead in bar of their recovery.
3m37
THOS. CRAIGE,
ROBT. N. CRAIGE,
July 15, 1828. Administrators.

WAGONERS.

DRIVING TO FAYETTEVILLE. WILL find it to their advantage, to stop at the WAGON YARD, where every convenience is provided for Man and Horse, to make them comfortable, at the moderate charge of 25 cents a day and night, for the privilege of the Yard; the use of a good house, fire, water, and shelter. Attached to the Yard, are a Grocery and Provision Store, Bread Shop and Confectionary, and a House for Boarders and Lodgers, in a plain, cheap, wholesome and comfortable style.
Fayetteville, 26th April, 1828.