



TARBOROUGH:

SATURDAY, SEPT'R 13, 1851.

Superior Court.

The Fall Term of the Superior Court for this county was held this week, His Honor Judge Caldwell presiding. In consequence of the illness of the Judge, but little business was transacted.

We have been presented with a fine cymbalin, which measures 5 feet 3 inches in circumference and weighs 78 pounds. It grew in the garden of Col. B. D. Battle, of Nash, from seed brought by Mr. Lawrence Walker from Mexico. Can't Edgcombe beat it?

FOR THE TARBORO' PRESS.

The appointments of Chaplains to the Army, to the Navy, and to Congress and elsewhere ought to be abolished.

1st. Because article 10th of amendments to the Constitution, says, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people." The above article grants no power directly or indirectly to Congress to appoint a national set of clergymen to office, (because they are clergymen) and to rob the treasury out of nearly a quarter of a million dollars annually to pay them for saying prayers, &c.

2nd. By article 1st of amendments, the Constitution provides that "Congress shall make no law respecting an establishment of religion." Therefore to appoint clergymen of any sect of religion, and to pay them out of the funds belonging to the whole people, is an establishment to a certain extent of that sect, and is at variance with the true intent and meaning of said article; and from the very nature of the office of chaplain, a religious test is a necessary pre-requisite to determine the qualification of the candidate, as the employment of a non professor of religion would be absurd and folly in the extreme. Therefore such an office is unconstitutional; because it is an office to which all citizens are not eligible without a religious test, and is an open violation of article 6.

3rd. The Constitution declares that "no religious test shall ever be required as a qualification to any office or public trust under the United States." Therefore to appoint clergymen to such an office or trust is clearly unconstitutional, and is an assumption of power (by Congress) not granted, and a violation of the letter and spirit of the Constitution, which they have sworn to support.

The number of chaplains has increased the last few years to a great extent; and the report of the Judiciary Committee at the first session of the last Congress gives the number as follows: Thirty in the army, twenty four in the navy, two in Congress—besides a large number at the various military stations and schools and out posts, all put together will make an army of hypocrites (equal to the false prophets of King Ahab and his Queens) to be fed out of the public funds and the people robbed annually to support them by a set of demagogues in Congress, who love office and government pap better than the Constitution and the equal rights of the people.

If Congress has a constitutional right to appoint an army of clergymen (chaplains to the army, navy, &c. &c.) it has the same right to compel attendance; but the truth is, it has neither the right to appoint or, compel attendance; as the remittance of the fine and imprisonment of private Duggan by the Secretary of War, clearly demonstrates. Private Duggan was on the 22nd August last tried by a court martial at Fort Columbus, New York harbor, and found guilty of "disobedience of the order" to attend the chaplain's mummeries at the above station and fined by the court \$5 per month for six months, the torture of the ball and chain for four months, and partial starvation upon bread and water during the remaining two months of solitary imprisonment. Here is a case for conscience on an American citizen, to compel him to attend the chaplain's services as a government official in his priestly robes at Fort-Columbus; and

all true patriots ought at once and forever arise in indignation of the stain placed on our national character and put it down in this happy land.

There can be no remedy for the evil unless church and State is kept separated. Let the chaplaincy be abolished, and government no longer assume the spiritual supervision of the troops, and there will be no more difficulty from this quarter; but if the government will hire chaplains to preach and pray for the troops and rob the people to pay such hirelings, hypocrites, the military discipline will require the obedience of all orders by the troops.

There can be no use in hiring chaplains for the troops, if they were not required to attend and hear them read their sermons and say prayers. To rid the country of priestcraft we must keep church and State separate—abolish the office of chaplain and appoint none nor donate a single dollar of the people's funds in the treasury to any, nor give to the support of religious institutions, and leave all to give or let it alone as he or they may think proper. True religion requires neither money, nor the arm of law to support it.

A FARMER.

Important from Havana.—Capture and execution of Lopez and his Command New Orleans, Sept. 2.—The Cherokee, from Havana, has arrived. She brings intelligence that Lopez and his command had been captured by the Spaniards and executed.

The passengers witnessed the execution of Lopez. They say he ended his life manfully.

The total failure of the expedition is attributed to the delay in receiving succor. From the separation of Crittenden's command, the Patriots had dispersed to the mountains, only 30 remaining with Lopez.—They left him, and without a single friend, he wandered until run down, and was then taken by blood hounds. His last words were—"Adieu, dear Cuba."

Gen Pragy was killed at Pogs.

Spanish accounts say that of the number in the Pampero, (569) 65 have been already killed; 436 are in prison, of whom one hundred are to be sent to Africa.

Lopez declared himself deceived with regard to receiving aid in Cuba.

A meeting was held on board the Cherokee, Gen. Lane, of Oregon, presiding, and the following resolutions passed.

"Resolved, That Mr. Owens, American Consul at Havana has forfeited every right, and title of an American citizen—outraged every sentiment of humanity, and is deserving the execration of every friend of Liberty.—His conduct requires his recall by the Government."

From the despatches to the Picayune office, we learn that Gen. Lopez was captured at San Christoval and brought to the city of Havana, where he was publicly garrotted on the 29th ult.

All his men were likewise captured and executed.

The insurgents were still maintaining themselves in the mountains near Puerto Principe.

[The punishment of the garrote is described as placing the victim in an easy chair, clamping his limbs, placing a band around the neck, and gradually pressing a screw until the neck is broken.]

DEATH OF HON. LEVI WOODBURY.

PORTSMOUTH, N. H., Sept. 5

The Hon. Levi Woodbury, Associate Judge of the Supreme Court of the United States, expired in this place at half-past four o'clock yesterday afternoon. He had been insensible for twenty hours before his death.

Judge Woodbury was about sixty-one years of age, and had been a prominent statesman of the Democratic party for many years, having been during the last Presidential canvass talked of for the Presidency, and received for that office over 50 votes in the Democratic National Convention. During President Jackson's administration he was Secretary of the Treasury, and afterwards was a member of the United States Senate from New Hampshire, of which State he was also Governor in 1823. The next year, however, he ran for Governor again, and was defeated. In 1817, he was appointed Judge of the Superior Court of New Hampshire, and in 1825 he was elected to the Lower House of the New Hampshire Legislature, being chosen Speaker. In 1816 he was appointed Secretary of the New Hampshire Senate, and during the administration of President Polk was appointed one of the Justices of the Supreme Court.

We are informed that a young man by the name of Conn was accidentally shot by another young man named Aycock, in the lower part of this County, on last Friday. The following are the circumstances as they were related to us, under which the sad accident occurred: They were out hunting and came to a peach tree, from which they stopped to gather peaches. There was one very fine peach which both attempted to obtain and a struggle ensued, Aycock at the time having the gun in his hand which accidentally fired and drove the charge through the lower part of Conn's abdomen. He survived until Sunday and expired.—*Warrenton News.*

A Narrow Escape from Death.

While Doctor Gray Sills and his sister, Mrs. Outlaw with her little daughter and two servants were returning to their homes in Franklin County, from Shooco Springs on the 30th ult., their lives were in imminent peril of being sacrificed by the occurrence of an accident, on a bridge of some 25 feet height, spanning Sandy Creek. The abutment on the North side of that bridge is very precipitous, necessarily so, by the natural situation of the site where the bridge is placed, consequently the draught is very great in ascending it. The collars being too small for the horses, one of them was choked by his collar, and commenced reeling ere he had half way ascended the abutment, and by the time the carriage was fairly on the bridge, he fell (as if suddenly shot down) with great violence on the other horse, who, by the previous reeling of his companion in harness, was placed near the railing.—This had the effect of throwing him also, broadside, on the lower range of railing, one foreleg and one hinder leg dangling between the ends of the plank and the longitudinal sill, a space just sufficient for them to pass through, the end of the carriage pole projecting at least a foot over the middle range of railing. In this dilemma, & awful situation, they remained until the traces of the off horse (the one first falling) were cut away, for the manner of his fall, entirely precluded the possibility of unloosing them from the swing-tree. This horse at once arose, but the other lay perfectly quiet, because entirely unable to make any exertion by the peculiarity of his fall, two legs being wedged as above described. Those in the carriage, were of course, first secured from their perilous situation by three gentlemen close behind in Buggies, for had the horses been suddenly panic-stricken at their situation, and the railing is weakly, and in fact altogether lacking as we too often see bridges, the lives of this family would have been sacrificed at the unpardonable negligence of those contracting for the building of them. Here is a special Providence in the preservation of the lives of some of our most valued and worthy fellow citizens, and should be a warning to all in future, never to permit ladies and children to ride over bridges in close carriages, no matter how true their horses may be, at a heavy draught, nor how strong the bridges may be;—for numerous as are the maxims in the world, there is not one more true than this;—that "an ounce of preventive is worth a pound of cure."—*ib*

From the Raleigh Star.

The Panic.—A panic is said to prevail in the money market of New York, notwithstanding the large importations of gold every month from California. A writer in the New York Tribune attributes the scarcity of money to the fact, that "all our gold which we have got from California, has gone to Europe to pay for goods imported, which we ought to have made in our own country." This is no doubt true to a considerable extent.

The Mercantile Convention to assemble at Richmond, Va., on the 10th of September, is being pushed vigorously. The Times says that the finest feeling animates the Committee of thirty, who will strive to give it great eclat. Invitations have been sent to Gov. McCrehead and Senator Mangum, of North Carolina, to L. W. Tazewell, Esq., of Norfolk, and to a number of other distinguished gentlemen. The Times hopes that delegations will be present from all the cities and towns in Virginia. The establishment of a line of steamers between Europe and the waters of James river will most assuredly revive the declining commerce of the State.

The Randolph Negroes.—It will be remembered that these negroes who had

purchased for them a large tract of land in Mercer county, Ohio, were driven from it by the people of that county. A correspondent of the Baltimore Patriot travelling in Ohio, says that along the canal from Troy to Dayton these negroes are scattered, and adds that the miserable condition of these poor creatures is a sad commentary on the miserable policy of emancipating negroes, and allowing them to remain in this country. The majority of these once invaluable servants are now worthless pests upon the community among whom they are located, and often want for the common necessities of life. Several express an ardent wish to return to the shores of Roanoke again, where they once had plenty, and did not know what it was to suffer for want.

Curious Phenomenon.—A Shower of Frogs.—Capt. Brevoor, of brig Delaware, of Philadelphia, from Cardenas, Cuba, writes, that while at that port, on the 28th ultimo, during the afternoon, a copious shower of rain fell in and about the town, after which could be seen, not hundreds, but thousands of small frogs in all parts of the streets, so abundant indeed that one could scarcely walk without trampling them under foot. The captain says as the place is not subject to that kind of fish he would like to know where they come from.

Foreign.

The Steamer Franklin arrived at New York on the 5th with late news from Europe. We find no news of importance. The great topic of conversation in England was the extraordinary sailing qualities of the yacht America, which has distanced all the English yachts.

Tarboro' Academy, Female Department.

THE next session will begin on the first Tuesday in October. By order of the Trustees. T. R. & M. B. Owen, Prin's. Sept. 10, 1851. 6

Notice.

Sealed proposals will be received at the Engineer's office in the town of Greenville, County of Pitt, from the 25th day of August until Wednesday, the 10th day of September next, for Grading and constructing the Greenville and Raleigh Plank Road from Tyler's Bridge to Wilson, a distance of twenty-seven miles. Also for Bridging the little Contentnea, White Oak and Tuisnot Creeks. Profiles, Plans and Specifications of which may be seen at the Engineer's office, after the 25th inst. The work is divided into sections of two and a quarter miles each. Said work is to be graded by the first day of April, 1852, and the plank to be laid as fast as delivered. Bonds to the amount of the bid made, will be required of each bidder with good and sufficient security to be sent in with the proposals. Alfred Mays, President, By GOULD HORT, Secretary. Greenville, August 20, 1851.

Nails and Coffee.

Nails, by the keg, or retail—and Coffee by the bag, or less quantity, For sale by Geo. Howard.



Jack John Bray FOR SALE.

THE subscriber offers for sale his well known Jack John Bray, seven years old last spring, and has proved himself to be a sure foal getter. He covers well, gets fine large colts and shows to advantage. I will sell him on reasonable terms, if applied for soon. L. B. Whitehead. Aug. 25, 1851.



Herrings! Herrings!!

For sale by Geo. Howard.

Just received,

Cole's Dysentery Mixture. For sale by Geo. Howard.



Land for Sale.

HAVING joined a club whose object is to buy land and settle a whole neighborhood in Texas; I have determined on selling the land on which I now live, if I can get any thing like a reasonable offer, and will furnish the purchaser with one hundred barrels of corn at three dollars and fifty cents per barrel, and fodder at 75 cents per hundred. I conscientiously believe that to any man willing to buy land in North Carolina, I can sell as cheap a bargain as can be bought within fifty miles of my premises, and were it not for my children alone, I would not exchange my residence for any other whatever.

This tract I offer contains

About 700 Acres,

more than half cleared; and now in a good condition for cultivation—there is on it a meadow worth at least fifty dollars a year for grazing or cutting hay. It lies immediately on

Fishing Creek, in Nash County,

thirteen miles from the Wilmington railroad and five from Hilliardston, where there is an excellent female school, and within a mile and a half from my residence is a male school inferior to few, if any in the State that prepares young men for College. By clearing and manuring, I have so improved my farm, that any good farmer with five ploughs and eight or nine hands can make two hundred and fifty barrels of corn and forty thousand pounds of seed cotton. A good deal of the fresh land is said to be first rate for tobacco and of course good for small grain. There is a small swamp running through my plantation on which is a great abundance of mud—a good deal of which is thrown out for composting. There is a comfortable two story dwelling house, and a tolerable sufficiency of necessary out houses; and within forty steps of the door is a never failing spring of most excellent water.

I have frequently known land to sell in Edgcombe where I was raised for eight or ten dollars per acre, far inferior to this I offer, and the land generally in this vicinity, for it is here as elsewhere the land is good on the water courses—but come and see, as I am anxious to get off to take a view of Texas. Robert D. Hart. Spring Hill, August 4th, 1851.

The undersigned being acquainted with the above premises, and having recently rode over the same have no hesitancy in certifying that there is not a more valuable tract of land in Nash, and have no doubt that the farm will yield this year eighteen or twenty bales of cotton, besides a plentiful support. B. A. T. Ricks, Wm. H. Hilliard.

August 2nd, 1851.



Horse, Groom and Farm for Sale.

THE subscriber offers for sale his noted horse Young Boston and his Groom Harry.

Young Boston is a splendid bay horse, eight years old last spring, five feet six inches high, and in full health and vigor. He was got by the celebrated race horse Boston, dam by Marion; grandam by old Sir Archy; great grandam by Potomac; g. g. grandam by President; g. g. g. grandam by Buckham's Partner. For further particulars refer to Edgar's stud book. His groom Harry, is a boy well known, and has been acting in that capacity about five years.



The subscriber also offers for sale the tract of land on which he resides, about six miles west from Battleboro' Depot, containing

About 800 Acres.

200 of which are cleared and well adapted to the culture of Corn, Cotton, &c., there are also enough new turpentine boxes cut to work two hands, and two splendid blue marl beds, one three feet and the other four feet deep. There are on the premises an excellent Dwelling house, gin house, and all necessary houses in good order. For further particulars apply to Henry F. Whitley, in my absence. Josiah Ellisor.

August 26, 1851.