said John Conard; also, upon a judgment rendered in the same court the tenth of November, eighteen hundred and thirty, in favor of the Merchants Fire Insurance Company, against the said John Conard, for twenty-five thousand eight hundred and seventy-six dollars and twenty-five cents; also, upon a judgment rendered in the same court, the tenth of November, eighteen hundred and thirty, in favor of the Atlantic Insurance Company, against the said John Conard, for twenty-eight thousand nine hundred and seventy-seven dollars and fifty-five cents; together with the interest and all the legal costs which have accrued on the said judgments against the said Conard, either in the said circuit court or upon the affirmance of any of the said judgments in the Supreme Court of the United States.

Sec. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized to adjust and settle the claims of I. and W. Lippincott and Company, of Philadelphia, for damages sustained by them in consequence of the illegal seizure of teas made in the said city of Philadelphia, by the Collector of that Port, acting under the orders of the Secretary of the Treasury, to be paid out of any money in the Treasury not otherwise appropriated: *Provided*, That no allowance shall be made for any damages sustained by them other than the interest upon the amount of the property detained from them, and the difference in the value of the said property at the time of the illegal seizure, and the time of its delivery to them on the substitution of other security.

Approved, July 14, 1832.

COMMUNICATIONS.

FOR THE PALLADIUM.

Mr. Editor, I have long had it in contemplation to wield the "grey goose quill," not thereby to gain a "mortal immortality," by seeing a production of mine in your paper, and hearing praise in its sacred behalf trumpeted to the far distant parts of the Globe; but to answer, as I hope, some more important end. However desirable such an event might be, still I should not murmur if, like other pieces which bore the impress of immortality, at least to their author's conceited imagination, this one, after being casually glanced at by the sleepy eye, should, like its ill-fated brothers, be doomed to the silent chambers of oblivion. There let it rest till other days and other men "can do justice to *its* character." But to return, or rather to commence, after this long preamble, the subject I proposed. Now be it known to you Mr. Editor and to all the readers of and writers for this paper or any other, that the soundest and most philosophical discourse, the best books and the most exalted sentiments ever uttered by man, are the mere effect and result of a certain combination of words and sentences. Pervert their order, and you at once destroy their beauty and force; you break the spell that enchanted the reader and held the auditor in thrilling and overpowering suspense. It would need but a slight transposition and change in the works of Bacon, Locke, Milton and Pope, to render their sublimest theories, profoundest sentiments, and most beautiful and poetic reflections, the most ridiculous absurdities; to hurl them from that summit of human fame, which they now proudly occupy and to attain which they spent years of laborious exertion. Thus I think, I have proved conclusively that *immortality* after all, is but a species of *mortality*—a light which a breath may extinguish, a thing, which like all that is earthly, is liable to decay.—But I am prosing—I said that in order to render an oration or book interesting, to combine the choicest ideas of wisdom or poetry, nothing was necessary but a certain combination of words and sentences. Now I see that some late writers have taken advantage of this very argument and drawn such conclusions as do not argue much in favor of the solidity and justness of my premises. Taking the proposition for granted that nothing was requisite but a certain arrangement of words and sentences in order to produce an elaborate composition, worthy of the mature age of reflection, they have proceeded in this manner.—First, they have selected the prettiest words, ransacked Johnson and Webster for their most illustrious descendents of the Celtic, Saxon, Latin and Greek originals.—Secondly, they have arranged these after the most perfect order of classic beauty, so that in reading them we can think of nothing except the harmony of the "spheres sublime."—Thirdly, they have spiced their lines now and then with an elegant quotation from Moore or Byron or some other favorite author. The pieces are thus prepared to go before the public eye. I have often admired the wonderful composure which these writers maintain, while their compositions are undergoing the process of dissection in the hands of the greedy multitude. Perfectly secure in the confidence of their own powers, they manifest the most utter nonchalance, when *I* should have been on the rack. Thus, with a rule which never fails, they are prepared for the public. While other men tax their intellects and draw from the deep stores of their minds—they carelessly turn over the leaves of Johnson or Webster, and round their sentences after the rules of Blair. When other men stop wearied in their flight, they plume their wings for a yet loftier summit and scarcely "stoop to touch the loftiest thought." Whoever may have been the founder of this new sect of writers, that has sprung up among us, I know not; but surely his followers have been scarcely less sanguine and forward than the followers of the author of the syllogism, that splendid imposition that for ages sat enthroned on the superstition and ignorance of the people. Now there is nothing that is seriously objectionable in this manner of writing, except the perfect *destitution of all sense*. While their authors have been thus careful in making a pretty composition and have a most admirable arrangement of their words and sentences, they have sacrificed *sense to elegance and precision*. To render a composition good, besides beauty and elegance, good sense also must be introduced. This then is all which draws the distinction between such writers as Bacon and Locke and *some* ephemeral writers of the *present day*. Let these writers then obtain that other qualification and we will hail them as the lights of the nineteenth century.—"A word to the wise is sufficient." Philologicator.

FOR THE PALLADIUM.

Mr. Culley:—Permit me through the medium of your paper to make a few observations upon our late election. That the main question was put upon the Sheriffalty, none will deny; and so it was the Jackson candidate succeeded by a majority of 145. How then did it happen that the whole Jackson ticket did not prevail? I answer the enquiry in my own mind thus: first—as it relates to Representatives, there were a number of Jackson men in the several townships who were altogether unacquainted personally or otherwise with Mr. Howard, and who could not consent to vote for a man whom they never saw, consequently they would make Mr. Dunn or Dowden their third man. I was an eye witness to a few cases of this kind. I am however well satisfied with the result, as we shall now have a fair opportunity of knowing whether Mr. Dunn will represent himself and party; or whether the will of the people, fairly expressed, shall be his guide.

As it relates to trustees, it will at once be seen that local interests were made to control the event. Our friends of Laughery township are alone to be charged with our defeat in that particular, as may be seen by the returns.—Leave out Laughery and Miller was 50 ahead of Bowers, but in that township Miller received only 7 votes, while the Jackson candidate for Sheriff had a majority of 24, which if carried to Miller's account would have elected him by a majority of 74—and so in reference to Mr. Cotton, leave out Laughery and his majority was 126; and as before shown, carry to his account 24 and he would have been elected by a majority of 150—the largest majority in the county. But for their local situation, I doubt not but that they both would thus have been elected.

The truth is they of Laughery were anxious to secure the location of the county Seminary, and Messrs. Bowers and Stevens, from their local situation, would of course feel a deep and personal interest in deciding favorable to their wishes, it was thought good policy to support them. This I believe to be the true merits of the case, and this explanation seems alike due to the Jackson party and Messrs. Miller and Cotton.

One more view of the subject and I shall have done. It will be seen that Mr. Miller in district No. 3, had a majority of 65, and in No. 2, 55, hence in two districts out of three his majority was 130, yet strange to tell he is not elected, for one district overrules two. 'Tis true he had not a majority in his own district, neither had Stevens; yet one is elected the other is not—can that be right? In district No. 2, Mr. Cotton received 355 votes and Stevens only 209, leaving a majority in favor of Mr. Cotton in their own district of 146—almost 2 to 1. In district No. 3, Cotton received 353, Stevens 252, leaving another majority in favor of Cotton of 101. His majority in two of the three districts was 247, or as 708 is to 461, yet Stevens is declared duly elected, and wherefore? because we have to elect by county instead of by district, as it most certainly should be. If each district, by the statute, had had the exclusive privilege of electing its own trustee, as does a township or a county its officers, then indeed would Mr. Cotton have been elected by an unusual majority; to fail in an election under such circumstances cannot reflect discredit to any man, nay much to the reverse.

I am here reminded of Mr. Cotton's own remarks, upon districting the county, in a communication at the early passage of the law. He then took an exception to electing by county and urged that each district should have the exclusive right of electing its own commissioner, and the same will hold good in reference to trustees. The following are his remarks: "Should a question of great local interest hereafter arise, and doubtless it will, 'tis plain to see that district, No. 2 or 3 could elect a commissioner in district No. 1, incompetent to its vast concerns, and one which it did not want." In two short years his prediction has been amply realized, save that Mr. Stevens may be competent, yet near two thirds of the district have said they did not want him and that they preferred Mr. Cotton. We shall hereafter be able to ascertain whether Laughery has bought Messrs. Bowers and Stevens by their act and deed, or whether the county still retains them; if so, that is all that we should ask. A county Seminary should be located so as to accommodate the county, however the trustees may be elected, and thus I have often heard Mr. Cotton express himself on the subject. I have carried out my calculations, at some length, in order to show clearly that something is wrong and which can only be remedied by the adoption of the amendment suggested by Mr. Cotton. Let each district have the exclusive right to elect, and all hereafter will be well. I flatter myself that our Representatives will not suffer the present or coming session of the legislature to pass without obtaining the much needed amendment. The exhibitions herein bro't to light would seem sufficient to warrant success.—*District No. 2, Aug. 20, 1832.*

A New York Observer remarks, that during the thirty days ending on the 6th inst. the number of interments reported by the City inspector wanted only four of three thousand, or *one hundred a day for one month!*

From the Louisville Advertiser.

Tyranny.—The opposition contend that the President, by claiming for himself, the right to decide on constitutional questions, is acting the part of a tyrant. In his Veto Message, the President says:

"The Congress, the Executive and the Court, must, each for itself, be guided by its own opinion of the Constitution." * * "It is as much the duty of the House of Representatives, of the Senate, and of the President to decide upon the constitutionality of any bill or resolution which may be presented to them for passage or approval, as it is of the Supreme Judges when it may be brought before them for judicial decision. The opinion of the Judges has no more authority over Congress, than the opinion of Congress has over the Judges, and on that point the President is independent of both. The authority of the Supreme Court must not, therefore be permitted to control the Congress or the Executive, when acting in their legislative capacities, but to have only such influence as the force of their reasoning may deserve."

In relation to the independent action of each of the departments of the government in deciding as to the meaning of the constitution, and the operation of those departments as *checks* upon each other, the opinions expressed by Mr. Jefferson will be found to accord with those of the President: Extracts from the correspondence of Mr. Jefferson.

To Mr. Adams.

"You seem to think it devolved on the judges to decide on the validity of the sedition law. But *nothing in the constitution has given them a right to decide for the Executive, more than to the Executive to decide for them. Both magistracies are equally independent in the sphere of action assigned to them.* The Judges believing the law constitutional, had a right to pass a sentence of fine and imprisonment, because the power was placed in their hands by the constitution. But the Executive, believing the law to be unconstitutional, was bound to remit the execution of it; because that power had been confided to him by the constitution. That instrument meant that its co-ordinate branches should be checks upon each other. *But the opinion which gives to the judges a right to decide what laws are constitutional and what not, not only for themselves in their own sphere of action, but for the legislature and Executive also, in their spheres, would make the judiciary a despotic branch.*"—Jefferson's Memoirs—Vol. 4. pa. 27.

To Judge Roane.

"My construction of the constitution, is that each department is truly *independent of the others*, and has an equal right to decide for itself, what is the meaning of the constitution in the cases submitted to its action.

"Congress had passed the sedition law. The Federal Courts had subjected certain individuals to its penalties of fine and imprisonment. On coming into office I released these individuals by the power of pardon committed to executive discretion, which could never be more properly exercised than when citizens were suffering without the authority of law, or which was equivalent, under a law unauthorised by the constitution, and therefore null. In the case of Marbury and Madison, the federal judges declared that commissions, signed and sealed by the President, were valid though not delivered. I deemed delivery essential to complete a deed, which as long as it remains in the hands of the party, is as yet no deed; it is in *posse* only but not in *esse*, and I withheld delivery of the commissions. They (the Supreme Court) cannot issue a mandamus to the President or Congress, or to any of their officers.

"These are examples of my position, that *each of the three departments has equally the right to decide for itself what is its duty under the constitution, without any regard to what the others may have decided for themselves under a similar question.*"—Jefferson's Memoirs—Vol. 4. pa. 317, 318.

KENTUCKY ELECTION.

'The long agony is over' with the opposition. They now admit that the *Clay party* has been defeated *in Kentucky*. Colonel Breathitt, the Jackson candidate for Governor, is unquestionably elected, by a majority of seven or eight hundred votes. The contest was long, bitter and arduous—the victory is as glorious as it must be decisive of the fate of Mr. Clay. Thrown off by his own State, where can he look for the zeal and unanimity in support of his pretensions, which are necessary to render him formidable as a candidate for the Presidency?

By the result of this contest, the unyielding devotion of Kentuckians to genuine republican principles is rendered manifest. Aware of the importance of the election—of the great anxiety felt in our sister States on the subject—the Republican party have met and vanquished their opponents, 'in fair, open, and honorable warfare.'

Louisville Adv.

The returns received here, authorize us to say, the following statement of majorities in the several Congressional Districts will prove nearly correct:

Buckner.		*Breathitt.*	
Marshall's,	1070	Daniel's,	697
Allan's,	1338	Johnson's,	1156
Letcher's,	1700	Adair's,	144
Hawes',	151	Gaither's,	375
		Wickliffe's,	31
	4,259	Tompkins',	405
		Lecompte's,	452
		Lyon's,	2100
			5,270

The returns yet to be received may vary the result some two or three hundred votes—but the election of Col. Breathitt is beyond doubt.

Mr. Morehead, the Clay candidate for Lt. Governor, is elected, but his vote will fall short of that given to the Jackson candidate for Governor. *Ib.*

AMERICAN PRESIDENTS.

George Washington was born 11th February, old style, 1732. He lived at Mount Vernon Fairfax county, Virginia; was elected President of the United States in 1789, at the age of 57 years, and died December 14th, 1799, 67 years of age.

John Adams was born 19th October, 1735. He lived at Quincy, Norfolk county, Massachusetts; was elected President of the United States in 1797; aged 62, and died July 4th, 1826 at 6 o'clock in the afternoon, almost 91 years old.

Thomas Jefferson was born in Chesterfield county, 2d April, 1743. He lived at Monticello, Albemarle county, Virginia; was elected President of the United States in 1801, at the age 58 years, and died July 4th, 1826, at one o'clock in the afternoon, on the same, day, and five hours before President Adams died; he was 83 years 3 months and 2 days old.

James Madison was born in 1756. He lives at Montpelier, Orange county, Virginia; was elected President of the United States in 1809, at the age of 53 years. He still lives in the enjoyment of good health, at Monticello, in the 76th year of his age.

James Monroe was born in 1758. He lived in Loudon county Virginia; was elected President of the United States in 1817, aged 59; having but little property, and losing his affectionate wife by death, September 23d, 1830, in November of the same year he went to New York, to spend the winter with his daughter and son-in-law, Mr. Governeur, and died there on the 4th of July 1831, at the age of 73. This is the 3d President who has died on the day of the month American Independence was declared.

John Quincy Adams, son of John Adams, was born July 11, 1767. He lives at Quincy Norfolk county Massachusetts; was elected President of the United States, 6th February, 1825, by the house of representatives at the age of 58 years. Mr. Adams was Secretary of Legation to Judge Dana, Minister to Russia, at the age of 14 years, appointed Ambassador to the Hague when 27, Minister to Russia in 1816, and Secretary of state of the United States, in 1817; being called from Russia for that purpose by President Monroe.

Andrew Jackson was born in Virginia, in 1764. He lives in Nashville, Davidson county, Tennessee, was elected President of the United States, in 1828, at the age of 61

South Carolina.—The situation of South Carolina—the intentions of the nullifiers—the process of nullification itself—the depth and intensity of the sentiment—are all matters that seem to be imperfectly understood in this region of the union. Our leading public men of all political sects and parties, are far more intent upon some petty sectional advantage—some paltry personal purpose—some contemptible party object—than on the examination and preservation of the great and hallowed sentiment of the integrity of the Union. Political morality has sunk to the lowest ebb—patriotism is scarcely felt amid the conflict for the spoils of office, or the spoils of the revenue—or the spoils of one section at the expense of another. It is time that we recurred to the great moral principles which animated the men of the Revolution, and renew the dying flames about expiring in the bosom of their descendants.

What will the South Carolina Nullifiers do? Are they in earnest? What steps are to be taken to resist their mad projects? These are all questions of immediate moment at this time.

The party in South Carolina determined to nullify the laws of the Union, possess the majority of the people of that state and the majority in the Legislature. For some time past, it has been a question of great interest among them, whether the Legislature or a State Convention whose members were elected by the people, could pass the nullifying, law. After a great deal of discussion, it has been determined by the leaders, that a Convention only possesses the power to enact the nullifying law. To accomplish their purpose, therefore, it is necessary to call a Convention of the State; but to do this the preliminary step of a law providing for the election of delegates to a Convention by two-thirds of the ordinary legislature is required.

The next election for the State Legislature takes place in October; the nullifiers are therefore preparing for the contest, and are determined, if possible, to elect two-thirds or more of that body favorable to their views. They must succeed in this point before they can succeed in any of their ultimate projects. When that legislature meets it will then take the question of the Tariff, and should they possess the requisite majority, a law will be passed calling a convention of the people. A new election will take place to elect delegates to that convention; and when that body meets, it may pass the final nullifying law.—Then and not till then, commences the first disruption of this sacred union. The State of South Carolina will then be in conflict with the General Government—the State Law in direct opposition to the United States Law—the part against the whole.

But the question may yet be put, can the nullifying party succeed in the October elections? Is it possible that doctrines so absurd as theirs can prevail among an intelligent people?

It is very evident that the public mind may at certain periods be wrought to a pitch of frenzy, in which the most absurd dogmas will be venerated as philosophic truths. A large portion of the nullifiers of South Carolina evidently look forward to the "pomp and circumstance of glorious war." With such hot spirits nullification is only another name for glory. It is a sentiment, an ambition, a passion of creating a great and glorious name. Many of the leaders may mean truly a reduction of the Tariff—others look upon it as a plan for organizing a party; but all the young, hot-headed, chivalric nullifiers hope for the day in which they will be called to unfurl their war banner to the breeze. One of the first and leading spirits of the nullifiers is Mr. Tarbnell, of Charleston—a very talented man, and we believe a native of one of the British colonies. It is said that several years ago he used to inculcate the same sentiments which he now openly promulgates in his orations. His last oration breathes war and bloodshed. If the nullifying party in South Carolina did not appear to be actuated by this spirit of madness, we should believe they might be defeated in the elections in October; but there is something so contagious in their daring spirit—their wild imagination—their impassioned harrangues, that we are fully prepared to hear of a triumphant victory on their side of the question.

It becomes then the duty of every one to take into serious consideration the state of the country, and to prepare for the unhappy dilemma that may ensue. The Union party in South Carolina are endeavoring to enlighten the people in that region on the late tariff law; yet scarcely believe that the nullifiers can be convinced. They have passed that point. They are in a state of political insanity, and they must be treated accordingly. *N. Y. Courier and Enq.*

Two fold murder in France.—A very extraordinary trial is now going on in Paris, there being upwards of 100 witnesses summoned before the court of Assize. The prisoner Frederick Benoit, only 19, son of a justice of peace at Vouziers, is charged with murdering his mother, and with the subsequent murder of his friend, Joseph Formage, aged 17. The prisoner is represented as having manifested at an early age a cruel disposition, taking delight in tormenting animals and birds, by roasting the former alive, and stripping the latter of their plumage, and then leaving them to run about. November 8, 1829, his father having gone from home till next day, Madame Benoit was murdered in her chamber during the night, & 6,000 francs in gold was carried off. The son was never suspected, and another person was tried upon a charge of the murder, and acquitted only by the jury being equally divided, a majority in France being sufficient in such cases. The same party having stated his suspicion of Benoit and his cousin, a girl who was implicated in the murder, he was prosecuted for the slander and condemned to imprisonment and fine. Some time after Benoit and cousin, Louise Feucheer, went to Paris where the latter became a prostitute, and he pursued a course of vice. He there formed an acquaintance with Joseph Formage, a youth of 17, in the employment of a bookseller. An infamous connexion being supposed to have existed between the two, the murderer, for such was Benoit, confessed his crime to his companion—Some time after they quarrelled, and Formage threatened a disclosure. They met shortly after, when Benoit persuaded Formage to accompany him to Versailles, where they went to the Hotel des Bains early in the morning complaining of having had no sleep. They were shown to a room, where one threw himself on a sofa, and the other on the bed. About noon one of them went out. At seven, nothing having been heard of the other, the landlord sent a waiter to enquire whether he wanted any thing, and found the young man murdered, sitting upon the floor, with his back against the wall, and having a deep incision in the throat. From the nature of the wound, and other circumstances, it was supposed that he had been struck when asleep on the sofa, but had strength enough to struggle with the assassin. The floor in several directions, the furniture, and even the walls, were spotted with blood, and in several places were found locks of hair torn from the victim. The instrument with which the crime had been committed had been wiped upon the window curtain, the shoes of the murderer upon the bed-quilt, and his hands, after having been washed in urine, upon the bed curtains. The body was brought to Paris, and exposed at the Morgue, where it was identified as that of Joseph Formage. Search was immediately made for Benoit, and it was found that he lodged at a furnished hotel in the Rue Jean Jacques Rosseau, and that he had not slept there on the night before the murder. On being arrested, he declared he had not seen the deceased for two months. He admitted that he had slept from home a night about that time, but could not state what night it was. At the Morgue he pretended not to know the body, and betrayed no emotions. A person present having observed to him that he turned pale, and that if even the murdered man had not been his friend, he ought to have been affected at such a spectacle; the prisoner said "Give this gentleman a glass of water, for he is going to faint—as for me, I am not pale." The next day he was taken to Versailles, and when in the chamber, still covered with blood, some one told him he was treading in the blood of his friend, the hardened wretch replied by asking for a basin of soup, which he ate tranquilly upon the sofa stained with blood. Louise Feucher died a short time after the apprehension of her cousin. Previous to her decease, she betrayed excessive remorse, and when she felt her end approaching, said to one of her nurses that she had in concert with her cousin, murdered her aunt for 6,000 francs.

Counterfeit Bills on the St. Clairsville Bank, Ohio, have made their appearance of the denomination of five—paper thinner than usual, letter B, date May 1, 1829.

It is said that no less than eleven physicians have fallen victims to the Cholera at New York.

It is a fact worthy of notice, that since the Cholera broke out in this country, the business of the New York Post Office has nearly doubled. [*N. Y. Gazette.*]