

Supreme Court.—Agreeably to the act of the last General Assembly, the winter term of this Court ought to have commenced on Monday last (being the last Monday in December); but it appears that Judge Ruffin cannot legally take his seat on the Bench till the close of the present session of the Legislature, as the temporary commission granted to Judge Toomer, according to the words of the Constitution, "does not expire until that time." All the Judges are present.

Since the above was written, Judge Toomer has resigned the temporary appointment conferred on him by the Council of State; this resignation does not however, it is said, remove the constitutional objection.

LEGISLATURE.—It will be seen from reference to the proceedings of the Legislature of Monday last, that the Senate have been deprived of one of their body by death. The remains of Mr. SANDERS were taken from this city on Tuesday morning, for interment at his residence in Johnston county. The corpse was accompanied to the verge of the city by the Members and Officers of both Houses.

We alluded in our last, to certain Resolutions submitted by Mr. Bynum and Mr. Gaston, in relation to the powers of the General Government. We now subjoin them:—

Mr. Bynum's Resolutions:

Whereas, in the opinion of this General Assembly, the permanency of our political institutions greatly depends on a definite partition of powers between the Federal and State Governments, giving to one all the powers distinctly enumerated in the Constitution, and reserving to the other all those not delegated to the United States, nor prohibited to the States by the Constitution:

Therefore resolved, That Congress, under the division of these powers, have no right to pursue works of Internal Improvements, such as the cutting of roads and canals within the limits of the individual States.

Resolved, as the opinion of this Legislature, that the assumption and exercise of such a power by Congress, are contrary to the genius and spirit of our Internal compact, and subversive of the independence and sovereignty of the individual States.

Be it further resolved, as the opinion of this Legislature, that the exercise of such a power would prove as inexpedient and impolitic, as it is unconstitutional.

Resolved, That if it be deemed expedient by the States, that the Constitution should be so amended as to apportion the surplus funds of the revenue of the United States amongst the several States, according to the ratio of their representation, to be placed under the immediate control of the Legislatures of the several States, to be appropriated to such improvements as may be deemed by them most expedient for their internal regulations, that our Senators in Congress be instructed, and our Representatives requested, to use their best efforts to accomplish the proposed amendments to the Federal Constitution, and to sustain by all other legitimate means the principles contained in these resolves.

Resolved, That the Executive be requested to forward a copy of these Resolutions to each of our Senators and Representatives in Congress.

Mr. Gaston's Resolutions:

Resolved, That the General Government has not the right to make improvements within the limits of this State, except such as are necessary and proper means to execute the powers which have been delegated by the Constitution of the United States.

Resolved, That roads required for military operations, or for the convenient and speedy transmission of the mail; canals for facilitating commerce between this State and her sister States; and inlets, ports and harbors, made or improved for the purposes of commerce with foreign nations and the other States of the confederacy, are among the means necessary and proper to execute powers thus delegated.

Resolved, That the General Government has also the constitutional power to appropriate money to all such objects of internal improvement as may be sanctioned by this State, and tend to the promotion of the general prosperity of the United States.

And resolved further, That to insure to each State a fair part in such appropriations, it is expedient that the General Government should apportion its surplus revenue among the several States according to the ratio of their representation, to be by them applied to these purposes of internal improvement.

The Bill to vest the right of electing Sheriffs in the free white men of the State, has become a law. A motion was made to strike out the word "white" in the title, but it was rejected 93 to 36. We trust this bill will not fulfil the prediction of its opponents, but we have our fears. We give the vote in the House of Commons, on its final passage:

YEAS.—Messrs. Alexander, Arrington, Baker of Ashe, Banner, Barnard, Bethell, Blair, Bogle, Branch, Brooks, Brown, Brower, Buie, Buttner, Calloway, Carson, Cooper, Cunningham, Davenport, Dozier, Edmonston, Enloe, Fisher, Gary, Gauze, Grandy, Hancock, Hellen, Hill of Rockingham, Horton, Jarvis, Jones of Wake, Jordan, Kerr, Kendall, King, Lilley, Loretz, Love, Melvin, Monk, Moore, Morris, Mullin, Murphy of Richmond, McNeill, Newland, Neill, Nicholson of Richmond, Orr, Patrick, Purcell, Itawls, Richardson, Russell, Simmons of Columbus, Simmons of Currituck, Sloan, Smallwood, N. Smith, N. G. Smith, Snyder, Speight, Stedman, Stockard, Stokes, Taylor, Thompson, Watts, Whitaker of Williams, Wilson of Perquimans, Wiseman, Wooten of Columbus, A. W. Wooten, Wright, & York.—80.

NAYS.—Messrs. Baker of Edgecombe, Barringer, Bateman, Borden, Bynum, Byrum, Chambless, Chesson, Clark, Cox, Eccles, Farrer, Gaston, Graham, Greene, Harper, Hatch, Haughton, Hayley, Hill of Wilmington, Hough, Jones of Warren, Larkins, Little, Long, Mendenhall, Moore, Moye, Murphy of New-Hanover, McGee, McLean, McMillan, Nash, Nicholson of Halifax, O'Brien, Pearson, Polk, Rhoads, Sasser, Sawyer, Simpson, Shipp, Stanly, Swain, Webb, Wheeler, Wilson of Caswell, C. Wooten, and Wiche.—49.

In the Senate, on Monday, Mr. Sneed from the select committee to whom were referred certain documents in relation to a Penitentiary and Lunatic Asylum, reported a bill to establish a fund for the erection and support of a Lunatic Asylum. This bill provides that the debt due from the United States to North-Carolina, for advances made during the last war to the Militia, and amounting to upwards of \$9,000, shall, when collected, be appropriated for the purpose of erecting said Asylum.

Mr. Sneed also reported a bill directing the several Sheriffs to ascertain & report to the Comptroller, the number of maniacs, lunatics and persons non compos mentis, within their respective counties.

In the House of Commons on Tuesday, the bill to establish a Penitentiary in this State, was laid on the table by a large majority. The bill allowing the Public Treasurer, additional compensation, passed its third reading by a majority of ten votes, and was sent to the Senate for their concurrence.

In the Senate, the bill to erect a new county in the West, from a part of the counties of Burke and Buncombe, was postponed indefinitely, on motion of Mr. Matthews, by a majority of 4 votes.

The Bank Bill.—The bill for creating a Bank of the State, which passed the Senate last week, has not yet been acted upon by the House of Commons, owing to a question of order which has arisen upon it. The section of the bill, as it passed the Senate, providing salaries for the President, Cashier, and Directors, was in blank. The House of Commons objected to this, as one of the joint Rules of the two Houses stipulates, "that each House shall perfect and finally pass upon every bill before it sends it for concurrence to the other," and ordered a message to be sent to the Senate stating this objection. On receiving this message, the Senate proposed the appointment of a joint-committee to report what was the true meaning of the word perfect in the joint Rule above referred to. The Chairman of this Committee, yesterday, reported to the House of Commons that, in their opinion, the Rule required that all bills ought to be perfected or completed before they were sent for concurrence. On this Report considerable debate took place; those opposed to it contending, that the Rule meant nothing more than that the bills should pass their three readings, instead of being alternately read in each House, as formerly. At length the Report, and the different motions made upon it, were laid on the table.

In the Senate, the same subject was also discussed, on the message from the House of Commons; and after a good deal of desultory debate, it was agreed, to return a message to the House, stating, "that blanks in a bill, not affecting its principle, do not come within the meaning of the joint Rule requiring bills to be perfected before they are sent for concurrence." How the difficulty will be obviated, we do not precisely know, but will inform our readers of the result hereafter.

In the Senate, considerable debate also took place on the bill, proposing that hereafter, the Supreme Court shall be held alternately at Raleigh and at some town in the Western section of the State. It passed its second reading, the town of Statesville in Iredell county, being the alternate place designated.

A bill was introduced in the same branch, proposing to pay the members of the Legislature a salary, in the place of their per diem allowance. Read the first time.

Tragic Affair.—A certain Capt. Thomas Thompson, of Elizabeth City, two or three years ago, succeeded in obtaining the hand of an amiable and respectable young lady of Beaufort, Carteret county. In a short time after their marriage, his conduct towards her became so brutal that her friends separated her from him. He has professed to feel extremely unhappy in consequence, and has endeavored to prevail upon her to return to him, but without effect. For nearly or quite two years this has been his course, until within the last few months, when he has been less heard of. It seems however, that he was only slumbering to make a more deadly spring. On Saturday the 16th inst. he arrived at Beaufort, armed with pistols and a dirk, and entered the dwelling of his unfortunate wife, caught her in his arms and endeavored to persuade her to go with him. The family became alarmed, and despatched a messenger for the brother of the wife, who was at Fort Macon (two miles off). On his arrival he demanded his sister, Thompson refused, and threatened any man with instant death who should touch either him or his wife. The brother, however, agreed

ing to leave it to the lady to choose, and she preferring to remain, Thompson snapped one pistol at the young man, and stabbed his wife once in her breast and twice in her arm—and likewise, a Justice of the Peace, who attempted to stop him. He then made his escape, and though vigilant measures were adopted, the Police have not succeeded as yet, in taking him.

Course of Wool.—Contrary to the wishes of our Manufacturers, Congress persisted at their last session, in laying an increased tax on this article; and petitions are, in consequence, now presented, praying for a repeal of the duty on all coarse Wool, the original cost of which does not exceed ten cents a pound. The cloth made from this kind of wool is consumed almost exclusively by our slaves, and its manufacture gives employment to a great number of hands. Besides, it is a kind of wool inferior to any which is produced in this country; no impediment therefore, ought to be placed in the way of its importation.

The examination of Witnesses on the trial of Judge Williams was nearly completed at the last dates from Nashville.—Considerable asperity had been manifested by the counsel on both sides; the counsel of Judge Williams charging the impeachment to political causes growing out of the late Presidential election, and the opposite counsel attributing that mode of defence to a desire to enlist public sympathy in behalf of the Judge.

The New York Enquirer contains an editorial article in relation to the next Presidency. The Journal thinks it time enough to discuss the question when the present Chief Magistrate of the nation shall have determined to retire, but declares that when the proper period shall arrive, N. York will be nearly unanimous for Mr. VAN BUREN, and will hope for the co-operation of the other States with whom she has so long acted, in effecting his election to the presidential station.

The Boston Bulletin, a Jackson paper, ashamed of the Report of Secretary Eaton, says that Duff misprinted it for the purpose of disgracing the writer. Upon this Duff, without taking up the cudgels for the Secretary, contents himself with denying the assertion, and declaring that he printed it as it was written. Thus, between the two, the Secretary falls to the ground.

Foreign Items.—According to a calculation recently made there are 103 Canals in Great Britain, extending 2,682 miles, and formed at an expense of thirty millions sterling.

The sons of the Emperor of Austria have all been taught some trade, the hereditary Prince being an excellent weaver, and his brothers good carpenters and joiners.

A gentleman in Norfolk, (Eng.) lately sent as a present to a friend in London, a hare, a brace of pheasants and a brace of partridges, packed in the hollow of a large turnip.

The communications between the English and French Governments have been lately unusually frequent. Scarcely a day elapses but despatches are received from and forwarded to Paris.

Mr. Cobbett has announced his intention of visiting the principal towns in the North of England, to deliver what he calls lecture speeches.

Fayetteville, Dec. 24.
North Carolina Bank Notes.—It will afford pleasure to our readers to learn, that the late able and correct management of the local Banks in this State, has gradually appreciated their paper, until it is now actually on a par with United States Bank Notes. The Branch of the U. S. Bank in this place has, for several days past, received them in payment for checks on the Northern Cities at the usual rate of 1/2 per cent premium.—Obs.

Salisbury, Dec. 22.
Fire.—On Saturday morning last, the Cotton Gin, Machine House and Stables of Mr. William Gay, of this town, were entirely consumed by fire. There was a quantity of seed cotton in the machine-house; which, together with the cotton gin, and the building, including the stables, are estimated to have been worth about \$800.—Circumstances conspire to render it nearly certain that the fire was kindled by an incendiary. Strong suspicion resting on a mulatto fellow in town, he was committed to jail to await an examination as to his guilt or innocence.

It is but a few months since a large and valuable building, comprising extensive stables, barn, granary, &c. was burnt in our town, under circumstances which left but little doubt of its being the work of an incendiary. It behooves the citizens of our town, therefore, to exercise a sleepless vigilance in protecting their property, and in bringing the guilty miscreants, who have applied the midnight torch, to summary justice.—Carolinian.

Wilmington, Dec. 22.
Horrid Accident.—A negro woman, the property of Mrs. Ann Smith of this place, was burned to death, on Friday night last. The circumstance of the case are such as to lead some of our Physicians to the opinion that this was a case of spontaneous combustion, the woman having for a length of time been in the habit of intemperance. She was in her senses when the Doctor was called in, and persisted in saying she

was not on fire; but that she felt a dreadful burning at the bottom of her stomach, and begged for something to relieve the pain. We understand that she was so badly burnt that her intestines fell out before she died.—Liberalist.

A remarkable incident occurred in the Virginia Convention on Friday last. It was the circumstance of Mr. Madison's voting against every other member of the Convention, on a proposition, too, not his own. Of the great variety of projects for a basis of representation, which have been presented by their respective authors, for several weeks past, one was deemed by Mr. M. as the most fair and expedient, and he embraced it; but, it appearing in the end, that it could not be carried, and that one somewhat variant would unite more votes, the friends of the former, including the mover himself, abandoned it for the latter—the opposite party voting against it of course; so that when the question came up on agreeing to the first proposition, every member voted against it excepting Mr. Madison, who, seeing no reason to change his opinion, maintained his consistency by voting for it. Thus it was that this venerable and illustrious citizen, whose name alone is "a tower of strength" presented the extraordinary spectacle of giving his solitary vote against the whole Convention.

New-York.—A writer in the Philadelphia Aurora, speaking of education, says—"The State of New-York, acting in belief that knowledge is power, takes the lead in the great and important concern of educating her immense population."

"In 1816 she had but forty thousand, but in 1828 no less than 468,205 of her children attended her common schools, which were under the supervision of forty-nine thousand school officers, and for the support of which the sum of 568,986 dollars was expended; all of which is independent of her Colleges, Academies and numerous private Schools, and it is no exaggeration to say, that within that State, six hundred thousand children from 4 to 16 years of age, are now receiving instruction at an annual expense of one million of dollars, and I will venture to assert, that no stock in that State will finally produce a more certain or greater interest than this sum in knowledge and virtue."

"Her canals are great; very productive, but her excellent extensive public schools are infinitely greater, and are the brightest diamonds in her escutcheon."

The Cotton Market.—The Liverpool Albin of the 16th ult. says, the market was in a state of unusual activity during the last week. The sales reached the extraordinary high number of nearly 25,000 bags, at an advance of one eighth per lb. on some qualities of American cotton.—An opinion is beginning to prevail, that the stock of cotton in the ports will, at the end of the present year, notwithstanding the heavy import, be smaller than it has been at the close of several preceding years.

A writer in a Northern paper remarks, that he is "surprised to see an event consummated by the treaty of Adrianople (that of the deliverance and independence of Greece) pass in our papers so much *sub silentio*, especially when their freedom has not been merely acknowledged by the three great Powers of Europe, but hastened and completed by their unequivocal direct agency. Greece stands independent among the nations of the earth by her own efforts; and the co-operation of the allies, from some motive or other, good or bad. To Greece it seems to have been reserved, in this age of revolution, successfully to rekindle in the old world the flame of liberty. Greece has there had the happiness of asserting the rights of nations, and surely offers us an occasion of rejoicing with her on her deliverance. It may be that "shadows, clouds and darkness rest on the prospect," and possibly it may be so. But sufficient unto the day is its evil. She has succeeded in a cause, and justice to her as well as ourselves demands some expression of greeting and gratulation. Mr. WEBSTER whose zeal, years ago, was kindled by her wrongs and sufferings, may perhaps think this subject worthy of being now addressed to the public attention."

Rum.—We learn from the Boston Palladium, that the distillers from molasses in different parts of the United States, intend to petition Congress for the restoration of the drawback so inconsiderately abolished a short time since. The effect of that abolition has been the discontinuance of New England Rum as an article of export—the throwing of it all upon the country for consumption, in competition with Whiskey—of reducing the price from 35 to 25 cents per gallon—of causing an equal and ruinous reduction in the price of molasses—of bringing it into injurious competition with Louisiana molasses for retailing—and of seriously affecting our trade to the West Indies, whence molasses is imported, and our trade to Europe, where rum used to be exported—and diminishing freights.

Agricultural Papers.—The last No. of Loudoun's Gardener's Magazine, in noticing some agricultural addresses, sent from this country, says it is gratifying to mark the spread of agricultural science and industrious pursuits in the United States. In speaking of three Addresses delivered before the Agricultural Societies of South Carolina, by Messrs. Henry, Seabrook and Townsend, the Editor says, "they are written with very considerable ability and knowledge of the subject; and we speak with the utmost impartiality, when we say,

that during the rage for agricultural societies which existed in England some years ago, no one address appeared, not even those of Sir Jno. Sinclair or Arthur Young, at all to be compared with them, either for extensive knowledge of the subject, or sound general views on agricultural legislation.

A Father and two Sons Killed.—Last week, James Hemsworth, of Garforth, near Leeds, sent his son John into a well, which had been covered up for some time, to fetch up a pick-axe. The young man, unconscious of danger, descended by means of a rope. When he had nearly reached the bottom, his father perceiving a tremulous motion in the rope, suspected that all was not right, and drew it up, but before the youth had reached the top, he was so exhausted as to be obliged to let go his hold, and was precipitated to the bottom. The father immediately alarmed his son James, who descended the well, but from some cause fell from the rope. The father then descended by the rope, when, shocking to relate, he was precipitated to the bottom, and shared the fate of his sons. The bodies were afterwards taken out with grappling irons. The father was alive, but instantly expired, and in the two sons the vital spark was quite extinct.—English paper.

Judge and Jury.—We make the following extract from the Providence American, of a late date:

"A Judge ought not to give a jury his impression from the facts. On ordinary minds such a direction is as imperious as the judge's opinion of the law, and in every case of the slightest doubt a jury will rather throw the responsibility upon the judge by taking his impression of the facts instead of their own. Their excuse for a verdict, if called in question, then is, the Judge told us so, and we decided according to his direction. If this is to be the influence which a Judge of high character & acknowledged talents exercises upon a jury, we might as well dispense with that body at once and let the Judge determine the fact as well as decide the law."

MARRIED.

In Franklin county, on the 23rd inst. Walter A. Mangum, Esquire, of Orange, to Miss Eliza Bullock, daughter of Dr. Benj. Bullock.

In Perquimans county, on the 17th inst. Mr. Th. S. Stacy to Mrs. Martha Brinkley, relict of Miles Brinkley, deceased.

In Elizabeth City, on the same day, Mr. Abner Cragin, of Massachusetts, to Miss Martha Shepherd. Also, in Pasquotank county, on the same day, Mr. John Pritchard to Miss Eleanor Jennings.

In Camden county, Mr. Tully Dozier, sen'r. to Miss Tamozine Eustace.

In Edenton, Dr. Matthew Page, of Richmond, Va. to Miss Mary M. Collins.

In Gates county, Mr. W. F. Riddick to Miss Sarah E. A. Hunter.

In Lenoir county, on the 8th inst. Dr. Edw'd. C. Bellamy to Miss Ana B. Croom.

In Alenton, Montgomery county, on the 22d inst. by the Rev. Wm. H. Lilly, Mr. Darling Allen of Anson county to Miss Eliza Harrison.

DIED.

In this City, on Monday morning, while attending his duty in the Legislature, Reuben Sanders, Esq. the Senator from Johnston county. Mr. Sanders had experienced an attack of sickness in the Fall, from which he had just recovered. When he left home, he, though feeble in health, he was in his seat daily in the Senate till Wednesday last—from which time he kept his bed until he expired. The deceased has left a large family and numerous friends to lament his unexpected death.

On Sunday night last, Richard Hogg, youngest brother of Garin Hogg, Esq. of this city. In his life was exemplified the influence of a patient regulated temper over the pains and privations of a lingering and incurable disease. His death exhibited the power of divine faith to sustain the soul in that trying hour—while to his surviving relations and friends is left the strong consolation of a reasonable hope that through faith and patience, he inherits the promises.

In Tennessee, on the 18th of November last, of a disease of the liver, Mrs. Margaret M. Henderson, wife of Dr. James M. Henderson, recently a citizen of this place, and daughter of Dr. Nathaniel Hill of Wilmington.

Those who were acquainted with Mrs. Henderson, who knew the virtues of her character and the exemplary manner in which she discharged all her social and domestic duties, will receive this intelligence of her early death with sincere regret.

In Pitt county, on the 22d inst. Jos. J. S. M. Brickle, Esq.

In Buncombe county, on the 10th ult. after a protracted illness, Mrs. Grady, wife of Captain Henry Grady. She was an affectionate wife and tender mother, and her death will be much regretted.

In Lincoln county, on the 10th ult. Mrs. Sarah Sherrill, wife of Jacob Sherrill, sen. in the 76th year of her age. Mrs. Sherrill had been afflicted with a breast complaint for some years, but died rather suddenly; she was able to walk about till within a few hours of her death; was able to help herself and to speak sensibly to the last. She repeated several verses of Scripture and of Hymns. Amongst her favorite verses was the following:

"I gaze on my treasure, and long to be there, With angels my kindred, and Jesus my dear." This good old woman's character stood unspotted from her cradle to her grave. She was a loving, obedient and industrious wife and a tender mother. Her hands and her heart were open to supply the wants of the needy. In her death, an aged husband has lost his best friend; her children, a kind mother; the vicinity, a good neighbor; the poor, an attentive friend; her servants, a good mistress; & the Methodist Church, an irreproachable member of nearly 40 years standing. No doubt is entertained but she is gone to reap the just reward of her well spent life.—Communicated.

Recently, in Hardeman county, Tennessee, after a short illness, Dr. James H. Sheppard, formerly of Orange county, in this State.

WANTED.

A Male and a Female Teacher Enquire of "the Post-Master at Wake Forest," Dec. 30.

Board of Agriculture.

A MEETING of this Board will take place To-morrow (Friday) evening, at 7 o'clock, in the Conference Room of the Capitol. The members are requested to be punctual in their attendance. J. GALE, Sec'y.

Raleigh, Dec. 31.