

Pittsburgh was divided, and its Ohio presbyteries of Grand river, Portage and Huron was constituted the synod of the Western Reserve.

In 1829 the Albany synod again yielded to a division and its western presbyteries of Ogdensburg, Waterloo, Oswego, Oneida and Otsego, became the synod of Utica. The four important synods so much in question, thus created, were the synods of the Western Reserve, Geneva, Genesee, and Utica.

The Presbyterian Church, as in almost all other religious communities, encountered internal disputes on doctrine, and ranged themselves into parties called the New and Old School; this has been until recently a division of opinion, not feeling, and kindly conducted on both sides. The General Assembly at various times, had a majority of either party. From 1831 to 1835 inclusive the Old School prevailed. In 1836, the New School was in the majority. In 1837, the Old School party had a superiority of numbers, and in the session of the General Assembly of that year, a resolution, called the receding measure was passed. This vote cut off from the Church, the four synods of the Western Reserve, Geneva, Genesee, and Utica. These synods contain 599 churches and not quite so many pastors; their representatives were of the New School party. The ground of the excision, was connected with the opinions or faith of those synods, and the question of unconstitutionality of the plan of Union of 1810, between the General Assembly commenced, and as might be expected, the process of excision, caused great difficulties. Delegates from the excinded synods, presented their credentials to the usual officers, the clerks, who declined to enrol their names. The moderator of the past session, Dr. Elliot, took his seat in the Assembly, held in the Seventh Presbyterian Church, according to the usual form. Dr. Patton, of N. Y. offered resolutions; the moderator declared them out of order, he appealed, and the Moderator made the report of the clerks, inquired if any delegates were present, whose names had been omitted. Dr. Mason, of N. Y. then presented the commissions from the excinded districts, and was declared by the chair to be out of order. He appealed, and that was so declared to be irregular. The Rev. Mr. Cleveland, of Michigan, then moved that Dr. Beman, of N. Y. be appointed Moderator, protem, and put the question to the Assembly. The eyes were general; there being but few negatives; but whether the voting was universal, was disputed. At this time great confusion occurred—much noise—and the evidence was contradictory upon the opportunity and the generality of voting, and the conduct of the respective parties. The Moderator thus chosen, Dr. Beman, proceeded to organize in the usual manner, and the body of New School delegates, including the excinded portions, adjourned to the First Presbyterian Church; and among other business, elected the six gentlemen named as Relators, to the office of trustees. The remaining body also organized and transacted business.

It is not our purpose to offer opinions, or adopt the evidence on either side, but merely to furnish an intelligible view of the points in controversy, and the history of events which have involved them. The charge of the Judge ruled the law in favor of the Relators in emphatic language. He held the excinding resolution to be unconstitutional and void, and on the question of organization he charged the Jury that if the delegates were prevented from hearing the question, or voting, by the clamors, art or measures of the New School party, or the audience, then the Dr. Beman Assembly was irregularly formed, and the Relators must fail in this issue; but if they believed that the confusion was the act of the defendants, or those who supported the Dr. Elliott house then they could take no advantage of their own wrong act and, the verdict must be for the plaintiffs. The Jury retired for a few minutes and returned to the Court a verdict of Guilty against the defendants. The discussion to the Jury was ably conducted by Messrs. Meredith and Wood for the plaintiffs, and by Messrs. Ingersoll and Preston for the defendants. The leading counsel for the relators, Josiah Randall Esq. was their original counsel and legal adviser during 1837, and yielded the prominent position in the argument to which he was entitled, in order to open the cause of the plaintiffs to the Jury; it is spoken of as a masterly effort. The evidence of the defendants was fully opened by F. W. Hubbell, Esq.

The consequences of the judgement upon this verdict will be according to the eleventh sect. of the act of 1830—"If any person, &c. be found or adjudged guilty of usurping or intruding into, or unlawfully holding or exercising the office, franchise, privilege or power mentioned in such writ the Court shall give judgement that such defendant be ousted and altogether excluded from such office, franchise, privilege or power, and that the commonwealth, or party suing such writ, as the case may be, recover costs from the Defendant."

It is understood that the law laid down by Judge Rogers will be considered by the Court in Bank, a motion for a new trial. The Legislature of Wisconsin have passed a law allowing 12 per cent. interest for money, the parties mutually consenting.—This is a virtual repeal of the usury laws, or nearly so.

### A SCENE IN COURT.

A Georgia paper tells a laughable story of a trial in one of the Georgia circuits:—Henry Day was charged with an attempt to kill his wife. Day was a pale little man, and his wife, who was present, was a perfect Bohemian. The indictment being read the prisoner was asked to say whether he was 'guilty or not guilty.' He answered, "there's a mighty chance for lawyer's lies in the papers,—but some part of it is true. I did strike the old lady, but she fit me powerfully first. She can swear equal to a little of any thing, and her kicks are awful.—I reckon what you say about the devil moving us, is tolerable correct, seeing as how she moved me. I have told you all I know 'bout the circumstances, Mister. I gin Square Jones there a five dollar bill, and I allow he'll talk it out for me."

Square Jones thereupon rose and said he had a law point to raise in this case, which he thought conclusive. It was an established rule in law, that man and wife were but one! and he should like to know how a man could be punished for whipping himself; he should be glad to hear what the Solicitor General would say to that. The Solicitor General answered, that he thought his brother Jones had carried the maxim a trifle too far; men had often been punished for beating their wives. If a man should kill his wife, it would not be suicide. Here square Jones interposed, and defied the Solicitor General to produce any authority to that effect.—The Solicitor General looked over Green's and Lumpkin's Ga., Justice for some minutes, and then observed that he could not find an authority just then; he was sure he had seen the principle somewhere, & called on the Judge to sustain him. He would not decide the question, whether if a man killed his wife, it was murder or suicide. He was not prepared to express an opinion on that point. It was a very delicate one, and he had no idea of committing himself.

It seems that the jury "hung" over till the next morning. The Judge, clerk and sheriff had been up all night, and looked wolfish and the bailiff was seated on his white hat at the door of the jury room and his countenance expressed that he had swallowed the concentrated venom of a thousand wild cats. The most awful curses, oaths and sounds proceeded from the jury room; some crying like children—mewing like cats—neighing like horses—crowing like roosters, &c.

At last a consultation was held at the door of the jury room, between the bailiff and foreman, whereupon the former came into the court room and addressed the Judge: "Mr. Tom Jakes says the jury can't agree about this here man and if you keep him—i. e. Tom Jakes, without grog any more he will lick you on sight." The Judge appealed to the bar if this was not a contempt of Court and 'Green and Lumpkin's Georgia Justice' having been consulted, it was finally decided that it was a threat addressed to the Judge as a private individual, and was to whip him 'on sight,' and not on the bench—it was not (under the free, enlightened and democratic principle of Ga. Legislation,) a contempt of court. This being settled, the Judge directed the bailiff to say to Tom Jakes, the foreman, that the jury shall agree if they stayed through eternity. And it is yet uncertain whether the jury are not now setting and yelling as they did on the first night of their incubation.

The elections in the several states are held as follows:

- 1 New Hampshire, 2d Tuesday in March
- 2 Connecticut, 1st Monday in April
- 3 Virginia, 3d Thursday in April
- 4 Louisiana 1st Monday in July
- 5 N. Carolina, 1st Monday in Aug.
- 6 Alabama 1st do do
- 7 Kentucky, 1st do do
- 8 Indiana, 1st do do
- 9 Illinois, 1st do do
- 10 Missouri, 1st do do
- 11 Tennessee, 1st Thursday do
- 12 R. Island, 1st Monday do
- 13 Vermont, 1st Tuesday do
- 14 Maine 2d Monday do
- 15 Maryland, 1st Monday in October
- 16 Georgia, 1st do do
- 17 Arkansas, 1st do do
- 18 Michigan, 1st do do
- 19 S. Carolina, 2d do do
- 20 New Jersey, 2d Tuesday do
- 21 Pennsylvania, 2d do do
- 22 Ohio, 2d do do
- 23 New York 1st Monday in Nov.
- 24 Mississippi, 1st do do
- 25 Delaware, 2d Tuesday in do

N. B.—The States have been arranged in the order in which the elections occur. From the above table, it appears that 1 state votes in March, 2d in April, 1 in July, 8 in August, 2 in September, 8 in October, and 4 in November.—Lex. Int.

### CONNECTICUT ELECTION.

The result.—We lay before our readers returns from nearly every town in the State. It will be seen that the Federal ticket has prevailed by a greatly diminished majority. We shall, after the smoke has passed off, review the battle field. The Democrats have done their duty manfully and although not victorious, we are not conquered. The Federal party are shouting for joy because they are not entirely defeated. Judging from their conduct, one would suppose that they were astonished that their majority of 6,000 last year had not entirely vanished. Mr. Ellsworth is re-elected by a plurality over the Democratic candidate of about 2,500. Last year his plurality was over 5,800. So it will be seen that we have reduced the

Federal majority more than THREE THOUSAND in a single year. Last year we had but about forty Representatives; this year we have elected over eighty. We have gained five Senators certainly, and perhaps one or two more. This result, although not equal to our most sanguine expectations, ought to satisfy us. We must immediately commence preparations for another contest. Our principles, founded as they are upon the immutable rock of truth and justice, must and will prevail. Our cause is onward until Connecticut shall be thoroughly redeemed.—Hart. Times.

An English gentleman was recently walking under the arcade of the Rue di Rivoli, in Paris, holding in his hand a gold-headed cane of splendid workmanship, a man supported by two crutches came up and asked for alms in a mysterious manner and pitiful tone. The gentleman, moved to pity, gave the beggar a small silver coin. At the same moment a person near him suddenly exclaimed, How can you sir allow this rogue to deceive you? Please to hand me your cane, and I will soon show you that the rascal runs better than I can." The Englishman, taken unawares, without reflecting, lent his cane; the beggar, the moment he perceived, it in his detractor's hands threw away his crutches, took to his heels, and was followed by the man with the cane, whilst the spectators, and the Englishman particularly, remained in convulsions of laughter at the sight and exclaiming alternately, "Oh he will be caught! No, he will not be caught!" But both the racing heroes disappeared at the next turning in the street, and the good Englishman remained waiting for his splendid cane, which cost five hundred francs.

### Peace between France and Mexico.

The important intelligence in relation to France and Mexico, is fully confirmed by the arrival of the brig Dromo, at New York from Havana, with papers to the 19th.—From them, we learn that the British frigate Medea, Commodore Douglass, arrived at Havana on the 17th. Also, the sloop of war Racehorse to deliver letters, and proceed immediately to England. These vessels brought the intelligence that a Treaty had been agreed upon on the 9th inst. at Vera Cruz, and signed by admiral Baudin and the Mexican Minister, and had been sent to Mexico to be signed by the Government, and 15 days allowed for that purpose. The blockade of the Mexican ports had in consequence been raised, the ports opened, and no doubt remained that every thing was settled. The chief provisions of the Treaty were arranged by Mr. Packenham, the English Envoy. Mexico is to pay \$600,000 to France, the sum originally demanded. This sum is said to be guaranteed by England. The citizens of France previously residing in, and exiled from Mexico, are to return and be indemnified for their losses; and the expenses of the war are to be stipulated and agreed upon between France and Mexico, by some mediating power.

### FEMININE HEROISM.

We have just been informed, by Major Sitgreaves of the following tragic occurrence that took place on Monday night last, near Bloomsbury, Warren Co. New Jersey, about 8 miles from Easton: the particulars of which are as follows. About 9 o'clock on the evening alluded to, a negro slave aged about 20 years and belonging to Gen. Williamson, went to the house of his son, Mr. C. Williamson, who was from home, and having conducted himself improperly, was ordered from the premises by Mrs. Williamson. He returned to his master's residence, where he stayed until about midnight, when he again repaired to the house of the son, and demanded admittance. Mrs. W. commanded him not to attempt to enter, for if he did he would jeopardize his life. He disregarded the threat, forced open the door, and entered the room, upon which Mrs. W. took up a loaded gun, which her husband always kept, approached the negro, who still persisted in endeavoring to accomplish his wicked design, and shot him. The load entered his breast, he staggered backward a few feet, and fell dead on the floor. The lady is a daughter of Mr. Drake of Washington, New Jersey. She was left alone with her children, in a house located at some distance from any other, and had no means, but those made use of, to preserve her elasticity and honor, which were threatened by the slave. Easton Sentinel.

### SUBMARINE DESCENT.

On Tuesday afternoon, the 26th ult., a descent into the Charleston harbor was made for the purpose of testing the practicability of exploring the deep, by means of Messrs. Taylor & Goodyear's Submarine Armor.—Numerous small craft and other vessels gathered to witness the experiment. Mr. Taylor was let down from the side of a vessel, cased in a complete suit of water-proof mail. He remained submerged about 30 minutes, re-ascended, lifted his visor and drank to the health of the numerous spectators on the promenade, who greeted his success and returned his compliment by their plaudits. Lieut. R. S. Pinckney, of the United States Navy, also made a successful descent, and satisfactorily tested the adaptation of the invention to useful purposes.

It is now stated that the enlargement of the Erie Canal will cost more than \$30,000,000. The original estimate was \$12,000,000.

An Interesting Case.—The Boston Traveller relates that in August of 1837, a girl, named Jane, aged 3 years, a daughter of Mr. Stearns, who resides within thirty rods of the Railroad Depot at Lynn, accidentally drank a few swallows of potash water, which injured her stomach so much that she has taken no solid nourishment since. She has occasionally drank a little milk, but for a large portion of the time she has subsisted only on water. And often she has passed whole weeks without drinking that. The longest time she has gone without anything passing into her stomach is twenty one days. At the time of writing this, which is on Fast Day, she has gone nineteen days without any nourishment whatever, not even a swallow of water. It is now one year and seven months she has been in this case. When she drinks milk she is able to run about and play, but when she fasts she pines away, and after and abstinence of two or three weeks, she can only rock herself in the cradle. The facts in this case may be relied on, and we think it is one worth the attention of physicians and physiologists.

Justice slow but sure.—We learn from a Baltimore paper that Kobler, alias Zimmerman, alias Mott, and his companion Lewis Willman, have been arrested by Messrs. Smith and Taylor, of the Baltimore police. It will be remembered that these are the same individuals charged as the murderers of the German pedlar Zellerbach, who was found horribly assassinated on the Lancaster road in February last. They are now in the Baltimore prison waiting the requisition of the Governor of this state. Phila. Spirit of the Times.

### The Murderer taken and the Murder confessed!

We presume that our readers have all heard that Kobler and Wilman, the two men upon whom suspicion rested of participating in the murder of Lazarus Zellerbach, were arrested, on Wednesday last, in the city of Baltimore. We have since learned that a letter has been received in Philadelphia in which it is stated that they have confessed their guilt! We have this from authority, and are assured of its entire correctness.

There is no occurrence, which has transpired for a long time, in which the public mind has been more interested than in this atrocious murder. The excitement prevailed not in a mere locality; it affected, in a manner, the whole country, and occasioned the profoundest sympathy for the unfortunate deceased, and the most earnest hope that the murderers would be taken. We are pleased to have it to announce, therefore, that such has been the case not only, but that the deed is acknowledged. The Sheriff of this county, Peter Reed, Esq., started on Sunday last for Baltimore, intending to bring on the murderers to Lancaster.

For the arrest of these murderers in Baltimore, and the circumstances which led to their detection, the public is deeply indebted to Mr. George Hughes, of this city, who exerted himself very much in endeavoring to ferret them out. He elicited a number of the facts which mainly resulted in their apprehension.—Lancaster Intelligencer.

Education and Crime.—The Manchester (Eng.) Guardian says:—By the column in the calendar denoting the state of education of the prisoners for trial at the present sessions, we learn that of the 296 charged with felony, 97 can neither read nor write; 51 can read imperfectly; 41 can read and write imperfectly; 4 can read and write well, but not one has received a superior education. Of the 19 persons charged with misdemeanors, 7 can neither read nor write; 3 can read imperfectly; 5 can read and write imperfectly; and four can read and write well.

Manslaughter.—We learn that a man named William Miller, a resident of Queensbury township, was committed to the Jail of this county yesterday, charged with destroying the life of his own son, a boy about 12 or 14 years of age. The only particulars we have, are, that the son was chopping wood, and accidentally struck the axe into a stone, whereupon the father became so enraged as to raise a handspike that was at hand, and strike him several blows—the boy survived the strokes but a few minutes. Somerset Whig.

"Beware of Military Heroes."—We have been watching the course of two or three of the Philadelphia and New York Whig presses for the last three months, in the game they have been playing to bring General Scott before the country as a candidate for the Presidency. Our expectations have been realized! It is now currently rumored that in the case the Whig National Convention cannot decide on Harrison or Clay, General Scott will be the frail hope. Lancaster Intelligencer.

The Printers.—No being on earth toils longer and harder for the pittance he receives, than the Printer. The sun goes down upon the labors of other men, but there is no respite for the Printer. The midnight oil must be burnt, and the morning star must find him at his stand, benumbed with the incessant toil he has to perform, for the instruction and amusement of the public who cannot appreciate nor reward his unceasing exertions for their benefit.

The scarlet fever has been raging with much mortality at Pendleton, Va.

The Boston Times says that Robert Lincoln, Esq. Agent of the New York Western Lumber Company, has just returned from the Saint Peter's river near the head of steamboat navigation, on the upper Mississippi, bringing with him a living American Orang Outang, or Wild Man of the Woods, with two small cubs, supposed to be about three months old.

It is stated in a Mississippi paper, that the Marshall of the Northern District, has seized on 800 quarter sections of fine land, in the Chickasaw cession of that State, as the property of Swartwout. The St. Louis Bulletin intimates that the mineral land of that region, has also been speculated in by the same individual.

A good Idea.—In Connecticut they find use for almost every thing. An old lady in that state is collecting all the political papers she can lay her hands on to make soap of. She says they are a "desp't sight better than ashes—they are most as good as clear lie."

Singular Calf.—Williams Durfee, Esq. of Tiverton, R. I. has a heifer about one year and ten months old, that has a singular calf a few days since which has 6 legs, two sets of teats but no tail. Three of the legs are hind legs and three are fore legs, all full grown. One grew from the shoulder. One set upon the back. The calf was otherwise very much deformed and altogether presents such a looking object as hardly has a parallel. The calf is not alive.

We learn from the Natchez Free Trader of the 19th inst., that the Bank of Mississippi at Princeton, (formerly Lake Washington and Deer Creek R. R. and Banking Co.) suspended specie payments on the 15th ult.

Ex-President Adams has accepted the invitation of the New York Historical Society, to pronounce before it an address on the approaching fiftieth anniversary of the inauguration of Washington as the first President of the United States. A noble theme for a noble mind!

A woman in Berrington, New Hampshire, a few days ago, in preparing a beet for boiling discovered on cutting it open; in the middle a large Neut, as they are sometimes called a species of the lizard which probably got there by some crack in the beet while growing, which finally closed over the animal.

They are supposed to be very poisonous, and had she boiled, without discovering it would perhaps have caused the death of some who might have eat of it.

Much care should be taken in preparing cabbage, beets and other vegetables for the table, that they do not contain impurities of some kind.

### MASSACHUSETTS.

Good News from the Fourth Congressional District.

The fourth trial for the election of a Congressional representatives from the Middlesex district has terminated in the choice of Mr. Parmenter, the Democratic candidate. The majority of Parmenter over his Whig competitor, Brooks, is about 540.—The scattering votes will reduce this majority to 28.

Mr. Parmenter has received about five hundred votes more than at the third trial, and about nine hundred votes more than he received in 1836.

The whole number of votes taken was 9916. Necessary to a choice, 4959. Mr. Parmenter has received 4972. Mr. Brooks has received 4432. Scattering, 512.

The Bay State Democrat says:—"The democrats of the Fourth District have done well. They have set a good example of perseverance and undeviating devotion to the cause of right, which, if but followed by the democracy throughout the state, will next fall place Massachusetts shoulder to shoulder with the democracy of the nation.

Massachusetts has now doubled her representation in Congress, and will give two votes for a "Constitutional Treasury," and in opposition to an unconstitutional United States Bank."—Reporter.

Hezekiah Niles, esq. the impartial, accurate and talented annalist, died on Tuesday at Wilmington, in the sixty-second year of his age. His life was well spent, for he raised himself by his industry and integrity to an enviable station in the estimation of his fellow-citizens. To the typographical profession, especially, his memory must be ever dear. He was their polar star, a friend well tried, and an honor to the craft. His services to the public have been great; he never sought office or power, but he labored in a purely philanthropic and patriotic manner to promote the views which in his opinion, were conducive to public benefit. Such a man is a true patriot, and as long as the United States shall preserve its independence, so long shall the name of Hezekiah Niles, the founder of Niles, Register, be revered, and his career be quoted as an example for imitation by all who desire to obtain that highest and noblest title, a good and honest man, in private life—in public a pure, disinterested patriot.—Baltimore Sun.