"Unwarp'd by party rage to live like brothers."

# is published every Tuesday and FRIDAY, by JOSEPH GALES & SON,

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ADVERTISEMENTS

Not exceeding sixteen lines, neatly inserted three times for a dollar, and 25 cents for every succeed ing publication; those of greater length in the same proportion ..... Communications thankfully received .... Letters to the Editors must be post-

#### STATE LEGISLATURE.

#### IN SENATE.

WEDNESDAY, JANUARY Sd, 1827.

Continuation of the Debate which occurred or the Report of the Committee of Privileges and Elections, in the case of Josiah Tyson, whose seat as Senator from Moore County, was conested by Cornelius Dowd.

Mr. Yancy, (Speaker) would wish to be informed by the Chairman, or some member of the Committee of Privileges and Elections, whether William T. England. whose deposition has been taken, was the same man who had been appointed an Inspector of the Election, and who voted as he said, with an open ticket for Mr. Dowd, the petitioner? [Mr. Croom stated he was the same man. | Mr. Yancy then said, it would seem, that one of two Inspectors appointed by the Sheriff was the friend of the petitioner, that he proved all the votes taken at that separate Election were unquestion bly legal except one, about which there was a difference of opinion. He said that from the evidence which had been read, he concurred in opinion with the Committee, that there was no very good reason for vacating the seat of the sitting member upon the ground of fraud; and as no gentleman, who had taken part in the debate, seemed to rely on that part of the case, he would examine the other reason given, to shew the election was illegal and

ought to be set aside. Mr. Yancy said, he had not heard of this question, before it was presented by the Committee in their report of this morning, but a few moments of reflection had induced him to believe, that the sitting member is entitled to hold his seat. The act of the Legislature of 1777 directs, that there shall be in each County, one annual Election for members of the General Assembly-that the Sheriff shall advertise the time and place of holding the election for at least twenty days. That the County Courts shall appoint two Inspectors to superintend the Election, and if it shall happen, that the Court does not appoint Inspectors; or persons appointed refuse or neglect to come, the Sheriff of the County, with the advice of three Justices of the Peace, if they be present, may appoint Inspectors; and if the Justices be not present, the Sheriff, with the advice of three freeholders, shall appoint Inspectors. In the case before us, the County Court neglected to appoint these, and the Sheriff of the County, conformable to a practice of many years standing in the County, appointed the freeholders himself: one of them was the friend of the petitioner, and voted for him with an open ticket. It is stated in his deposition, that all the votes given for the sitting member, except one, were given by freeholders duly qualified to vote. Before entering on their duties, they were sworn impartially to discharge their duties, and so was the deputy Sheriff. The objection, then, to the legality of this election is, that the Inspectors appointed by the Sheriff, were not approved of by three Justices or three freeholders, althothey were proven to be men of good credit and character. There certainly was an

Suppose in this case, as is very probable, place of the annual election, would any titled to the prize of

ize, if the sitting member has received in

the County a majority of constitutional

- This case, said he, may be supposed to be like the one before the House of Commons of the last session; but a moment's reflection will convince us it is not. In that case, votes had been taken at a place not authorized by law. To the Legisla- numbers on them, and those two the first and ture is given the power of prescribing the second in either order, will each be entitled to time and place of elections, and after having done so, it is not competent to give them at any other time or place. If, therefore, they are given on a different day or prize of at a different place, than that directed by The case before us appeared to him to be analagous to one which he would state. By the laws of several of the States, members of Congress are elected by districts composed of several counties, and it is required of the returning officers to make their returns at some convenient place within a given time. Suppose that a part of the officers make their returns within the time! limited by law, and others do not : upon | Quarters \$1 50. comparing the returns made, one candidate has a majority; but if all the votes which bove, post paid, for Tickets or Shares, will rehad been given in the district, had been returned in time, it would have given the uther a majority. What would the House

of Representatives do in such a case? If Nashville Male Academy. he was not mistaken, they have decided c that the candidate who had received the FIHE Trustees of the Nashville Male Academy, largest number of constitutional votes was entitled to the seat, notwithstanding the votes given were not returned in time for authorize the returning officers to receive tisfactory testimonials of his pre-eminent qualifi-

The case shows that the member returned, received a majority of constitutional votes at the election. His opponent, however, says the election should be set aside. not because the Sheriff did not appoint honest men to inspect the election, but because he did not call for the advice of three Justices of the Peace, in making the appointment. If the votes given were such as were legal, it is not very material how the persons were appointed who inspected them. He hoped, therefore, the report of the Committee will be concurred in.

Mr. Hill, of Franklin, said, he had a case which he thought would completely answer the argument of the honorable speaker. By the constitution of North-Carolina, the Governor has the power by and with the advice of the council of state, to fill all vacancies where the right of appointment belongs to the legislature, by granting a temporary commission. Suppose a Governor should appoint a judge, for instance, during the recess of the legislature without the council, would it not be an arbitrary usurpation, and would not the appointment be considered null and void? The case is analogous to this; by the act of 1777, it is Class of our University. provided that when there is an omission on the part of the county court to appoint inspectors, the sheriff shall do it, with the College, having pursued a course of studies difadvice of three justices, or in their absence, he shall consult with three freeholders. Now, if a sheriff neglect to comply Village at \$37 50, per session. with these requisitions, and appoints in spectors on his own individual responsibility, are they not illegally chosen? They certainly are, and the election should be set

In like manner, the President of the United States is constitutionally authorthe advice and consent of the senate. Suppose during the sitting of Congress the President should of himself send off a mir. ister to any foreign court, would not every one denounce the act? Yet the sheriff in his capacity, committed as gross a violation of the law of the land, in appointing inspectors contrary to the act of assembly, as the THE subscriber grateful for past favors hopes President would by usurping such a stretch of power. He thought the present case a sitting member.

DRAWING On the 21st day of February, 1827. Only 7980 Tickets. North-Carolina Lottery. FOR THE BENEFIT OF

#### THE OXFORD ACADEMY, THIRD CLASS,

To be drawn at RALEIGH, on Wednesday, the 21s of February next.

J. B. YATES & A	Meintyke,	Managers.
SC	HEME.	
1 Prize of	\$7,000 is	87,000
1	5,000	5,000
1	2,500	2,500
1	1,500	1,500
4	1,320	1,320
1	1,250	1,250
108.	40	4,320
108	20	2,160
108	10	1.080

3,084 Prizes, 7,980 \$39,900 4,896 Blanks, Tickets, In this Scheme, composed of 21 Numbers by permutation, producing 7,980 Tickets, and with three drawn ballots, there will be six prizes with

three of the drawn Numbers on them; \$24 with

2,754

13,770

irregularity in the appointment, but such a two on; and 2,754 with one only, of the drawn one as this House was competent to legal- numbers on them. To determine the prizes, the 21 Nos. from 1 to 21, inclusive, will be placed in a wheel on the day of Drawing, and three of them be drawn out, and that ticket having on it, for its permutation numbers, the three numbers drawn from the the Sheriff id not advertise the time and wheel, in the order in which drawn, will be en-

one say the election was illegal? and yet | And those five other tickets having the same one objection seemed very much like the numbers on them in the following orders, shall be entitled to the prizes affixed to them respec-

chitica to the prizes an	nacu co	CHICIA	respec
ely, viz:	1 16- 1	1	31
The 1st, 3d, and 2d, to	g to 48 m		\$5,000
2d, 1st, and 3d, to			2,500
2d, 3d, and 1st, to		- 12	1,500
3d, 1st, and 2d, to	- 13- 1		1,320
3d, 2d, and 1st, to	April 19		1,250
Those 108 tickets, havin	g two-	of the	drawr
-this and this and the			

Those 108 tickets having two of the drawn numbers on them, and those two the second and third in either order, will each be entitled to a

All others with two of the drawn numbers on law, they are to be considered as no votes. them, being 108, will each be entitled to a prize

And those 2,754 tickets, having one only of the drawn numbers on them, will be entitled to a No ticket which shall have drawn a prize of a 12.120 Prizes. superior denomination can be entitled to an infe-

rior prize. Prizes payable forty days after the drawing, and subject to the usual deduction of fifteen per

Present price of Tickets, \$6, Halves \$3 00, Orders, inclosing the cash or prizes as a-

ceive prompt attention, if addressed to YATES & McINTYRE, Raleigh or Payetteville, N. C. Ra'eigh, Dec. 20th, 1826.

L take pleasure in informing the public, that they have at length succeeded in employing the Rev. John Armstrong, as Principal in this Institation. This Gentleman produces the most sa tions as a Gentleman, a Divine, and a Teacher. He is a graduate of distinction in the Columbian College, D. C. from which, besides his Diploma he brings the most flattering testimonials of character and acquirements, from the Revd. Doctor Staughton, President of the College, the Revd. O. B. Brown, President of the Board of Trustees, besides the highest recommendations from the Rev. E. Baptist of Virginia, and very many other distinguished names equally satis actory.

Mr. Armstrong has taught the present year in the Carterville Academy, Va. Dr. Wharton and Dr. James, of Va. and others, afford the most am ple testimonials of his success in Teaching. To all of which the Trustees would superadd, that in an interview with Mr. Armstrong, and an ex amination of his credentials, and method of Teaching, they are abundantly satisfied and can, with pleasure and confidence, recommend him to the public.

The School will go into operation on the 8th day of January next. The price of Tuition will be \$8 per session for Reading Writing and Arithmetic-\$10 for English Grammar, Geography History, &c -\$12 for Latin, Greek, French, As tronomy, Natural and Moral Philosophy, Mathematics, and all the higher branches of Arts and Sciences, to be paid in advance. The Trustees have obtained from Chapel Hill, the System o. Studies taught there, and the course of Studies in this Academy will be precisely such as to prepare Students from this School to enter with ease the Freshman, Sophomore, Junior, or even Senior

The Trustees are well aware of the inconveni ences that a young man labors under, who enters ferent from that taught in the University, and they are determined to have an eye to it.

The character of Nashville is so well established for health, that it is deemed unnecessary to say any thing here. There are several never-fail-

Board can be had in respectable houses in the

ing Springs of excellent water near the Academy The Trustees are convinced that no Academy ever commenced under more favorable auspices Indeed, if a distinguished Teacher, healthiness of situation, cheapness of terms, and vigilance in ised to make appointments by and with the guardians of the school, can recommend it to a generous public, we are assured that this Institution will be very liberally encouraged.

> & II. BLOUNT, Sec'y. Nashville, Nash C'ty, N. C. } 17-t

By order of the Board.

## Confectionaries.

by assiduity and attention to merit a continuance of public patronage. He has the pleaplain one, and he should vote against the sure to inform his friends and customers that he has lately received from New-York a large and well-selected supply of articles in the CONFEC-TIONARY line of business which with those on hand makes his assortment very good, consisting

Spanish Liquorice

Fresh Tamarinds

Spermaciti Candles

Pearl Barley

Olives, Capers & Ancho-

Prime chewing Tobacc

of Ladies Work Bas-

Market ditto ass'd. sizes

ı	in part of
33	Soft Shelled Almonds
	Prunes & Figs
	Brazil
	Pecan
	Madeira >Nuts
	Filbert and
	Shell Bark
st	Cakes, Candies &
7	Cordials of every des
	cription
30	Champaigne 7
	Washing

Lorrillard's do Cut do do Spanish Cigars Com'n & Torpedo ditto Goshen Cheese Madeira : Water & Butter Crack-A handsome assortment

Port & Claret Fresh Lime Juice & Lemon Syrup Sallad Oil N. Y. Pippin Apples St. Augustine Oranges

Fresh Smoked Beef Dried Citron Bologne Sausages Preserved Limes & Cod Fish New Brewed Pough-Ginger

Cologne Water & Po- keepsie Ale With a great variety of Nutmegs & Cassia Children's Toys, &c. The above articles are all perfectly fresh and of the best quality and well be sold in for cash. A liberal discount will be made to persons

buying Candies to sell again and furnished at the shortest notice. HENRY HARDIE, 3 doors below W. & D. Shaw's Store, Fay-23 5wlaw etteville St.

### Virginia State Lottery. Fifth Class-For the benefit of the Dismal Swamp Canal Co. Will be drawn

On Wednesday the 7th of Feb. next.

J. B. Yates & A. M'Intyre, Managers.

	SCHEME.	
1 Priz	e of \$20,000 is	20,000
1	10,000	10,000
0 × 1	4,000	4,000
1	2,000	2,000
119	1,500	1.500
1	1,020	1,020
10	1,000	10,000
20	500	10,000
20	200	4,000
52	100	5,200
52	50	2,600
1,352	10	13,520
10,608	5	, 53,040
ASSESSMENT OF THE PARTY OF THE		

\$136,880 \$5 Whole Tickets, Half do 2 50

1 25 Quarter do Orders post paid, punctually attended to if addressed to

### VATES& MINTYRE RALEIGH OR FAYETTEVILLE, N. C. \* Georgia, North and South Carolina Bank Notes received in payment.

Bonds, Deeds, &c. For sale at this Office.

### New and Cheap Seasonable DRY GOODS.

B. SMIT'H has the pleasure of announcing Do to his friends and customers, that he has just returned from the North with an extensive assortment of superior

SEASONABLE, STAPLE & FANCY DUT Goods, selected with great pains by himself at Auction and Private Sales in New-York and Philadelphia. Consisting in part, of

Superior Blue, Black, Drab and Oxvono mix'd Cloths

Ditto Blue, Black and Oxford mix'd Cassi neres and Sattinets. Black Silk, Cut Velvet, and Valencia Vestings,

Circassian Plaids, and Black Bombazine. Plain, Figured and Twilled, Bombazettes. Irish Linens and Long Lawns, (very fine.) Bleached and Unbleached Sea Island Shirtings cheap.)

Rose and Point Blankets. Negro Clothing, (consisting of Negro Cotton Satinett, and plain and striped Linsey Woolsey.)

Elegant Cambrick Ginghams, (new style.) A most beautiful assortment of shaded Calicoes and Chintz-warranted fast colours, and many o them entirely new patterns. Curtain Calico (very cheap.)

4 and 6-4 Cambrics and Cambric Muslins, (very fine.)

4 and 6-4 Mull and Jaconett Muslins. Plain and Tambor'd Book and Leno do. An elegant supply of Plain and figured real Swiss Muslins, from 50 cts. to \$3 per yard, and among them some most splendid patterns for

Some new fashion Mandarin Crape. Do. Nankin and Canton Best plain Black Gros de Naples and Levan

Superb Brown, Blue, Black, Pink, & Pearl Colored Gros de Naples Silk. A great variety of elegant Merino, Cashmere &

Cassimere Shawls and Scarfs, from \$2 50 to \$25. Fine white Flannel Wide new style Belt Ribands. Gloves and Stockings of all kinds.

Fine Prunel and Morocco Shoes .-4 cases elegant Hats, (some wide and medium

Children's Fur & Cloth Caps. Raleigh, Dec. 1.

# LAFAYETTE HOTEL,

THE Public are respectfully in formed, that in consequence of the recent death of Mr Clement Tracy,

the sabscriber, who has been employed in the management of the LAFAYETTE HOTEL, has assumed the superintendance of it This new and spacious builning, (which has been purposely erected at great expense for an Hotel. is now in complete order for the reception and accommodation of TRAVELLERS and BOARDERS. Besides the advantage of a number of rooms with single beds, fire-places and bells, the Hotel contains several handsome DRAWING ROOMS and APART-MENTS, particularly suited for the private accommodation of Travelling Families.

BOARDERS, with or without Lodging, can

be accommodated. The FURNITURE and BEDDING are of the bes quality and entirely new, and each bed is suplied with a Moscherro Ner.

BATHING ROOMS are attached to the House, upplied with water from the Hay Mount aque-

The BAR is richly supplied with a variety of the choicest Liquors, recently selected for it in the Northern cities, by an experienced Judge-Large Stables are conveniently placed in the rear The subscriber is determined to conduct the House in the most genteel manner, and no efforts shall be spared to render it every way worthy of a continuation of the patronage it has received. WM. TRACY.

Oct. 25, 1826. 8-1aw 3m

# Stammering Cured.

Mrs. Leigh's & Dr. Yates' Virginia Institution for correcting Impediments of Speech.

THE Rev. THOMAS P. HUNT informs the public that he is qualified to act as Agent for Mrs. Leigh and Dr. Yates, "of the New-Vork Institution for correcting Impediments of Speech," for the State of Virginia.

He may be found at the Brunswick Mineral Springs, Va. 45 miles south of Petersburg. The stage passes by the Springs twice a day; and excellent accommodations on liberal terms may be obtained there.

Mrs. Leigh's ., stem is founded on rational principles. There is no trick nor quackery in it. No stammerer need fear not being cured nor a return of his disease. Numerous certificates from the most respectable gentlemen, to whom the system has been explained, and from those who have been cured by it, attest the certainty & permanency of Mrs. Leigh's discovery. These certificates may be seen by any who will apply. But the reputation of the system does not depend on certificates. If any doubt, we can convince them-If any stammer, we can

cure them. Letters (post paid) directed to

Percival's, Brunswick, Va. will receive immedi-

Sept. 26-eotf.

ate attention.

Perensacre, Va. Sept. 28 1826 I CERTIFY with much pleasure, that under the tuition of the Rev. THOMAS P. HUNT, of Brunswick County, who is Mrs. LEIGH's Agent in this state, for curing impediments of Speech, I have been in three days entirely released from a very distressing habit of Stammering contracted upwards of thirty years ago.

If I ever Stammer again, it must unquestionably be my own fault, as I sincerely believe that all persons laboring under that affliction may be permanently relieved by Mrs. Leigh's System. I have yet remaining a slight hesitancy at the pronunciation of some very hard words, but I feel confident of being relieved even from that, in a very few days more. H. B. GAINES.

WE, whose names are hereunto subscribed, do certify that we have been instructed by the Rev'd. Thomas P. Hunt, of Brunswick County, Va. in Mrs. Leigh's system of correcting impediments of speech, and that we are satisfied of the certainty and efficacy of her rule in affording permanent relief to all stammerers if they will apply her remedy, & it is our own fault if we

are not entirely cured by it. JON. FRENCH. Norfolk, V. H. B. GAINES Petersburg, A. M. ADOUE, ditto, J. P. KEEN, J. B. BURTON ditto,

# Fashionable Hats.

REDERICK C. ELLIS, at the Fashionable Clothing Store, two doors below the Newberns Bank, on Fayetteville Street, has just received an Assortment of FASHIONABLE BEAVER HATS, warranted of the first quality, which will be disposed of on accommodating terms. Raleigh, Jan 1.

# Twenty Dollars Reward.

AN AWAY from the subscriber on the 18th inst. a bright mulatto fellow by the name of BOB, about 28 years of age, 5 fect 8 inches high, stout made, very active, and quick spoken; he is very freckleb for a negro; he had on when he went away a white hat, brown pantsloons, drab colored home made coat; and a drab big coat with a large cape; he had also a double-cased Silver Watch, marked Norton, London; No. 334, with D. Scott's watch bill in the case

The above reward will be paid to any person who will take up said fellow and deliver him to the subscriber in Orange county, or to the Jailor of Guiltord county-or Ten Dollars if secured n any Jail so that I get immediate information. SEYMORE PURYEAR

Dec. 27. MAST & SPAR TIMBER

NAVY COMMISSIONERS' OFFICE. 7
December 22, 1826. 5

WILE Commissioners of the Navy will receive Sealed Proposals, 1 15th February next, for the supply of the following Mast and Spar Pieces, deliverable at the respective Navy Yards, on or before the 1st of July, 1827, at

New-York.

2 half spindles, 2 fishes, 4 heel pieces, 4 side trees, 5 main-mast. 2 fishes, and 3 side trees, for fore mast, 1 check, and 1 paunch, for mizen-mast,

1 lower half-main yard, 2 main and 1 mizen-top-sail-yards,

2 main, one fore and 1 mizen-top-gallant-mast. 2 jib-booms, 3 flying do. and 1 spanker-boom, The above for a 74 gun ship. 4 fishes and 6 side trees for main-mast,

3 fishes, 3 half spindles, and three side trees for fore-mast, 1 spindle, 4 cheeks, and 2 paunches for mizen-

2 quarter spindles, and I paunch for bowsprit,

1 fore and 2 mizen-top-masts, 1 lower half main-yard, 4 main, 1 fore, and 2 mizen top-sail-yards,

4 main, 4 fore, and 2 mizen-top-galiant-masts, 4 jib booms, 4 flying do. and 2 spanker-booms, The above for a 44 gun ship.

Philadelshia.

1 fore and 1 mizen-top mast. 1 fore-top-gallant-mast, 2 main-yard pieces,

4 bow sprit pieces, 1 sprit sail-yard, 3 top-gallant-yards in one piece,

2 spindle-pieces for main mast, 2 fishes, 2 heel pieces for fish, 4 side trees, 4 heel pieces for side trees. 4 cheek pieces, 2 heel pieces for cheek.

2 spindle pieces for foremast, 2 fishes, 1 licel

2 side trees, 2 heel pieces, All the pieces for the mizen-mast, The above for a ship of the line. 2 half main cheeks, 2 fore side trees. 2 main side-trees, 1 fore fish, 1 bowsprit piece, 1 heel piece for main-cheek,

1 heel piece for fore cheek, 1 half main-yard, 1 half fore-top-sail-yard, 2 main fishes, 2 main spindle pieces, 1 fore-top-gallant-mast, 2 half main-top-sail-vards, 1 mizen-top-sail-yard in one piece.

1 sprit-sail-yard, 1 jib boom piece, 1 spanker boom, The above for a 41 gun ship. Washington,

2 paunches for bowsprit, 1 spindle, 2 fishes, 2 side trees, 2 formainmast 2 cheeks, 2 heel pieces, 1 paunch } 1 spindle, 2 fishes, 2 side-thees, 3 for foremast 2 cheeks, 2 heel-pieces, 1 paunch 1 spindle, 2 cheeks, 1 paunch, for mizen-mast,

2 fore, 2 main, 2 mizen topmasts, 2 fore, 3 main, 2 mizen-top-gallant-masts, 1 spritsail, 1 fore, 11 main vards. 2 fore-topsail, 3 main-topsail, 2 mizen-to yards, 3 fore, 3 main, 2 mizen-top-gallant-yards,

1 cross-jack-yard, 2 jib-booms, 3 flying ditto. spanker-boom, 4 lower-studding-sail booms spindle, 4 side trees, 4 cheeks for a fore or ne in mast.

1 bow sprit piece, 1 swinging-boom, 1 main piece for a mizen-mast, 2 spindles, 1 fish, 5 side-trees, and 4 checks for two main masts, spindle for mizen-mast,

1 mizen top-gallant-mast. The above for a 44 gun-ship, spindle for main-mast, 1 cross jack-yard, The above for a sloop of war.

sail-booms.

Norfolk. 17 side-trees, 2 paunches, 2 cheeks, 1 half main yard, 2 half tore, 3 mizen-top-sail yarus,

S jio booms, 4 flying jib-booms, 2 spanker-booms, 5 swinging-booms, and 8 top-mast studding

The above for a 74 gun ship. The whole of the timber required above, must be got straight, of long leaf, fine grain southern heart yellow pine.

Persons wishing to offer, may obtain schedules of the dimensions, if necessary to regulate their offers on application to the Navy Agent at either NEW-YORK.

PHILADELPHIA, BALTIMORE, NORFOLK, CHARLESTON, S. C. and SAVANNAH.

The proposals must be made per cubic foot and nust state the names of the sureties. The timber when delivered, must undergo the nspection and measurement agreeably to the printed rules adopted by the Commissioners, dated September 1st, 1826, as practised at the several Navy Yards. January 1826.