

tion, and two only.—1st. Is there no evil under the existing article which it is proposed to alter? 2d. Will the alteration advance the remedy? Upon the first question there seems to be but one opinion. An evil of no ordinary magnitude exists. The delay of justice under the present organization of the Courts of Law, most equals a denial of it. A legal lifetime does not bring up a case placed at the foot of the jacket of the Constitutional Court at Charleston. The first question thus admitted and considered, the second presents itself for our consideration. Will the alteration proposed correct the evil by advancing the remedy? To this I answer no. I have listened with attention to those who advocate the measure; I have heard them called upon again and again, to point out how, under our present judicial arrangements, or time can be gained for holding the Courts, how the physical powers or moral faculties of your Judges, can be increased or renovated by an increase of labor. For eight years have the Legislature been endeavoring to pass some law to enable the Constitutional Court to dispose of the enormous mass of causes that now cumber its docket. All of us agree that such an effort is futile. These two questions thus solved, it would appear the alteration of the constitution would be a nugatory act, because deductive of no advantages. But, Mr. Chairman, it has been said on another occasion that it is section ought not to be in our Constitution; at it was the child of jealousy, and should be moved from the sacred abode, where it has peacefully slumbered for twenty-six years; that fundamental principles only should be there, and that it ceases to be a constitution when it is too detailed. This, Mr. Chairman, I cannot concede to. Constitution, in its general meaning, signifies no more than the form of government established in any country. But its particular meaning, denotes a regulation or law which is a supreme authority. Is not the article complained of, a regulation, a law, upon a most important subject, viz. upon the judiciary of the State? The constitutions of Georgia, Kentucky, Maryland and Pennsylvania go much further in detail. I cannot see any ground for objection, and therefore will not agree to change the section upon the score of illegitimacy.

It has with equal warmth been said that our ancestors were wiser than ourselves, and that should not touch the sacred ark of our liberties; that it was given to us for a blessing—but to impair its pillars we shall precipitate its and be buried in its ruins. I cannot believe, Mr. Chairman, that our country does not admit of other improvements, improve in mental intelligence. We have the benefit of our forefathers' wisdom with the advantages which experience has taught. That which is fair and useful in theory, frequently becomes deformed and hurtful in practice. Locke's essay on human understanding, his astute knowledge of the *arcana* of government, and his intimate acquaintance with men and things, eminently qualified him to write a constitution. His constitution, composed for the Province of Carolina, evinced that practical men, though less understanding, could frame a better. Vice as our ancestors were, yet full as wise, is the present generation. What they have done, let us preserve; but what the changes of time and circumstances have rendered hurtful, let us remedy. I would not have the constitution touched with unhallowed hands; but our duties by its own creation are hallowed for its protection as well as preservation. But, Mr. Chairman, without a sufficient reason, I would touch it.

Let us, Mr. Chairman, examine whether our duties cannot otherwise be remedied. I answer they can.—To prove this I advance the following arguments: The present exercise of mind and body of your Judges is more than human constitution can bear. This fact being admitted, and no one will deny it, it proves injury complained of can never be remedied or the present existing system. We now arrive, Mr. Chairman, at the important fact embraced in this enquiry. Your present judicial system, sir, is radically deficient!! It is rotten to the core!! After it is dementally—establish a Court of supreme appellate jurisdiction—give your Judges such salaries as will induce men of respectability to take your bench; exclude superannuation; direct the labor now given to your Judges, and the work will be done faithfully, expeditiously and with ability. Thus, sir, the evil can be remedied and not otherwise. To this end a bill is introduced in the Legislature. To alter the Constitution I fear, endanger its passage. It is described, in a patch up the rotten system. If from the colony would lose a single vote in favor of the bill, by voting against the bill, from the indirect operation of a fundamental provision to the late convention vote for its rejection in the United States. The passage of the other, I have no fears that there had given the Constitutional Court held at Charleston, a thing to be apprehended is, that the Courts will be too widely extended throughout the state. This evil is more likely to be cured than a diminution of the present plan of holding the Appellate Courts. Taking this of the subject, I shall trouble the committee no farther upon this question.

In speeches from several other gentlemen, each side of the question (the publication of which we are obliged to defer) the committee reported the bill without amendment. The question on the passage of the bill was then asked and decided in the affirmative—Ayes 88, Nays 28; and the bill was ordered to the Senate.

**Saturday, December 7.**  
The House was principally occupied, in consequence of the whole, Mr. John L. Wilson in the morning, on the bill for abolishing the present court appeals in Equity and establishing a supreme appellate jurisdiction in Law & Equity.

**Monday, December 9.**  
The discussion of the judiciary bill was resumed in committee of the whole, Mr. Martin in the Chair. After several hours spent in debate, the committee rose and made a report recommending that the 1st section be stricken out.—The question on concurring with this report was decided as follows: Ayes 79, Nays 39.—So that the bill was rejected. [The debate on this question has been reported and shall be given as we have room for it: the ayes and nays shall appear in our next.]



TUESDAY, DECEMBER 10, 1816.

Colonel Andrew Pickens, of Pendleton, was on Thursday last elected Governor of this State, and Gen. John A. Cuthbert, Lieut. Governor. William Smith, Esq. one of the Judges of the Court of Common Pleas, of this State, was on Wednesday elected a Senator in Congress, to serve until the 4th of March next, in the place of the Hon. John Taylor, resigned; and also to serve for 6 years from the 4th of March next.

The following gentlemen, were on Tuesday elected Electors of President and Vice-President of the United States, viz.—Wm. Garrett, Philimon Bradford, James Duff, Thomas Evans, Wm. M'Kerall, Frederick Nance, Jno. Thomas, R. B. Screven, Thomas Lee, Joseph Reid, Jno. L. Wilson.

Benjamin T. Elmore, Esq. was on Thursday elected Treasurer of the Upper Division.

Tax Collectors elected in addition to those heretofore published, and the one for St. John's, Colleton, published wrong in our last.—For St. John's, Colleton, John Holmes; St. James, Gosse creek, Dennis Gilmore; St. Helena, W. C. Fripp; St. Peters, B. Thompson; Lexington, Drury Fort.

The following gentlemen were on Thursday elected Directors of the Bank of the State of S. Carolina—one still remains to be elected: Stephen Elliott, president, W. S. Smith, David C. Webb, M. A. Waring, Daniel Fluid, J. Gordon, The. Lehre, B. A. Markley, J. Shultz, J. Adger, F. G. Delesceline, J. Frazier.

FOR THE TELESCOPE.

TO THE LEGISLATORS OF SOUTH-CAROLINA.

I am informed, that at a meeting of about eleven of the trustees of the South-Carolina College, on Saturday last, a resolution was passed, to request of the legislature, an increase of the professors' salaries. To this, I hope that every friend to the state and to the college, will give his decided disapprobation. One broad and general principle ought to govern apportionment of salaries in the College. The principle is this, give to every member of the faculty a stated salary, according to his rank; and let that salary be a bare subsistence for himself and family; but leave any further emolument to his own personal exertions, in delivering a course of lectures on the branches of learning in which he teaches, in addition to the ordinary instruction at recitation. In this way you leave the reward to go where it ought to go, to talents and learning; you will animate genius, and repress dullness; you will erect an impassible barrier against incompetent men; you will banish intrigue and sectarian influence in the election of officers; you will secure teachers exclusively devoted to literature, and to the service of the College. It is by adopting the above principle, that the University of Edinburgh has eclipsed all the schools of Europe: there, the teacher is made to depend on his own talents, learning, and industry, for all that he receives above a bare subsistence; and, however I deprecate the political institutions of that country, I long to see this principle adopted in our College. To support this, is of infinite importance to the state in every point of view. If you wish to see the institution flourish, hold out ample rewards to genius and learning; but do not hold them out in such a way, that they become the prey of cupidity, dullness, party spirit, and sectarian intrigue. Great salaries are indeed an encouragement to eminent men; but eminent men are by no means sure of getting these salaries, while they can be obtained by any other means than abilities, learning and actual service. From the enquiries I have made in Columbia, I believe, nay I am sure, that the present salaries of the faculty will defray the necessary expenses of their families. This is all that a fixed salary ought to do: all over this, operates against the best interests of the College. The present salaries are indeed moderate; but I think very justly apportioned according to the rank and station of the several officers. It is a fault here, it is that the president's salary, considering his high and public station, is too small. But it is said he is satisfied, and does not complain.

Give him the same chance for increasing his compensation by the exertion of his talents, and be assured he never will complain. The most incompetent men are always clamorous for high salaries: the reason of this is too obvious to be mentioned. Those who have real learning and abilities, wish no more than the means of increasing their income, by rendering adequate services.

In most colleges, where courses of lectures are delivered, the lecturers are allowed to dispose of tickets at a certain price to their classes. This method may be proper, in institutions of a private nature; but I should be sorry to see it introduced into our state college. Let the expenses of the youth belonging to it, be as light as possible. Open wide the doors to those of moderate fortune. Degrade not the faculty by rendering them dependent on their pupils. That noble liberality which has hitherto distinguished our legislators, I trust, and most sincerely hope,

will be displayed on the present occasion. Hold out honorable rewards to the exertions of genius. Let those members of the faculty who can and will deliver the proper courses of lectures, enjoy your munificence; but let the present salaries remain as they are. But it may here be asked, do not the college laws now require the delivery of lectures by certain professors? They do. In the first chap. of the Col. laws, in section 9, are the following words. "The professors of logic and moral philosophy, of mathematics and chymistry, shall be required to deliver a course of lectures after the usual course of instruction." The delivery of lectures is the highest mode of instruction, and is unquestionably the most important part of the teacher's duty. The usual course of daily instruction, is intended to prepare the pupils, and enable them to comprehend and derive advantage from a profound, learned, and extensive course of lectures. Here opens the province of the professor; here he is to display his learning and genius; here he is to bring forward a noble display of literature and science to his delighted pupils; here he is to establish his character as a scholar and philosopher. The other duties of instruction may be performed by a tutor; and I must consider every professorship in which the required lectures are not delivered, as reduced to a mere tutorship; and I think the salary ought, in justice, to be reduced to the same. Three professors are required to deliver a course of lectures to the two higher classes annually; and the mode in which it shall be done, is pointed out in chap. 1, sec. 10, of the college laws. Are these lectures all delivered? I am informed by good authority that they are not, and never have been. The professor of chymistry delivers a full course, accompanied with appropriate experiments; I have conversed with many of his pupils, and with the president of the college on this subject; and I am happy to declare that the uniform opinion is, that the professor does his duty well, and that his services are an invaluable acquisition to the College. In the professorship of mathematics and natural philosophy, I am sorry to find that lectures are delivered, and no experiments of consequence performed. Men of science well know the indispensable necessity of lectures in geometry and natural philosophy, optics and astronomy. The trustees know that these lectures have not been delivered, for the deficiency is known to all the students, and loudly complained of. In short, an ordinary tutor to whom you pay but 600 dollars a year, can easily discharge all the duties done by the present professor. With this enormous deficiency staring us in the face, we are called on to increase the professors' salary. The professor of moral philosophy and logic, has, in consequence of engaging in the instruction of the classes, in certain branches which do not fall under his department, been exempted, by an express resolve of the board of trustees, from delivering lectures. The professor of languages is not required to deliver lectures, though no man who knows him can doubt his profound knowledge in ancient literature. His services are laborious, and as they are limited to the lower classes, he is with the greatest propriety not required to deliver a course of lectures. To an increase of salary for the professor of languages, I think no reasonable man would object; provided the other members of the faculty are allowed the opportunity of increasing theirs by delivering lectures. This, I most sincerely hope, the legislature will do; for I am convinced that it is the only effectual method of securing learned, able, and ingenious men, and of elevating the college to its proper rank. Let our honorable legislators then say, that every member of the faculty who will deliver the course of lectures appropriate to his department of instruction, in the manner prescribed by law; the course to embrace not less than four months in each session, at the rate of two lectures a week, and shall produce to the proper officer a certificate that he has delivered the lectures, which certificate shall be signed by the president of the board of trustees; shall be entitled to receive from the treasury of this state, the sum of — dollars. All foreign interests ought to be wholly excluded from the College. Every officer has business enough in his department to occupy the whole of his time; and has no right to engage in any others' business whatever. If persons are forced into offices in the college, because their services are wanted somewhere else, you give up all claim to promotion on the ground of merit and literary eminence, and substitute a system of favoritism, instead of an honorable and just competition. It is the sacred duty of the legislature, to keep the college free from all foreign interests or sectarian views; to enable men to rise by merit only, into the offices of instruction and government, and to encourage, by suitable rewards, those who faithfully and ably discharge their duty. To give large permanent salaries, is the bane of literature and science. The present salaries are as high as they ought to be, provided the plan of lecturing which I propose is adopted. Its benefits are so great and so obvious, that I flatter myself it will be readily adopted. No officer of College, who is competent to his duties as a man of literature and science, can object to it. It offers no reward to the sciolist, to the mere pretender to learning. If he is required to deliver lectures he cannot conceal his ignorance and incompetency. Lectures will bring him to the only proper test and give him his proper rank. Nothing certainly would rouse up the talents of the different teachers so effectually as the prospect of an honorable reward.—This will relieve the present system of all its difficulties; this alone will insure adequate services; this alone will reward the claims of real merit. The present salary of a professor in the College is sixteen hundred dollars—this is enough; yet in fact each of the present professors by means of services rendered out of his office, receives, I am assured, two thousand or more. You are called on to increase this; in short to raise your professors above the President of the College. He who can be guilty of

such odious partiality, deserves not the name of patriot. I hope the Legislature will duly weigh the plan which I have suggested; for I am fully persuaded it is the direct method to give worth and dignity to the College.

ARISTIDES.

N. B.

In apology for the non-appearance of the Debate in the House of R. on the first reading of the Bill to alter the Constitution, we regret to state that the gentleman employed to report for this paper, was compelled by unexpected circumstances to leave town before he had completed a transcript from his notes.—The editor having now to depend only on his own exertions, will be careful to prevent the recurrence of a like disappointment.

CANDIDATES.

We authorized to announce GRESHAM SMYTH, Esquire, as a Candidate for Commissioner in Equity for Beaufort District.

We are authorized to state that JOHN E. GUNNING, Esq. of Chester District, is a candidate for the office of Solicitor of the Middle Circuit.

We are authorized to announce JAMES DELLET, Esq. a candidate for the office of Solicitor of the Middle Circuit.

We are authorized to announce PHILIP E. PEARSON, Esq. of Wainsborough, a candidate for the office of Solicitor for the Middle Circuit.

We are authorized to announce DANIEL McNIEL, Esq. of Chester, a candidate for the office of Solicitor for the Middle Circuit.

**SALE AT AUCTION—THIS DAY,**  
PRECISELY at THREE O'CLOCK, at the house lately occupied by Morgan & Guirey, as a Book Store: will continue the sale, without reserve, of a consignment of 36 packages of British and India GOODS, consisting of the following articles:

- Table superfine London Cloths, in lots to suit purchasers,
- 2 Bales 6 and 7 Cloths, assorted colours,
- 1 do. double and single fine mill'd Castors,
- 1 do. Merino Coatings and Lion skins,
- 1 do. Blue Plains and Forest Cloths,
- 1 Case men's and women's assorted worsted stockings,
- 1 do. plain and figured Leno and Gauze,
- 1 do. figured and fancy Madras,
- 1 do. Jackonet do,
- 1 do. Cambric do
- 1 do. Stockinets,
- 1 do. Girth Webbing,
- 1 do. Gentlemen's Hats,
- 1 bale fine Flannels,
- 1 do. 5-4 gentlemen's Muslin Cravat,
- 1 do. 7-8 Dunities and Gingham,
- 1 do. Irish Brown Holland,
- 1 do. 4-4 fine and super Irish Linens,
- 1 do. Cotton Shirtings,
- 1 do. Colerain, do,
- 1 do. Cotton Umbrellas, 26, 28, and 30 inch,
- 1 do. Madras Handkerchiefs,
- 3 trunks fine and super Calicoes,
- 1 case black Barcelona Handkerchiefs,
- 1 do. Pins,
- 1 do. Cotton Balls,
- 1 Case Bandana, Plagg and Sisteroy Handkerchiefs,
- 1 Case Shovel and Tongues, some elegant,
- 1 Case containing 200 Waters; assorted patterns,
- 1 Case Knives and Forks,
- 1 case Carpenter's and Lathing Hammers,
- 1 do. Hand-saws,

Conditions—Cash for all sums under \$ 50; over that sum sixty days for approved endorsed paper. Tobacco and Rice taken at the market price.  
Columbia, Dec. 10, 1816.

JUST ARRIVED,

A PART of our SADDLES & HARNESS—Among which are, one set handsome plated Carriage Harness—Plated and brass mounted Gig & Chair Harness—Full shafted Saddles of the latest fashions, with plated irons and housings, complete—Plain Saddles, with plated irons—Do. do inlaid with Fawn skin—Common do for Servants—Plated Bit and Braden Brides—Do. Curb Brides, good quality—Common curb & snaffle Brides—Blind Brides and Stable Halters—Saddle Bags and Fitches, &c. &c. &c.  
December 10. BECKET & WILKINS.

AN ELECTION

WILL take place this Evening at the Female Academy for CHORISTER and STANDING COMMITTEE in the Uranian Society, of Columbia. It is hoped the Members will punctually attend, precisely at half after six o'clock.

Tuesday, Dec. 10. GAVIN M'MILLAN, Sec'y

MR. SUDER'S DANCING SCHOOL,  
WILL positively be opened at his Long Room, the 1st Friday in January next. Dec. 10.

NOTICE IS HEREBY GIVEN,  
THAT I will not pay any Debts contracted by my SERVANTS, or any other person, without an order from me.  
Columbia, Dec. 10. TANCEY.

Just published and for Sale at the Book-Store.  
ERWYN'S Sermons, Wesley's Philosophy, Margate's ret of Aton, Essays on Morals and Manners, by Jane Taylor, the Fisherman, Wilson on Fevers, Cicero's Delphin, the Dairymaid—a Narrative.  
Columbia, Dec. 10.

MASSACHUSETTS REPORTS.  
THE person who has Lat Vol. Massachusetts Reports, belonging to Mr. Gresham's Library, is requested to leave it at Mr. Gregg's Office. Dec. 5.

ONE HUNDRED NEGROES,  
WILL be sold on the 13th December, for cash, at William and Rudolph's Tavern, by GRANT & ROBINSON. Dec. 8.

NOTICE.  
ALL persons indebted to the late firm of Trendell & Russell, and to that of Russell & Marshall, are requested to make payment on or before 1st January, to R. E. RUSSELL. Columbia, Dec. 9. 31

South-Carolina, Barnwell District.  
THOMAS KINNY tells before me a brown bay Horse, fourteen hands high, a swish tail, some saddle marks, about 14 years old, trots and paces.—Appraised at \$30.  
JOHN WALKER, J. P. Nov 29, 1816. 21pl

TWINE.  
THE Subscribers have a few bales of TWINE remaining, which will be sold at fifty cents by the single pound—A few pieces of BED TICKING, of an excellent quality, at forty-five cents by the peck. Also, 80 pieces COTTON BAGGING, at 25 cents per yard.  
MORGAN & GUIREY.