## THE SENTINEL.

WM E PELL, Passareron;

THE UNIVERSITY.

The late Commencement exercises at Chapel Hill were bighly creditable to all the actors on the occasion, and fully sus tained the eminent ability and capacity of the Faculty. The graduating class has been complimented, on all hands, as emimently distinguished.

We have already announced that, in view of the peculiar status of affairs, the Board d Trustees very properly determined to urinus the exercises of the University, until their successors were appointed and were ready to discharge their duties. The Burrel could not have done otherwise, without a dereliction of duty. The guardian ship of the property and of the educational interests of the University was still in their hands, and they could not relinquish their control, until their authority passed into ther hands.

The President and Faculty had all re agned their positions. In view of events, the Trustees did not assume the responsifullty of re-electing them, but, aware of the wif sacrificing spirit of those men, who, for years, on hardly hulf-pay, had borne the burdens of the institution, they resolved, in appreciation of their eminent merits, and at evidence of the continued confidence of the Board, to request the President and Faculty to remain at their posts, and con t nue the exercises of the institution until turther orders. The Faculty, at much personal sacrifice, have consented to do so, and it is understood that the exercises of the University will be resumed at the proper

The Legislature will not convene until July. The new Board of Trustees cannot be appointed and give notice of their acceptance for some wacks to come. When the Board is duly organized, much thought and care and time will be necessary, before they can possibly settle definitely the new University regime. Under these circumtances, it appears to us that the authorities of the University cannot the soon announce the programme for the ensuing session. The friends of the University are d unitesanxious to be advised of the opening of the

## ----LET US HAVE PEACE

This is the concluding paragraph of Graft's letter of acceptance of the Unicago nomination. As a sentiment, it is admirable, yet, when coupled with the practice of the party whose standard-bearer he has become, and whose "will" he promises to have "ao will" of his own to oppose, it but the more couspicuously exhibits the hypocri-y of the author. If Grant and the Radicals really covet peace, why do they not follow the counsels of peace? Why do they per sist in the atrocious policy, to which they are committed, of degrading the white race, of re-opening, by a malevolent spirit of perclosing, and exciting to fresh bitterness the antagonisms which should be permitted to die? They cry, too, for peace, and war in cessantly upon the Constitution. The peace which they seek is that which is proluced by the stiletto of the assassin-the peace which follows the destruction of the victim of their relentless bate and fury.

## RELIEVING DISABILITIES.

We were under the impression, formed without due examination, until our Saturday's telegraphic dispatches disabused us, that the bill relieving the disabilities of the "Governor elect" and other "rebela" had passed both Houses. It seems not, but that, on the contrary, there is a hitch in the mat ter, at present, which may lead to important results. The bill will come up again to day, on a motion to reconsider the vote, by which the bill was defeated in the House on Friday. We hope that the Democrats of the House will reass it to the death, unless it is made to include all who have been elected to office in conformity with the recent Reconstruction Acts. The faith of Congress, if that is worth any thing, is virtually pledged to all such, and any discriminating legislation is simply infamous partyism. To-day, however, will probably tell the tale.

THE CROPS We are highly gratified by what we learn, from various sections of the State, in regerd to the crops. We learn that the wheat crop of the State, as a general thing, is very fine. In some sections, is was injured by the late rains and rust, but the crop is conceded to be generally very good. The oat crop bids fair to be a beavy one. Corn and cotton, though backward, are generally very promising. June has been favorable to the cultivation of these crops, and we trust, alter so long a term of short crops, poverty and suffering, that Heaven will be once more propitions to our people, and give, us abundant harvests, generally.

MILITARY PARADE. - The fourth of July (which occurs on Saturday thir year) is to be celebrated at Tork, Pa., by the inilitary of that place and the afficient towns and counties. There is to be a grand picnic in Mitter's woods, and a sham battle.—

One would suppose that the country has seen enough of genuine fighting, without any such tom foolery as sham battles.

Here in North Carolina, the Fourth of July is to be colclimated by a show Precon

Rhode Island must be a nice little State, with few axes to grind. The Legislature s at only two days in a second control of

STATE, NEW ..

past, has been released and has returned

The Chronicle gives them as follows: Rev. meeting was choffs to fisten to the report B.F. Boltson, Kastnery: H. G. Hill Pay 1 of the General Agent, Lir. Sears, and to Co. W. duce-lay, the 3cd., at 11 o'clock, Rev. S.D. Adams, of the Payotteville Diss. etteville; E. H. Harding, Concord. Ed. make appropriational of the next six months. Hines, Granville.

Our excellent friend, May D S Hall, of Louisburg, has gone into the manufacture of the Aurora Burning Finid, which is fast and the progress of the existence of education only with marked ability, but with greate growing in popularity for its cheapness and which has been divised, and is to ing active apprepriateness to the occasion. From

We learn, trom the Henderson Index, that, on last Saturday morning, the valuable saw mill property of Mr. S. R. Hunt of Granville, was fired by some person or persons, and completely burned to the ground. No clue, as yet, to the incendiaries

Nine white citizens of Buncombe publicly announce, in the Asheville News, their withdrawal from the informing Learne.

Speaking of the Leagues, the Tarboro Southerner expresses its gratification that, in many sections of the State, the colored men are learning to understand the bandul influence exerted by them. The recent outrageous proceedings of the Leagues at Battlebore, Edgecombs county in arrogating to control by viologice the political course of one of its mombers; have opened the ever of several colored mun in that section, and, as will be a so by the following communication, they have sommarily dissolved all further connects a with the are classed It is addressed to the President of Union League at Bartleborn, and is as fol-

"We the uniterigued from evy members of the League at the place steame to with draw our connection and affaint on entirely from said organization

We do not won a miteral to be held responsible or culpable for any act or entrage committee by said League in the future, and we hereby declare non-eigh and all our on sections with it effectually as sered and inded

Were it persented to drive and it we he had the course we have pursued we are reach to do so at any time to any motivabust or par ties concerned

A detail of them here, would go ve too lengthy for a simple put tic newspaper re-nunciation. Soffice it is say that we were grossly deceived not only in the design, but in the effect it has produced on our status as individuals.

We had not been informed that such an association would allenate our triends, and produce such desord in our society, nor bad we been informed that it was an asso cia ion instituted for the purpose of abridging our rights as freeduce. We have often felt the tinge of shame while connected with said League, and sometimes much emassociates. We have always here to fore enjoyed the respect of the best mon, and whatever we do, politically, we intend it posting guards and sentinels around our assemblies. We cannot be made to believe cerned in its welfare, if is either right of expedient for a part of said community to rganize and hold meetings in secret cor ners and surrender their rights, even thought to strangers and men of doubtful

reputation.

We hope this expose will place us prope. ly-before our neighbors and friends, and that we shall no longer by considered as plotters and conspirators against our fellow men. We desire the good with of all respectable non, and to become uschil and relia ble citizens of our common country.

> WILLY TAYLOR. THOS: JACKSON. NED MANN.

A meeting is to be held at Wadesbore, on Monday of July Court, to organize a County Democratic Club

A black scoundrel has been arrested and committed to jull, in Cabarrus, for attempting a rape on a little white girl, about 10 years old, the daughter of a highly respec-

The Proprietors of the Wilmington Journal have determined to make the price of their campaign issue such as will place it within the reach of every man in the country. They will farnish their Daily and Weekly, from July 4th, to Nov. 20th., at the following rates: Daily One copy \$3; five copies \$14; ten copies \$25. Weekly Ond copy \$1 ; Pive (to one address) \$4.50 ; ten \$8 ; Iwanty \$15 ; thirty \$32 ; fifty \$35 ; one hundred \$50. The Journal is one of the stangehost, most liberal and effective papers we have, and we wish it the success,

every way, which it deserves. All of the Conservative editors, who re beatly partook of Mr. Blair's hospitality. speak in high terms of the "Yarborough." The ladies of Fayetteville have tormed a Circulating Library Association in that

Gov. Vance has accepted the invitation recently tendered him by the Conservative Committee of Petersburg, and will address

First watermeloes of the sesson in the Wilmington market. Selling at fabulous prices. Brought from Charleston.

the people of that town shout the 10th of

Constitutions which are not the natural and spontaneous growth of the genius and will of a people, and outward forms which are not vivided by the inward spirit, canonly stand upright as long as they are propped from outside. Such a condition of things as the present, therefore, campot be

THE PERSON FLOW. The semisannual W. B. Hughes, of Henderson, who has beid at the Piffs Avenue Hotel, New York, The Commencement exercises, which rebeen in prison in New York, for a long time last week, hx Govs, Graham, of North

Carouna Asker of South Carolina, Clifford, of Massachusetts, and Fish, of New York; Four Presbyterian ministers, now living in Mesers, Eaton, of Maryland, and McAllster, different portions of the country, are natives of Philadelphia. Bishop McIlvaine, of Ohio, of Milton. By a singular coincidence, the Mr. Samuel Wetmore and Mr. Peabody names of all of them begin with an H .- Russel were present. The object of the

> The Sears' report to highly substactory, which has been divised, and is taking active by carried out under the team direction of States and of the tremetal Agent. Dr. Sears has been for the last six months, travelling through the States of North and South Carolina Georgia, Florida, Louisiana, Misring with leading contained upon the objects of this magnificent donation, and addressing the people of the principal towns and cities upon the subsect of Free Schools ceived with the utmost knodness and cor-drating. To Manaphie, and other leading cities of the South, be tore been tendered the hospital in a difference rates, and ave been definitely appropriated by the Trustees for the ensuing six months, and which he presented it, and the practical use about \$78,000 in addition have been appro- he made of it, made it quite manifest that printed conditionally upon the raising granting aid varying according to circumthe amount necessary to sustain the respecgiven to the founding of Normal schools and the commencement of a system of free school solucation. Dr. Sears reports the entire people of the 5 with ascorbaguatic intheir grafitude to Mr. Peabady and the ap | The following is the programme of

premation of the Will of the late Hon Wm Rives, of Virginia and expressing the Trus evel sense of the loss sostained by his ideath, were passed, and the Boar I all ormed to meet more on the third. Thursday of Jamests,

## For the Septemb

Editors of the section of contlemes. The suggestions you are more in this reatments. morating a paper tipon the subject of in op-erative organizations for the employment of regular, retable and efficient labor, are mently proper, and an important may so absolutely essential to the future prothat your Western readers would be glad to have further thought, and perhaps som something ungleative as to the practi cal inauguration of such co-operative

Personally interested, I submit the fol wing. Suppose that a correction of landbuilders in each county in enlied; where t this shall be signed-each land-owner pledging himself to give employment to one or more white inhorers, for a specified time -say two years. Living such laterers a sustenance for the time, and, for the bal-

twenty or more server of uncultivated land industrious, and passably intelligent Ger to North Carolina on these terms: who, in a few years, would become such a political element, as nright be judiciously handled against negroism, Radiculism, and that ilk; say nothing of the benefits accruing from the reliability of such labor. Will you were

AGRICOLA 

Messes Entrops You gave us, in your paper of Thursday morning, something of a puzzle in connection with the subject of marriage, the answer to which is the num

ment of an entangling alliance, which some-times happens, and which, indeed, I am assured, actually did happen, many years ago, in this very city, but, as I am also in-

consequences.
I remember to have lately read son where, that a man in Titusville, Pennevi vanis, committed suicide for the strange reason that he had discovered, in unravel ling the mixed up condition of his affin ties, that he was his own grand father.

He left this dying statement, in relation o the subject of his month! trouble : "I married a widow who had a grown-up daugh My father visited our house very often, fell in love with my step-daughter, and married her. Thus my tather became my eon-in law, and my step daughter my moth er. After a while my wife gave birth to a son, who was my father's truther in law, because he was the brother of his wife; and brother of my step mother. By and bye my father's wife-that is, my step daughter also had a son. He was, of course, my brother, being my father's son, and at the ame time my grand child, for he was the son of my daughter. My wife was my other. I was my wife's bushand and the grand-child at the same time. And as the bushed of one's grand-nother is his grand-father, I am my own grand father, which fact burdens and oppresses me unto death." How foolish for people to trouble themselves about affinities merely

Our Irish fellow-sitizens have cause for ride in the details of the storming of Mag tals which have been received by mail. It seems that the brunt of battle and bacching were borne on the plains of Abyssinia, as they have been borne in so many other fields, by the Irish soldiers of the queen's

CURIOUS.

The name of Senator Hendricks in .con nection with the nomination for Presiden seems to be regarded here with increasing favor, and it is not doubted that he poll a large vote on the first ballot, - Wash

The prosecution in the Surratt case him under the act of 1863, with "giving aid and comfort to the enemy.

For the Sentine mering of the Product of this Fund was THOMASVILLE FEMALE COLLEGE. mainly interesting and attractive.

RALEIGH, N. C., WEDNESDAY, JUNE 24, 1868.

The examination of the classes began or Monday 1st inst and closed Tuesday even-The young ladies, in the impartial mg. rial to which they were subjected, showed, by the general readiness of their answers, a familiarity with their text books, which indicated good framing and industrious ap-

trict, presched the nanual sermon. His theme was "The Loce of Christ," based upon the question propounted by the Savior to Somen Herer mathe 15th verse of the 21st thus a rmon no one would fail to see that Mr. Adams is a good thinker, and I feit, during its delivery, that, but for his manuscript, upon which be leaned, he would have kindled and glowed into a fervent eloquence, that would have swayed his audi No man can be truly eloquent with a manuscript. Mr. Adams was instened to throughout, however, with unbroken interthe solid, rising men of the Church and

On Tifursday, at 11 o'clock, the Literary Judge, Address before the Societies of the College was delivered by Gen. Wm. L. Scott, of pencil, the character of SIARY WASHINGTON. as the example, above all others of her sex, for the imitation of the young ladies. It was a novel theme for an address on such an occasion, but the eloquent manner in he not only aimed to please, but designed to profit. Gen Scott, unlike too many the legal profession, is not a neglector of Literature, as was evidenced by his address, which exhibited very fine literary culture and taste

The Concert and graduating exercises came on, on the evening of the same day. Three young ladies, having passed through the regular course required with the highest distinctions awarded, received diplomas.

WRADICATING EXERCISES.

Sono Sleely and Softly Music should flor MISS M. MAUNET, ROWSE Co. CONFOSITION "Help thyself and How well help them." Mrss M. MAKINEN. Music - I. Absence. Miss Fannis Woods,

Carnell County. Composition "Spread a Fed our the DUET Capt Shepherd's Quick Step. MISSES LEAK AND M. MAUNEY VALEDUCTORIES "The Great Escale of

MUSIC - Le Reve. MIRS J. MAUNEY. CONFERRING DEGREES

Choice "We buil thee, glad Spring time, The compositions of these young ladies mose I great merit, and were read by hen in an admirable manner. The faculty and friends of the Institution should be proud of these her first graduates. Sevothers of the pupils read compositions during the day and evening. All did well. Everyoutly seemed delighted with the exreises throughout. The auctione was large particularly at the Concert, of the representative men of the counthe occasion. It was indeed a gay brilliant season in Thomasville truly a lity scary lastival. Long may this young an flourishing College live to bless the Church and State. The Fall term opens, I learn, on

the 4th of August, Thomasville, Jone, 1868

> For the Sentinel. THE APPLE PROBLEM.

A young man asked an old gentleman for his daughter in marriage. The answer was, "Go into the orchard and bring in a numher of apples. Give me one-half of the a hole number, and the mother one half of the balance and half an apple over, and to the daughter one half of the remainder and half an apple over, and have one left for yourself, without cutting an apple, and then if she is willing you can have her."He solved the question, and how many did

MESSAS. EDITORS :- I send you a solution of your apple problem. It is properly an algebraic question simple equations, otherwise called equa-tions of the first degree, but can be solved by an arithmetician, not acquainted with algebraic formules, as thus :

1. The father of the young lady receives the whole number. 1 the whole number.

2. The mother receives a this a -equal to i -and half an apple besides. This i of the whole number and & an apple besides, being taken from the & remaining after the fath-

er's baif, leaves \(\frac{1}{4}\), less \(\frac{1}{4}\) an apple.

3. The daughter's share will then be \(\frac{1}{4}\) the i of the whole number of apples, less the t of the t of an apple, and t an apple in addition : that is \$ the whole, being the of an 1. less 1 of an apple and 4 of an ap ple, or i of the whole number of apples and apple in addition. The ye was to have I apple. Put these items to-

The father's share. The mother's share, and of an apple The daughter's share, | and | The young man's share, o

# and 7 4 or 14 apple will be the whole; that is } of the wh number will be 7-4 of an apple, or I apple and & and the whole number or 8-8th

Father's share, # 7-feaving 7 Mother's share,

† of 7 and † as spole 4 leaving 8
Daughter's share,

† of 3 and † an apple 2 - leaving 1 Young man's share,

The daughter's share being also ; of the whole number and \(\frac{1}{2}\) of an apple, that is 1 and \(\frac{1}{2}\) and \(\frac{1}{2}\), making as before 2 apples, and there will no need to cut an apple,

the Richmond Enquirer apon the proclama tion of the "Governor elect," who is not Governor, convening the Legislature, which is not a Legislature, under a law, which is not a law

the functions of the office to which the ne-groes elected him."

IS THE CLERE OF A COURT F duties be racticles are still ministrated and intention of the law.

RECORD A JUDICIAL OR MIN-de But as an about that he has Judicial officers decided and a ministrated officer. The lat. lead-TERIAL OFFICER!

First: He is not a judicial officer, with the meaning of the Reconstruction Acts the Howard amendment, wherein all j cial officers are rendered ineligible to !

Because, to begin: A judical officer hold to be one who exercises a indicapower. Now, the question here arises Does the clerk of a Court of Record exer

consider the meaning of the word "judi-cial," as contained in the definitions given WORCEFEEN, the word signifies "relating to.

which is mannestly desired, or errors by the passite, what other and a consistent with our ideas of the circles and duties of the circles of And if the Judges who populat the Clerk rest in Idan no "Judicial" yower," from what of the mouree can be derive the indicate, according to Bonvier.

2. Again it is said, in anob's Law Die-DESTRUCTION OF THE PARTY OF THE the cler, of a Court must have the powers tionary, "By the long an uniform usage

In Jacob's Law Dictionary we find that, the court is a judicial when the long and uniform usage of many Now if the Clerk of the court is a judicial giver, twentiling judicial form the Line of the Court, we are to believe Jacob, then the Clerk must have whole judicial power of this State is delegated to the Judges of the Supreme and Suted to the Judges of the Supreme and Suus see how the definitions of "Judge" agree perior Courts, and to the Magistrates of the with our notions of a C rk's nterior Courts. Now it the wnotes Judy powers: cial power is delegated to Judges and Magis cor, who is invested power authority to hear trates, how can there be any Judical power and determine cases, any or criminal, her surr to be exercised by the multifude of tween parties, according to his commission Clerks in a State! For, when the whole is Builty. "An office granted away, there is nothing of the same probaty appointed to wining to be delegated. And besides, it and criminal cases. is a maxim of law, that "Delegatus non po-test delegare." It, then, the Judges of a coster "One incest-Court, in whom the whole Judicial power is mine a question at delegate any part of that power to either civil or crimin the Clerk whom they employ, they must do vier: "A public office awfully appointed so in plans received not one of the funds to decide "litigated que one" according to mental principles of the communitaw of our law." Jacob: "Clind Magistrate in the law."

flicted, by a Court of Justice.) ticed in the distribution of public justice;" similar to Walker's definition of the word. no more hand in the "administration of publie justice" than the Marshal who opens the Court, the person who copies the judgment, or he who records the the Court. So that, if the opinions of learned Lexicographers are to be respected, the Clerk of a Court exercises no fluidicial Judicial officer.

2. Next, let us consider the duties of a (B. 4.); Clerk of a Court of Record and see if he ex- Law, &c., as the office of Chief Justice, or aforementioned Lexicographers, which it must be granted is the accepted meaning of

ancient Lexicographer, says, Clotks are such "as live or exercise any function by the pen, in any Court or elsewhere." According to this definition a Clerk clearly exercises no Judicial power. WEBSTER: One who is Judicial power, Webstek. One who is employed in the use of the pra, in an office; as the Clerk of a Court." Here, there is no actions of a Court is, surely, no exercise of "Judicial power," Jacon Law Duer, bas on who practices his pen in my Court or otherwise." Dictionary : "One signification of this word otherwise." According to all the aforementioned definitions of the word, a Cierk exercises no Judicial power. Next, consid er the duties of a Clerk, and, more especially, the duties, functions and powers of the Clerk of this Court. 1. "He keeps the repords and accounts. If the mere fact "keeping" the "records and accounts" of a "keeping" the "records and account of Justice, makes such "keeper" or a action principle of law Thindly. The office of a Count keeps the records, accounts, papers &c. then is not a Judicial office. It is "minisduring the temporary absence of the Chrk, terms" to its nature. The term "ministermest also be a Judicial officer. E. He re-cial" significa, asserting to Webster : "Atkeeps the records, accounts, papers, &c., then is not a Judicial office. It is "minus-during the temporary absence of the therk, termi" in its nature. The term "minusterms also be a Judicial officer. If He records, "writes or registers in proper form the transactions of the tribusel, or body, or Court to which he belong." If He copies the mand, a string onder superior author not worth while to investigate the nature of the mand. or Court to which he belong." S. He copies ity, the opinions, judgments, decrees and orders of the Court, and scope a record thereof. Agent, Elect be acts as a more copyist and octobily
exercises no Judicial power. 4 He issues is done under the authority of a superior,
write, executions, &c., &c. This is done,
not by any "Judicial power" resting with
him, but by order of the Court, acting solety
an authority order of the Court, acting solety
of an and Walker, "Acting under superior auin a ministerial capacity, under superior authority. So that, with regard to the duties

and functions of the Clerk, we cannot dis cover any exercise of "Fudicial power,"more than a Cork-that he is a Clerk and

is a Clerk and Master, the powers and being in the class of the "inferior and mindutles he exercises are still minisfertial and interial officers" of the law.

To does he derive the Judicial power to ing distinction is that a judicial office can be it. Judicial power must be co derred on exercised only in person; but ministerial person can exercise Julicial power ov the citizens of this State, unless be derived that power from the Legislature. The Judges of the Supreme and Supreme Courts, and the Supreme and Sup the Magistrates of the inferior Courts, de ive the powers they exercise from the tration of Justice, and requires skill and Legislature. But the Clerk of the Court is capacity. Ministerial require only attention

1 - Exercises no judicial power. For first It is a maxin of the Common Law, that judicial offices exceed by "Vi. Co. Sh. n. b. "Delegatus non potent delegars." And if "Chancellor, Chief Justice, Judge, Admi. by wise Leriesgraphers, both American and title Judge delegates his power and authoris only deep are judicial officers; there English Among these we find that ly or any part theorof, to another, does he stable, &c, are ministerial." Com. Dig. Walann says: Judicial means, "practiced not violate this waim? In Hoke vs. Here Vol. 5. in the distribution of public justice." - per Jerma, 4 Her. 1. I. ffin, Ch. J. anid: "Julital offices cutino: be delegated"—or, in going views of the question, from the su-other words, to apply the declara to the thorities quoted, and "from the reason of practiced in proceeding from or issued by other words, to apply the decign to the thorities of a Court of Justice; emanating from question in point, the Judge of a tourl, in the thing," if a circk is a judge a question a question of the court in the thing," a Judge" if a clerk is a judicial a sponting a subordinate Clerk, cannot decorate are those, who, by virtue of commissions of the word, the legislative power of the ward of the word, the power corressor or emanating from a Clerk must be similar to the power exercised by a loss not delegate to the appointer a part of must be similar to the power exercised by a loss not delegate to the appointer a part of the rights of citizens, and to do other judicial power versed in him by yir the rights of citizens, and to do other judicial power versed in him by yir the rights of citizens, and to do other judicial power versed in him by yir the rights of citizens, and to do other judicial power versed in him by yir the rights of citizens, and to do other judicial power versed in him by yir the rights of citizens, and to do other judicial power versed in him by yir the rights of citizens. Justice, or emanating from a tue of his commission (red the Legislatire, which is manifestly absent, or err or election by the people, what other Jud-

of many ages, the system address power In Jacob's Law Dictionary we find that, delegated to the actions of the Courts. notions of a C rk's functions and Webster says, dige in 'a siviloffiauthority to hear eminent parts and Valker: "One who judicature." Wora authority to deter in a Court of law.

land.

Again: Richardson suith, Judicial signioffences. But the Clerk of a Court neither
fies "of or pertaining to a Judicial signihear nor determine rauked," nor holds his that over which he has power and authori- office by "commission;" nor is "appointed ty." (The sentence, "that over which he has power and authority," we take to signity the preceding which are had in, the with authority to determine a question at write that are insued from, the determinations issue in a Court of Law;" nor is he "apthat are made, the punsalments that are in- pointed to decide hargated questions;" nor can be "try civil and criminal causes" or "punish offences." Then it is manifest that "the Clerk of a Court of Record has not a

single power or function of a Judge. And Now, it must be admitted that a Clerk has bow can this be reconciled with the idea that the Clerk is a judicial officer? For, can one be a judicial officer, and yet bare no judicial power, nor one single function of a Judge? And if he is invested with no judicial power, how can be be a judicial of-To strengthen this view of the case, we

power, and hence, it follows, he is not a quote from Comyu's Digest, vol. 5, p. 908, A Judicial officer established at Common

So that, if the Clerk of this Court is a Judicial officer, it must be confessed that see

have failed to discover the source from whence he derives the Judicial power, which We tope that cough has been said to show to the satisfaction of every one, that the Clerk of a Court of Record exercises no Judicial powers, whether we consider the usual acceptation of the term Judicial, or the duties and functions of the office, or the appointment that placed him in office. And can that Cjerk be a Judic al officer, who ex-Judicial power. Bouvieu. "A person encan that Clerk be a Judic at officer, who exployed in an office, &c. His business is to errises an waterial power."

write or register, in proper form, the trace

SECONDEY. Again, it is well as elicit (in actions of the tribunal or body, to which he the State of North Carolina, at least;) that To write and register the trans- the office of Supreme Court | leck, as well as all Clerkships in the Superior and County Courts, may be exercised by Deputy But in its also a well settled principle, established CURBINGHAM'S Law and confirmed, by long and uniform usage for many ages, that a Judicial office comm noteth those that by their function or course, be delegated to another, or exercised by Dej manher."

of life, practice their pen in any Courts or my "A Judicial" officer cannot make a THE UNION LEASURE AND THE PARITES. d puty's for his judgment is relied on in matters relating to lite office,"-8 Med. 150.

> Amilton, icas eyer boop to place vinisting of mand, school from Judicial, recrees and orders attenting and serving as a subordinate

> > thority."

Now it must be admitted that Clerk of a Court "attends for sermor"—"acts under superior authority"—"attends and serves as and unless he does have "Judicial poser," a subord he performs are not Judicial in character, rior." And how can the powers and duties in what does his Judicial power consist?

And it is said, the Clerk of this Court is and yeathe office be a Judicial office? And, again, a mustalso be admisted that

the same Judge who held the thought of fant, merent officer can make a deputy." S Mod States seem to be admitted, will be in the same presided over the Court of Equaty. It seems to the court of Equaty. It seems to be taken more accounts them a Clerk of a Law Court, from the different jurisdice. Executive and Judicial clinical cannot be delivered by the admittation of Colorado now a court, from the different jurisdice. Executive and Judicial clinical cannot be delivered by the admittation of Colorado now as is true he takes more accounts than a Clerk make a deputy." I he will the control of Colorado now was of a Law Court, from the different jurisdict. Executive and Judicial office classified the court of Equity. But he takes them under the orders of the Court and his co them under the orders of the Court and me may." Moke at Andrew and the second substitute as documently for report has no force until the Judicial Act was if ministerial office may be exercised that the conforming it is pronounced by the Judy Bos entries:

Bos entries:

This cause coming on for further direct direct continuous and Judicial an

the first are judicial power f. If he execution is a more appointed of the Court. Name, the and friendly S. Court of June decision is an Judger, who derive their By the old English law. Office unnisted We hold that the clerk of a Court of June Judicial power from a higher power, determining the power find may be granted to two; but judicial pate that Judicial power, or any part clit. offices cannot be granted to two." "Minio to another person—to a subordinate Clerk! "Chancellor, Chief Justice, Judge, Admi-

> Fourthly and finally. From all the fore-" it is manifest, that judicial off-State, are vested with authority "to hear and determine litigated causes," affecting the rights of citizens, and to do other just oial acts:—as the Chief Justice, and the Judges of the Supreme Court, Judges of the Superior Courts and Magistrates— And Ministerial officers are those who are mere subordinate agenta acting under the superior authority of such Judges. Magistrales, &c., employed to relieve the Judges trales, &c., employed to relieve the Judges ary of all mere manual labor necessary to be performed in the administration of justice be performed in the administration of passing—as Clerk of the Supreme Court, Clerks, of the Superior and Courts Courts, Clerks and Masters in Equity, Sheriffs, Constables, &c., and finally, since the office exercised by the Clerk of this Court is ministerial in nature, and applications, and since by his appointment no indictal powers were vested in him, it is clear that he is a ministerial and not a judicial officer,

> ALLEGED ILL TREATMENT OF A NEGRO PRISONER IN GRORGIA.
>
> The following is in substance the affidavit of John Wells, a freedman, of Columbus, Ga., in regard to the treatment be received at the bands of military authority, while in custody as a witness in the Asiburr murder rase. It is small the manufacture of the state der case. It is one of the number of depo der base. It is one of the humber of depo-sitions brought here by Mr. Lamar, of Guor-gia, to secure, if possible, some action by means of which the men now held as pris-ouers at Fort Pulseks may have a fair and impartial trial :

> Walls deposes that he was arrested with the other prisoners and taken to Fort Pulthe other prisoners and taken to Fort Pul-aski. All were stripped and searched for weapons and money, which latter was taken from each of the prisoners and has not yet been returned. Each prisoner was confined in a separate cell, with an empty cell be-tween those occupied by prisoners.— Boon after they were confined, some person, apparently in authority, asked, in the hearing of witness, whether the ranors were ready to shave the heads of the prisoners. The reply was "yes," Witness was then blindfolded and taken to an other part of the fort, seated in a chair and held by two men while his head was being lathered and preparations made to shave it. Some person took hold of his head and drew it back, and the bandage was par inty removed from his eyes. Witness found humself in a casemate and a camen pi ed in front of him and a man appeared to be in the act of firing it. Witness became as ment of all be know, Fifteen minutes were allowed for the purpose. Witness they told all he knew in connection with the killing of Ashburn. He declared his own insocence and know nothing to implicate others. He could not give false lestimony against others, and if they beams to kid him for refusing he would have to die.—Winess was shortly threather re-conducted to his cell, where he was counted severed days, during which time he was frequently interrogated, and was finally released, with the explanation that they believed he was honest and teld the truth. Before leaving the fort he was sauthoned never to speak of what occurred there, and it he did they would bring him back and keep him five years. Witness stated that the easProvisand Governor, James John there who took an active past in territying and catechining the witnesses, and that Johnson conducted himself in a very violent

Person holding office in New York beer So that we are forced to the conclusion, dispatched for abuse of his trust, to the cither that the Clerk of a Court of Record a not a Judicial officer, or that the practice of appointing deputies to exercise the Clerkamps, in the conces of England and of that content Union Lenguer, Mr. Horaco Greeley; and Mr. Anderson, who has been sentenced by Chief Justice Chase in Rich-mond to pay a fine of \$10,000 and to take the mysterious connection which, as thus seems to be shown, must exact between extrems "forsity" in politics and extrems toosees in finance! If things go on as this rate, it will soon be difficult to secure a quarum of members in any leading Union League Club without applying to Governor Fenton for tickets of leave from the Pavites tary. And spat a satisfaction it must be to President Johann to reflect that his name has been somewed "from the roll of membership" on which such patronymics as those of Callicott and Anderson have long reflected lustre !—N. F. World.

COLORADO AND THE POURTHENTS AMENI tind, upon examination, that the immediate admission of that State would jeopardize Moster in Equity.

But a Clerk and Moster in Equity is only a Clerk and Moster in Equ Se entries:

"This cause coming on for further directions spok the report of the Master, and there lengths exceptions thereto, the same is in all things confirmed"—and decrease cordingly; or "npon the report of the Master and the exceptions thereto, the same and yet ministerial in than heretofore. It is understood that the character, and the office not be a ministerial in character, and the office not be a ministerial in than heretofore. It is understood that the character, and the office not be a ministerial in character, and the office not be a ministerial in than heretofore. It is understood that the congressional delegation elect proposes to the same and yet ministerial in the name and yet ministerial in the congressional delegation elect proposes to the congress