

# Carolina



# Watchman.

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BY  
J. J. BRUNER, Editor and Proprietor.  
J. F. HELL, Jr., Assistant Editor.

CAPACITY OF THE ENGLISH LANGUAGE.

"Whereas our tongue is mixed, it is no disgrace. The Italian is pleasant, but without savor, as a still floating water. The French, delicate, but even nice as a woman, scarce daring to open her lips for fear of marring her countenance. The Spanish, majestic, but fulsome, running too much on the o, and terrible as the devil in a play. The Dutch, manlike but without very harsh, as one ready to pick a quarrel. Now we, in borrowing from them, give the strength of consonants to the Italian; the full sound of words to the French; the variety of terminations to the Spanish, and the mollifying of more vowels to the Dutch; and so, like bees, we gather the honey of their good properties, and leave the dregs to themselves."

*London's Britonist, 1605.*

And thus, when substantiveness combined with delightfulness, fulness with firmness, softness with portliness, and correctness with sturdiness, how can the language which consisted of all these, sound other than full of sweetness?"

Similar is the testimony of Campbell in his Philosophy of Rhetoric, page 317. "There is no particular excellence of sound in which it (the English language) is not outdone by the Spanish, Italian, French, Dutch. The Italian has doublets more sweetness, the Spanish more majesty, the German perhaps moreuster, but none of them is in this respect so various as the English, and can equal it in all the qualities."

Our countryman, Duponceau, remarks, that, "the principal characteristics of our language are strength and rapidity. The voice does not act by pressure on accented syllables as it does in the Italian and Spanish, resting upon them while so as to fall gently on those that are unaccented and give them their correct articulation, but striking suddenly on the accented word, and impelled by the momentum which it acquires, dashes through the music, and carries us to where we are, and where we want to go." *Amer. Jef. Tress. Vol. I. p. 22.*

Another writer remarks that "it is difficult to use a combination of excellencies which it were easier to use than to disregard; a copiousness which few know how to exhaust; a pliancy which will adapt itself to almost every elevation or depression of the subject."

And this is the language, as the great lexicographer, Noah Webster, observes in the preface of his *Quarto Dictionary*, page 13, that "within two centuries will be spoken by more people in this country, than any other language on earth, except the Chinese in Asia; and even that may not be an exception." He expects five hundred millions of people to occupy and adorn the vast territory within our jurisdiction.

In a dissertation in the Knickerbocker some years ago he also remarks, "The English language is the depository of vast treasures of science; the study of it is engaging the attention of the literati in all parts of Europe; and it is probably destined to be spoken and written by the greater number of the human race than any other language."

The descendants of a few wild but stout-hearted Angles, who left the woods of Germany 1400 years ago, are now thundering in the track of the crusades, dictating the terms of their future intercourse with an empire of 400,000,000, casting into the shade the victories of Alexander, even on the identical ground which he traversed, in the same year tracing the long-sought passage between North America and Asia, and discovering at the opposite pole a new continent. What is better still, the children of those whose light shone so brightly in the writings of Bede, Alfred and Afric are now carrying the light of life back to the regions where it was first kindled, and to other realms which Scandinavian enterprise had not then reached. Happy are we who enjoy the language, the liberties and the religion, for which so many generations have toiled and bled; happier still if we prove worthy descendants of such sires, good stewards of God's manifold gifts."

*A. B. Repository, 1841.*

Several Senators voted against the bill because the Senate had rejected its amendments, and had taken the bill as it came from the Committee of the whole.

It will thus be seen that the law passed by our Supreme Court this morning, though it involved the question whether a State can sue in its own courts. The case was that of "Kierstedt and others against the People of the State of New York and the Doctor &c. of Trinity Church," and had reference to certain acts belonging to the Trinity Church corporation. Judge Mitchell rendered the decision of the court remarking that this was the first instance within eighty years since the people of the State have been independent, in which they have been sued in their own tribunals, unless they had specially authorized the suit or had been made codefendants in an equity suit for the purpose of defending their own rights, and it was somewhat remarkable that such a suit as the one in question was sustainable, it had not been brought before. The Judge then enlarged upon the English practice in such cases by means of the Court of Chancery and its administration of law as a matter of grace, all of which was applicable in this State. The Legislature was the proper tribunal for the plaintiffs to appeal to; and the court consequently decided in favor of the defendants, on the ground that the State cannot be sued in its own tribunals by a private individual.

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From the *Wilmington Journal*.

THE REVENUE LAW.

We are indebted to the courtesy of our friends of the Standard for an analysis of the votes upon the Revenue Law of the last session of our State Legislature, from which we glean the following facts:

The Bill, originally one of the revised statutes, was, when early period of the session, taken from the committee on that subject and referred to the joint Finance Committee, consisting of Messrs. Bower, Boyd, Wilder, Walker, Gilmer, Clark, Baynor and Cherry, on the part of the Senate, and Messrs. Shepherd, Molson, Casper, Steele, Patterson, White of Bladen, Smith and Long, on the part of the House. The bill, after discussion and amendment in the committee, was reported to the House of Commons by Mr. Shepherd, and after having been debated at much length, altered and amended in many respects, was finally passed on the 29th of January, by the following vote:

Those who voted for the bill, are—Messrs. Amis, Badham, Barringer, Baxter, Black, Blow, Boggs, Benson, Bullock, J. B. Byrum, J. G. Byrum, A. H. Caldwell, D. E. Caldwell, Candler, Carnihan, Chadwick, Cock, Craven, Dargan, Dorch, Dunn, Flynn, Furr, Garland, Gentry, Gorrell, Green, M. Green, J. H. Holden, Hill, Horton, Houston, Humphrey, Jarvis, Jenkins, Johnson, Jordan, H. Lewis, Long, McDuffie, McRae, Martin, Meares, McBane, Morehead, Myers, J. W. Neal, S. J. Neal, Norman, Oglesby, Parks, Patterson, Patton, Phillips, Regan, Roland, Russell, Selby, Settle, Sharpe, Shaw, Shepherd, Sherrill, Sipp, Simmons, Singletary, Smawford, Steele, Sutton, Thorburn, Turner, Vance, Waugh, Whitaker, E. White, H. Night, Whetstone, Whitlock, Wilkins, B. F. Williams, C. W. Williams, S. A. Williams, and Yancey—52.

Those who voted against the bill, are—Messrs. Barnes, Bryant, Cotten, Daniel, Daingerfield, Davenport, Eure, Gilliland, Harrison, A. D. Holden, Jones, LaMastre, Love, M. Millan, Marin, Rose, Stubbs, Tomlinson, Watts, &c., M. White, J. H. White, T. H. Williams, Wilston, and Wright—24.

Forty-three Democrats and thirty-two Whigs in the affirmative, and fifteen Democrats and nine Whigs in the negative.

The bill was then sent to the Senate, and discussed and amended at some length, on the 11th of February, but six days before the adjournment, the majority of the Senators, fearing that the whole bill might be lost by the non-concurrence of the House in the Senate's amendment, receded from them, and agreed to the bill precisely as it came from the House. A supplemental bill introduced by Mr. Scott by Mr.

Hughton, including those amendments was passed by the Senate, but failed to be adopted in the House.

The following is the vote of the Senate, Saturday, February 10, on the final passage of the bill through the chamber:

Those who voted for the bill, are—Messrs.

Biggs, Bielen, Boyd, Clinton, Culpepper, Cunningham, Davis, Eaton, Fisher, Freeman,

Graham, Grimes, Haughton, Jones, Lane, Mitchell, Morrissey, Oldfield, Taylor, Taylor, Thomas, D. Thomas, J. Walker, and Wood—26.

Those who voted against the bill, are—Messrs. Ashe, Brogden, Clark, Elson, Faison, Fowle, Herring, McIesse, M. Powell, Martin, Person, Raynor, Sanders, Spight, Taylor, Walker, Wilder, Wiggins, and Wood—39.

Those who voted in the negative are—Messrs.

Speaker, Ashe, Biggs, Boyd, Brogden, Cherry,

Christian, Clark, Davis, Eborn, Faison, Fowle,

Fisher, Fowle, Haughton, Herring, Jones, McIesse, McDowell, Moresey, Oldfield, Person,

Raynor, Sanders, Spight, Taylor, Walker, Wilder, Wiggins, and Wood—39.

Those who voted in the negative are—Messrs.

Bower, Coleman, Collins, Cunningham, Eaton,

Freeman, Gilmer, Graham, Graves, Lane, Martin, Mitchell, Taylor, Thomas, J. Walker, and Wilder—15.

Fifteen Democrats and eleven Whigs in the affirmative, and ten Democrats and five Whigs in the negative.

On Friday, the 11th, on motion to strike out of the bill so much of the section as imposes a tax on distillers of turpentine, the vote was as follows:

Those who voted in the affirmative are—Messrs.

Speaker, Ashe, Biggs, Boyd, Brogden, Cherry,

Christian, Clark, Davis, Eborn, Faison, Fowle,

Fisher, Fowle, Haughton, Herring, Jones, McIesse,

McDowell, Moresey, Oldfield, Person, Raynor,

Sanders, Spight, Taylor, Walker, Wilder, Wiggins,

and Wood—39.

Those who voted in the negative are—Messrs.

Bower, Coleman, Collins, Cunningham, Eaton,

Freeman, Gilmer, Graham, Graves, Lane, Martin,

Mitchell, Taylor, Thomas, J. Walker, and Wilder—15.

Several Senators voted against the bill because the Senate had rejected its amendments, and had taken the bill as it came from the Committee of the whole.

A very important law case was decided in our Supreme Court this morning, much as involved the question whether a State can sue in its own courts. The case was that of "Kierstedt and others against the People of the State of New York and the Doctor &c. of Trinity Church," and had reference to certain acts belonging to the Trinity Church corporation. Judge Mitchell rendered the decision of the court remarking that this was the first instance within eighty years since the people of the State have been independent, in which they have been sued in their own tribunals, unless they had specially authorized the suit or had been made codefendants in an equity suit for the purpose of defending their own rights, and it was somewhat remarkable that such a suit as the one in question was sustainable, it had not been brought before. The Judge then enlarged upon the English practice in such cases by means of the Court of Chancery and its administration of law as a matter of grace, all of which was applicable in this State. The Legislature was the proper tribunal for the plaintiffs to appeal to; and the court consequently decided in favor of the defendants, on the ground that the State cannot be sued in its own tribunals by a private individual.

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