

CAROLINA WATCHMAN.

BY HAMILTON C. JONES.

SALISBURY, N. C. SATURDAY, MAY 14, 1836.

VOL. IV—NO. 43—WHOLE NO. 109.

TERMS.

The WATCHMAN may hereafter be had to the Editors, and Fifty Cents per year. A Class of four new subscribers who will pay in advance the whole sum at one payment, shall have the paper for one year at Two Dollars each, and as long as the same class shall continue, they shall pay in advance the sum of Eight Dollars the same terms shall continue, and as long as they will be charged as other subscribers.

Subscribers who do not pay during the year will be charged three Dollars in all cases. No subscription will be received for less than one year.

No paper will be discontinued but at the option of the Editor, unless all arrearages are paid.

All letters to the Editor must be post paid, otherwise they will certainly not be attended to.

Terms of Advertisements—Fifty Cents a line for the first insertion, and Twenty-Five Cents for each insertion afterwards. No advertisement will be inserted for less than one Dollar.

Advertisements will be continued until orders are received to stop them, where no directions are given.

Advertisements by the year or six months will be made at a Dollar per month for each square, and the privilege of changing the form every week.

BOOKS! BOOKS!!

THE Subscriber has just received in addition to his former stock of Books the following:

Memoria Dr. Rice,
Goodrich's United States,
James's Church members Guide,
Jewberry's Letters to the young,
Hall's Childs Geography,
Blakes do,
Family monitor,
Fathers Present 2 vols.
Father's Book,
Influence of mothers,
Daily Duty,
Supplement to six months Convent,
Family Religion,
Sprague's Letters to a Daughter,
Calvin on Romans,
Christ our Example,
Female Hobbies,
Every Day Duty,
Todds Letters to Children,
Rowland Hill,
Abels China,
Douglass' Errors of Religion,
Hannah Moore's remains,
Brownlee on Popery,
Barn's Family Prayers,
Pleasure and Profit,
Phillips's Guides,
Daily Scripture Reading,
Mitchell's Travellers Guide U. S.
Dr. Laussino, Alabama, Mississippi,
Sprague on Christian influence,
Every Day Christian,
Every Day Piety,
Christian Father's Present,
Young Man's Own Book,
Students Manual,

MICHAEL BROWN.
April 30th 1836—41—41

N. B. Also just received, at the Salisbury Tract Depository, the American Tracts Society's publications of Tracts and Books.
M. BROWN Agent.

WHEELER AND BURNS,

Have just received from New York a supply of fresh and genuine Medicines, Paints, Oils, Dye-
Stuffs,
With a large assortment of FANCY ARTICLES,
without giving a detail, by way of advertisement, the public generally are respectfully invited to call—W. & B. return their entire thanks to the public, particularly the Physicians & Merchants, for the large patronage they have hitherto received; and by keeping on hand fresh Medicines, hopes still to be favored with their custom. All orders from a distance will be punctually attended to.

April 30th 1836—St—41

NOTICE.

By virtue of a decree of the Court of Equity for Rowan County, at April Term 1836, the Clerk and Master will sell at Mocksville on Tuesday the 24th day of May next a tract of Land containing

122 ACRES,

adjoining the lands of William Casey and others, on a credit of twelve months, requiring bond with approved security, for the purchase money. The land is the property of John Casey's Heirs, and is sold for the purpose of partition.

S. SILLIMAN, C. M. E.
April 30th 1836—4w41

LAND FOR SALE.

By virtue of a decree of the Court of Equity for Rowan County, at April Term 1836, will be exposed to public sale at the late dwelling of Daniel Saine, de'd on the 25th day of May next, a tract of Land containing

140 ACRES,

subject to the widow's Dower, adjoining the lands of John Conatzer and others; and another tract of

50 ACRES,

adjoining the Lands of Joseph Haines and others, on a credit of twelve months, bond and security required for the purchase money, on the day of sale. Said Lands belong to the heirs at law of Daniel Saine de'd, and are sold for the purpose of partition.

S. SILLIMAN, C. M. E.
April 30th 1836—4w41

SALE OF LAND.

Under a decree at April Term 1836 of the Court of Equity for Rowan County, will be sold at Mocksville, by the Clerk and Master of said Court, on the 24th day of May next, a tract of Land lying on Dutchmans Creek, belonging to the children of William and Sarah West, containing

150 ACRES,

adjoining the lands of the late George Mumford and others, on a credit of twelve months for one moiety, and eighteen months for the other, requiring bonds and sufficient security for the purchase money on the day of sale. Title to be made according to further order of the Court.

S. SILLIMAN, C. M. E.
April 30th 1836—4w41

NOTICE.

THE Clerk and Master pursuant to a decree of the Court of Equity, will sell on the Premises on the 23th day of May next, a tract of Land containing

150 ACRES:

adjoining the lands of John Hiltck and others, 4 miles east of Salisbury, Also

SIX ACRES,

Near the first. Said lands belong to the Heirs at law of Mary Brown, de'd and is sold for the purpose of partition. A credit for one year will be allowed for one half, and of two years for the other half of the price, and the purchase be required to give bond and approved security for the purchase money on the day of Sale.

S. SILLIMAN, C. M. E.
April 30th 1836—5w41

NOTICE.

By virtue of a Decree of the Court of Equity for Rowan County, made at April Term 1836, the Clerk and Master will sell at the Court House in Salisbury, on the 17th day next, on a credit of 12 months

TWO TRACTS OR LOTS OF LAND, belonging to Rosa Waller, an infant, descended to her from George Waller, de'd her father—One of

28 Acres,

adjoining the lands of Samuel Reeves, Alfred Cubie and others—the other of

22 ACRES,

adjoining the lands of John Trexler and others. Requiring bonds with sufficient security for the purchase money on the day of Sale.

SAMUEL SILLIMAN, C. M. E.
April 23 1836—4w40

State of North Carolina, ROWAN COUNTY,

In the Court of Equity, April Term 1836.
Robert Macnamara, Adm'r.
vs.
Thomas Irvin & Co. and others.

It appearing to the Court, that Albert Torrence, one of the defendants in this case is not an inhabitant of this State. It is therefore ordered that publication be made in the Carolina Watchman for six weeks successively, requiring said Albert Torrence to be and appear at the Court House in Salisbury on the second Monday after the fourth Monday in September next, to answer, or demur to said bill of complaint. And on his failure, Judgment pro confesso, will be entered against him, and the case set for hearing Ex parte as to them.

Copy from the minutes.
SAM'L SILLIMAN, C. M. E.

State of North Carolina, ROWAN COUNTY,

In the Court of Equity, April Term 1836.
William E. Powe,
vs.
Thomas Irvin & Co. and others.

It appearing to the satisfaction of the Court, that Albert Torrence one of the defendants in this case, is not an inhabitant of this State. It is therefore ordered that publication be made in the Carolina Watchman for six weeks successively, requiring said Albert Torrence, to be and appear at the next Term of this Court, at the Court House in Salisbury, on the second Monday after the fourth Monday in September next, to answer plead or demur to said bill of complaint. And on his failure Judgment pro confesso will be entered against him, and the case set for hearing Ex parte as to him.

Copy from the minutes.
SAM'L SILLIMAN, C. M. E.
May 7—6w42—price \$3

State of North Carolina, ROWAN COUNTY,

In Equity, April Term 1836.
Giles W. & John S. Pearson,
vs.
Joseph Pearson's Heirs.

It appearing to the satisfaction of the Court, that Mary Pearson one of the Defendants in this case, is intermarried with Joseph C. Welch since the last Term of this Court, and that the said Joseph C. Welch is not an inhabitant of this State. It is therefore ordered that advertisement be made for six weeks in the Carolina Watchman, for the said Joseph C. Welch to come in and make himself a party defendant; or Judgment pro confesso will be entered against him; and the case set for hearing Ex parte as to him.

A true copy from the minutes.
SAM'L SILLIMAN, C. M. E.
May 7—6w43—price \$3

State of North Carolina, ROWAN COUNTY,

In the Court of Equity, April Term 1836.
Nathan C. Johnston and others,
vs.
Nathan Chaffin and John Chaffin.

It appearing to the satisfaction of the Court, that John A. Chaffin, one of the Defendants in this case, is not an inhabitant of this State: It is therefore ordered, that publication be made for six weeks in the Carolina Watchman, requiring said John A. Chaffin to be and appear at the next Term of this Court, at the Court House in Salisbury, on the second Monday after the fourth Monday in September next, and to answer or demur to complainant's bill; and in case of failure, Judgment pro confesso will be entered against him, and the case set for hearing Ex parte as to him.

Copy from the minutes.
SAM'L SILLIMAN, C. M. E.
May 7—6w42—price \$3

State of North Carolina, ROWAN COUNTY,

In the Court of Equity, April Term, 1836.
Aquila Cinchet,
vs.
John Myers & wife Esther & others.

It appearing to the satisfaction of the court that Benjamin B. Walker and wife Ellen, defendants in this case, are not inhabitants of this State: It is therefore ordered that publication be made in the Carolina Watchman for six weeks successively, requiring said Benjamin B. Walker and wife Ellen, to be and appear at the next Term of this Court, at the Court-house in Salisbury, on the second Monday after the fourth Monday in September next, and answer, plead or demur to complainant's bill; otherwise Judgment pro confesso will be entered against them, and the cause set down for hearing ex parte as to them.

Copy from the minutes—T. S. S.
SAM'L SILLIMAN, C. M. E.
May 7—6w42—price \$3

To Teachers of Youth.

A TEACHER who can come well recommended, will find Salisbury an advantageous situation for a School. The applicant should be a good Greek and Latin scholar, and capable of preparing a pupil for the Sophomore Class of the State University.
Salisbury, N. C. Dec. 12, 1835.
Further enquiries can be made of the Editors of either Newspaper at this place, and letters, post paid, will be promptly attended to.

EXTRACT

From Mr. Rencher's speech on the contested Election from North Carolina, between Graham and Newland.

"At the Franklin precinct in Macon county, five or six votes were found in the common box for Newland, and taken from that box, and placed to his poll for congress, although it made five votes more than the number of freemen who had voted at that election. The committee allow these five votes, and as a reason for allowing them, the report says: 'Robert Hall one of the judges, states that it is customary to correct such mistakes. There is no proof to show how many ballots were thus exchanged, nor who they were all for. Killian says, there were five or six for Newland, & perhaps some for Graham, he does not recollect. It is left quite uncertain, whether there was not some for the sitting member?' Sir, in this short sentence, there are not less than three misstatements of facts. For the truth of this, I beg to read the testimony of Robert Hall and James W. Killian. Here it is: Robert Hall's testimony: 'The judges upon consultation, agreed to exchange the votes and the exchange was made, but I do not recollect the number. I know that it has been the custom, for men who lived in the district, to vote in whatever county in the district, where they may be at the election.' James W. Killian's testimony: 'I was present at the close of the business of counting our tickets. There were several tickets, five or six for congress in the commons' box, and the same number for the candidates for the senate, and commons in the congress box. These were exchanged. All the tickets taken from the commons' box, for candidates for congress were given for Newland. If there were any for Graham, I do not recollect it. There may have been some, but I do not know of any.' The committee say, that Robert Hall swears it was customary to make such exchange—but Robert Hall swears no such thing. He swears that it was customary for men living in the district, to vote any where in the district, but notwithstanding this custom, the committee have rejected such votes, and as I have heretofore shown, properly rejected them. The committee say, that there was no positive proof to show, how many ballots were thus exchanged; but Killian swears that there were five or six. The committee say, that it was left quite uncertain whether there was some for the sitting member, perhaps say they, there was some for Graham. But what says Killian. Let him speak for himself. 'All the tickets' says he, 'were for Newland—if there were any for Graham I do not recollect—their may have been some, but I do not know of any.' And this positive, unequivocal testimony, the committee construe to mean 'perhaps—quite uncertain'. Can the house adopt in this report this undeniably falsehood? Can they construe the clearest and most positive denial to mean 'perhaps'? But the committee have not only stated that which is not true, but they have stated, what they ought to have known to be the fact. At the Franklin precinct there were 445 names recorded as having voted for congress. There were 450 votes returned, five votes more than were polled. Can any one doubt that these five votes were the very same that were improperly taken from the commons' box, and carried for Newland, and yet in the face of this positive testimony the committee have allowed these five votes for Newland; and the house sanction such a fraud upon the purity of the ballot box? Such votes heretofore have never been allowed.

Will the house, for the sake of ejecting the sitting member, establish so dangerous a precedent, by which a fraudulent voter will be enabled to cast as many votes for congress, as there are ballot boxes? But I do not at this time intend to go on into this subject. My only object at present is to show, that this report is a detraction, and ought not to be re-committed. Let the committee re-examine and correct the many errors & misrepresentations, with which it abounds, and then, not until then, shall we be able to give an enlightened judgment as to do justice to the sitting member, and the people of the 12th Congressional district.

But, though the committee have stricken from the poll of the sitting member, all votes given for him, by persons living out of the county in which they voted, they have not deducted from the poll of the petitioner either his own vote, or that of his two brothers, though proven to have voted out of the county in which they reside. They say, there is no positive proof, how either of these men voted, but who can doubt how they voted, having left their own county to elect one for their brother. But there is a case in which the proof is clear and positive, and yet the committee have refused to strike off such votes from the poll of the petitioner. I allude to the three votes given for Newland at the Henderson precinct in the county of Buncombe. It is proven by the certificate of the judges at the Henderson precinct, as well as by the poll books themselves, that these three votes were given for Newland, by persons living in the county of Yancy. The judges at Asheville, upon comparing the polls, properly struck these votes from the poll of the petitioner. The House will perceive that if the judges at Asheville had not stricken off these three votes, the committee, to be consistent, must have done it. But what have they done? Strange to tell, the committee have restored these three votes, and have counted them for the petitioner! Can the House sanction such glaring inconsistency, such palpable injustice to the sitting member, as well as to the people of the twelfth congressional district? If such should be the case, and I have reason to fear it may be, let

not this proceeding any longer be disguised under the name of a contested election, but let it be called what it is—an expulsion of the sitting member, to place in his seat, another whose political opinions may be more easily changed and moulded to suit the dominant part in the House.

I come now, Mr. Speaker, to another class of votes, allowed the petitioner by the committee, which were never given in at the polls. Yes, votes which never were voted have been counted for him. To his poll the committee have added five votes, which they say 'were legally offered for him and illegally refused. How legally offered the committee do not state nor is there any proof that these votes were legally tendered.

Mr. Hammer of Ohio here rose to a point of order. He understood there were two motions before the House: one to fix a day for the consideration of the report, & the other, a motion to recommit the report to the committee, with leave to the parties to take further testimony. His question of order was this, whether upon a motion to recommit to a committee, it was in order to discuss the proposition, whether the committee had correctly stated the facts already laid before them, or drawn proper deductions from these facts. Mr. Haroin, of Kentucky, stated that there was nothing stronger in favor of recommitting the report to the committee, than to show that the committee had misstated both the law and the facts, on the subject.

The chair stated, that to discuss the merits of the main question upon this contested election, would not be in order, at this stage of the proceeding. He had, however, not arrested the gentleman's remarks, because others had gone somewhat into the merits of the question, and the chair now found some difficulty in restraining the gentleman from North Carolina. The debate had taken a wide range; but he hoped the gentleman would confine himself to remarks that would be in order.

Mr. Rencher stated, that he well knew his remarks would not be very acceptable to the gentleman from Ohio, but while he would go as far as the rules of order would allow, he did not intend to transgress those rules if he knew it. But could it be out of order, when urging the recommitment of this report, to show that the committee have misconceived the law and misstated the facts in this case. He did not charge the committee, with any design to misrepresent, but he wished to show that the committee have been misled themselves, and that their report, unless corrected must mislead this house, in a matter of vital importance to the freedom of the twelfth Congressional district of North Carolina.

Mr. Rencher continued. The Report states that 5 votes had been legally offered, & illegally refused. How legally offered? The law of North Carolina has prescribed the mode by which a vote shall be legally offered. In that state when a vote is objected to, the voter is required by law to swear, that he is qualified to vote under the constitution, and that he hath not voted before at such election? We are to presume that the sworn officers of the law did their duty, unless the contrary appear. Is there any evidence here that these judges did not do their duty, or that these voters offered to qualify, as the law directs? Not the slightest particle; and although the report asserts, that these votes were legally offered the assertion is made without any evidence to justify it, and without giving to the house the law of North Carolina, by which a voter is required, if his vote be objected to, to swear, both to his qualification, and that he has not voted before at such election. The judges have a right to require, and do require this oath of every voter whose vote is objected to, and if he refuse to qualify, he loses his elective franchise and has no right to vote. However competent such a voter may be, he loses his right by refusing to comply with the requisitions of the law. But there is no evidence that these five votes, which the committee say were legally offered and illegally refused, were qualified voters, but on the contrary there is positive proof, that three of these voters were not qualified to vote and therefore properly refused.

We have the deposition of three of these men, and they swear that neither of them had resided in the county twelve months before the election, which I have shown is indispensable to enable a free man to vote under the constitution of North Carolina. The committee assert that these votes were legally offered and illegally refused; while there is no proof that they were legally offered, and positive proof that they were legally & properly refused. And how is the other two votes proven to have been legal votes? Not by the oath of the voters themselves, but by the ex-parte affidavit of a near relative of the petitioner. And will the House give more weight to such an affidavit, than to the solemn judgment of judges appointed by law and acting under the solemnity of an oath? Is the House prepared upon such an affidavit to say, that these votes were legally offered, and illegally refused by the judges. The committee say, that these five voters were qualified to vote, and therefore illegally refused, while the judges decided under oath that they were not qualified, and refused their votes. When we look into the proof, three of them swear to facts which show they were not qualified; while the only evidence you have of the qualification of the other two, is the ex-parte evidence of a near relative of the petitioner.

I have dwelt upon this point to show, that these votes were properly rejected, and that the committee have asserted without any proof to justify it, that they were legally offered & illegally refused. At a proper time, and when such a discussion will be in order, I shall be able to show from the highest authority, that this House cannot count for either candidate, votes which were refused by the judges at the polls. The most that we can do, is to set aside an election when it shall appear that the judges have been guilty of fraud, in refusing such a number of good votes as would have changed the result of the election. In this case no such fraud is pretended. The judges not only acted honestly, but the proof is clear that they decided properly.

Mr. Speaker, I have done with this report. I regret that my duty has compelled me to say thus much of it. Many other points of objection, I have left unnoticed, for from beginning to end this whole document is nothing but a tissue of misstatements and misrepresentations, not intentional I admit, but which are well calculated to mislead the public mind. It doubtless has, and will mislead many honest voters in the twelfth congressional district, into which I am told a large number obtained from our public printer, was sent many days before it was laid upon our tables. But here, with the law and the facts before us, I am determined it shall mislead no one unless he be willingly misled. I trust therefore that this whole subject will be re-committed to the committee, that we may have such a report as will enable us to decide this controversy correctly and impartially. The gentleman from Kentucky, (Mr. Boyd,) appears impatient to hurry this house into a premature decision of this case. He declares that we can decide it in a single hour. Though it has cost him and the committee between two and three months of assiduous labour to enable him to decide it, he thinks this house ought to decide in one hour! Let me tell the gentleman, that although there may be some who are willing to take the gentleman's report upon faith, and reject the sitting member without even an hour's examination, yet there are others, and I hope, a large majority of this house, who wish to examine this large volume of evidence for themselves and who wish to decide this case upon the eternal principles of truth and justice, and not under the influence of party dictation. I regret that the gentleman from New York, (Mr. Vanderpool) should have announced his termination, not to give us time to examine this subject—He too can decide it in a single hour. Let me remind the gentleman of his own experience upon contested elections. At the last Congress the gentleman was a member of the committee of elections, and examined the case of Moore and Letcher, for six months. He came to a clear conclusion in favour of Moore, and so reported. But the House upon examination of the evidence decided that Letcher had a majority of the legal votes. Suddenly the gentleman became bewildered—his intellect became benighted, and he then declared, for his life he could not tell which was entitled to his seat, and therefore voted to send it back to the people! The gentleman's own experience should make him a little more distrustful of his ability to decide contested elections. Then after six months' examination, he reversed his own decision, and decided that he could not decide, but now he can decide a question equally complicated in one hour! What, let me ask has so wretched the gentleman's mental faculties? What has made this child of doubt and of darkness on yesterday, to-day an intellectual giant! But though he has so increased in intellectual strength, and can now decide this case in a single hour, yet I trust he will show some indulgence towards others, who have not been so fortunate, and give them time to examine and decide for themselves.

Mr. Speaker, in the course of this debate frequent allusion has been made to party, and the politics of the two gentlemen. For the sitting member, I have great personal respect. The able and independent manner in which he has discharged his public duties, and his correct and amiable deportment in private life must have secured him the respect and esteem of all who know him. But upon this subject, I feel that I am acting under the obligations of an oath, and I am determined to know no party, except my country, and to yield to no feeling, except truth and justice. But why should I cherish any party feeling? I trust I have no cause to do so. Both these gentlemen when before the people held the same political sentiments I do, upon the all absorbing question that now agitates this country, from one extreme to the other. They both avowed a personal preference for Judge White, for the next presidency. They both hoisted his flag which has been truly said to be a flag without a stain. I hope neither of them has pulled down that flag, and abandoned the principles he held before the people. It is true, I have heard the petitioner has deserted that flag, and given in his adhesion to Van Buren; but I do not know the fact to be so. I hope it is not so, and that the gentleman will contradict a report so unfavorable to his political integrity. Anxious and ambitious as he may be, to obtain a seat upon this floor (and it is worthy of ambition) I hope he will never consent to do so, by bartering away his own political principles, and the political rights of a free, independent, and generous people. The Van Buren party, who now constitute a majority in this house, must be anxious to obtain the casting vote from North Carolina, should the election of President come to the House of Representatives, but I am unwilling to believe any party in this country so base as to buy up political power, by violating the sacred rights of the ballot box, and place upon this floor a political spee-

PROSPECTUS OF THE Greensborough Patriot.

HAVING purchased the establishment heretofore occupied by William Seaman, desiring the subscribers propose to continue the publication of the paper, bearing the title. Custom requires that we should state the main objects to which our time and talents will be devoted.

"Knowledge is power" is an old but true maxim, and ever must be, the "chief" on which republican institutions depend. It shall be our first great object to diffuse among the people correct intelligence of all which in their judgment may appertain to their interests. But as there are a few topics, which seem at present more especially to demand the attention of the people, and consequently we will be more circumstantial in the discussion of our intended course.

"National politics"—This is a subject which always men of deep interest to the people of this country, and at present is peculiarly so. The nation is divided into two great political factions. One is based on principle. There is no compromise and intelligence who can see the ground. Though he may not approve either party, he cannot choose to support one side in preference to the other, in a national election. The case stands thus with relation to the ensuing presidential election. But, for reasons too long to explain in a prospectus, we will decidedly support the claims of Van Buren.

We remarked that the division of federal power is based on principle. But the fact is not so, and our country is infested with ignorant, unprincipled, power-hunting demagogues, who bring into action every mischievous device to sustain men who happen to be the objects of popularity, while they understand not care for principle. We intend, to pursue a temperate course upon these things—but where we see a violation of the principles of confided confidence, we will not shrink from exposing the conduct of the author to the public.

Agricultural improvement, like every other science in the present age is certainly advancing; but owing to causes on which we do not here debate, it progresses in our State but slowly. We shall tax our judgment to glean such information on this subject as may be suited to the people, soil and climate of the Southern country; and particularly the rural occupations, none, perhaps, exerts the most powerful influence on the independence and happiness of mankind. Our exertions, humble as they may be, shall be directed to the causes which operate to the advancement, to inspire a love of the science, and a more extensive knowledge of the practice of agriculture.

Morality.—Besides a faithful narration of the news of the day, we propose to our columns with such literary, moral and religious selections, as may tend to "instruct the manners and to mend the heart." We are hoping by which "our craft is in danger of being set at naught," but truly there is a tendency to licentiousness, which is repugnant to many American presses, which is repugnant to our principles. Though we believe the Southern press to be free from this charge. We do not propose to guard our columns against the admission of any matter of immoral tendency of other kind.

This is the "spirit of life"—"it is the life of our columns shall have the privilege of introducing them to the world as well as to the grave. In short, we make a newspaper which may be well called the circle of any decent family. We are touched on the good things we intend to do, far we may come short of our professions, but we shall endeavor to give us a thorough trial.

A. E. HANNER,
C. N. B. EVANS.

TERMS.

THE PATRIOT will be published weekly at one dollar per annum, if paid within three months; if not paid in that time, three dollars. A shorter period will be received for a shorter period, and orders for the paper may be accompanied with the cash—no paper will be sent without the cash—no paper will be sent without the cash—no paper will be sent without the cash.

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JOB PRINTING

every description neatly done at this Office—D