

Communications.

FOR THE TARBORO' PRESS.

Reading and the difference of style and character of different kinds of writing and publications.

No. 6.

Legislative bills and enactments.—But for the mention of "legislative enactments" in my first number, I would not venture or spend a word on this huge and shapeless subject; and I would not have mentioned it there had I not, as I told you, friends and neighbors, been writing for common readers to read, and felt bound not to pass over a class of writing in which we are all so deeply concerned and interested. So here you have a few common sense remarks.

Law speaks but to command, and commands but to enforce, and according to its language so it is to be interpreted, regardless of its operation or what may have been the intention of those who created it, or weak at least is the jurisprudential theory of this country. This being the case, not the most elegant and attractive, but the strongest and least equivocal, language and phraseology are employed to express its intention. Harsh and imperious words, and much repetition and similarity of expression as it would seem, are necessarily used; all of which are inconsistent with a pleasing and elegant style of writing. Ostentatious preambles are often prefixed to bills, the object of which is to point out the reason and occasion for such bills; many words and much space are often used in describing what constitutes an offence, the manner of prosecution, trial, and the quantity and quality of penalty. All these peculiarities and circumstances, as they serve to give a strict definition to the intention of the law, have an effect at the same time to cloud the meaning, and together with the fact that the persons and cases to which the bills are intended to apply are most frequently unknown, make the perusal of them uninteresting and unintelligible to the common reader. These phrases "Be it enacted by the General Assembly of North Carolina, and it is hereby enacted by the authority of the same:" and—"Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled"—are formal expressions at the beginning of bills, made necessary by the Constitution, and mean nothing more than it is the act or decree of such a Legislature. And, "Be it further enacted, that"—is but a contraction or repetition of these phrases, which seems to be necessary at the beginning of each paragraph, or principle feature of a bill, to give strength to what follows. In reading legislative bills we have but to consider the nature and cause of all these peculiarities and appendages, and separate them from the main points, and we shall easily understand the meaning of any bills, and find ourselves interested in the perusal of them.

The supposition that the want of clearness in the language of a bill, is intentional on the part of those who enact them, or that bills are enacted or so contrived as to subvert the purposes of a few, is in general without foundation. There appears, however, to be unavoidable causes which have a tendency to make some bills ambiguous and indefinite in their meaning; these are the amendments & alterations that take place on their passage thro' the Legislature, & the variety and dissimilarity of cases that seem to come under their scope after they go abroad among the people. That laws of modern times are too much theoretical, too abstract in their language, rather than practical, no one can deny; but the true causes why they are so, would require more time and perhaps more talent, than I am master of to explain. It were well for society, for our country, and for

the world, if the necessity for authoritative and penal laws did not exist among us; or as much necessity as there appears to be, if there were still less than there is, it were well. It is much better that people should be induced to discharge their duty by a sense of moral obligation to their neighbor, to their country, and to their God, than by legislative law. But as long as legislative, judicial, and authoritative laws exist, and must exist, and are used for the maintenance of order and regulation of society, it is necessary that every citizen read and understand them to no inconsiderable extent.

COMMON SENSE.



TARBORO'.

SATURDAY, MAY 23, 1835.

We regret that the communication of the Rev. Joshua Lawrence, declining the nomination as a Delegate to the Convention and offering some strictures on the repeal of the 32d section of the Constitution, came to hand too late for publication in this paper—we will insert it in our next.

Convention.—On Thursday last, the election for Delegates to the State Convention took place. The Polls of the several districts in this county will be compared to-day—in our next, we will give the official statement. The votes given in this district were, for F. L. Dancy, Esq. 28; Mr. Ed. D. Macnair, 25; Gen. L. D. Wilson, 17; Dr. Phesanton Sugg, 16; S. L. Hart, Esq. 12—Scattering 16.

Gov. Swain has issued a Proclamation, offering a reward of \$200 for the apprehension of James Wallace, charged with the murder of Grandison Williams, late of the county of Pitt. Wallace is represented to be between sixteen and seventeen years of age, of fair complexion, light hair, blue eyes, round face, tolerably long nose, and no beard. He is about five feet three or four inches high, and would weigh one hundred and fifteen or twenty pounds. He has some fine freckles on each cheek bone and nose, and walks with his feet straight forward.

At a meeting of the Officers and Clerks of the General Post Office, and of the Washington City Post Office, held at Washington on the 21st ult. resolutions were adopted expressive of the kindness and urbanity of the late Post Master General towards them, and tendering their acknowledgements and good wishes for his future welfare. The following is Major Barry's reply to the Committee appointed to communicate the proceedings:—

POST OFFICE DEPARTMENT, } Washington, 22d April, 1835. }

Gentlemen:—I have the pleasure to acknowledge the receipt of your letter of yesterday, enclosing to me certain resolutions adopted at a meeting of the Officers and Clerks of this Department, and of the Postmaster, and his Assistants, of Washington City, wherein I am spoken of kindly, personally, and with approbation as to my official conduct. Having, at the invitation of the President, consented to enter upon other public duties than those of Postmaster General, it is certainly a source of the highest satisfaction, in separating from those with whom I have been associated for so long a time, to find that they cherish for me such kind feelings.

It is true, that "to multiply and quicken the streams of intelligence until they should bear its blessings

to all; to our embryo settlements and frontier populations, as well as the older communities of the Republic," has been my principal ambition. If I have succeeded in accomplishing this object, your faithful services have contributed much to it. I have witnessed your labors and attention to duty, and fondly hope that the Government will duly appreciate them, and provide for you a more just and adequate compensation, placing the General Post Office upon the footing of other Executive Departments. I take leave with feelings of friendship for all of you, and with an ardent desire for your individual happiness and prosperity. To the Chairman and Secretary of the meeting, I tender my acknowledgments, and reciprocate most cordially the kind sentiments they have expressed.

With sentiments of the most perfect and sincere regard, I am your friend and obedient servant, W. T. BARRY.

Halifax, May 20.—Corn is selling in this place at \$3.75 per barrel.—Bacon 12 1/2, and Flour from \$6.50 to 7.00.—Adv.

New York Market, May 16.—Cotton.—The transactions since our last review were to a very fair extent, at full prices, but during the last three days the market has been rather quiet. The sales amount to 4700 bales, of which 2300 were Uplands at 17 to 20, including a parcel of very inferior at 16 1/2 cts. 900 Florida at 17 1/2 to 20; 1050 Mobile at 17 1/2 to 21; with some very fine at a higher price, and 450 New Orleans at 18 to 21 cts.

Flour.—The advance in Western reported in our last review has been supported throughout the past week, and holders are now firm at \$7; some lots inferior brands have been sold at \$6 7/8. We have reduced our quotations for Southern, which has declined.

Naval Stores.—Turpentine and Tar have advanced 12 1/2 cents per barrel, and there is a steady demand. The sales of North County Turpentine were made at \$3.12, of Wilmington at 3.50 and of Tar at \$2.75.—Star.

United States Circuit Court.—We understand that Judge Potter has received a letter from Chief Justice Marshall, advising that he was confined to his room by indisposition, and would not therefore, be able to attend the present term of the United States Circuit Court for this State: Consequently, the District Judge, the Hon. Henry Potter, opened the Court on Tuesday. We learn that the venerable Chief Justice returned home from Washington greatly impaired in bodily vigor; from which, however, he had almost entirely recovered; but having recently extended his usual morning walk to a greater length than he had been accustomed to do, he became so much exhausted as to seek a conveyance to his dwelling. His bodily inability, we believe, is an affection of the spine, causing a weakness of the back, incapacitating him to walk. It is hoped, however, he will soon recover his wonted vigor.—Ral. Standard.

Pension Agency.—We understand the Pension Department at Washington, are in negotiation with the President and Directors of the Bank of the State in this city, with the view of making an arrangement for the payment of the stipends of those in this State who were pensioned by act of Congress of 1832; and that, although it is entirely a gratuitous service, no pecuniary consideration being allowed for its performance, the Bank is willing to afford the accommodation to the Department, so far as to accept of the agency for the payment of these pensions at the principal Bank in this city.

We have stated thus much, for the information of those concerned. No proposition, we learn, has yet been made to this Bank, for the payment of any pensions, &c. other than those under the act of 1832.—ib.

Judge Donnell.—We regret to hear that there is a probability of Judge Donnell's retiring from the bench and relinquishing the discharge of those judicial duties which have engaged his attention for the last fifteen years, with so much honor to himself and advantage to the public. While still in the prime of life, if the Judge meditates a withdrawal from professional occupation, and designs voluntarily to relinquish the pursuit of fame, to attend more exclusively to the claims of his domestic circle, he will carry with him into his retirement, the confidence and attachment of his fellow citizens.

Eliz. City Times

Baltimore Convention.—We are informed that the Hon. Bedford Brown, and James Rainey, Esq. have been appointed Delegates from this electoral district, to attend the Baltimore Convention, which meets on the 20th instant. Milton Spec.

Warrenton, 16th May.—William Garner was executed in this place on yesterday, agreeably to the sentence pronounced upon him at the last term of our Superior Court.—Rep.

At a late term of the Superior Court, held for the county of Buncombe, Judge Settle presiding, James Henry and James Sneed, were tried and convicted of highway robbery, and sentenced to be hung on the 29th instant. It appears from evidence that the prisoners had taken "with force of arms" a mare from the possession of Ellsberry Holcombe, in January last. The trial was ably conducted, and testimony patiently heard and examined by the Judge. Rutherfordton Spectator.

Five hundred dollars were realized a few days since, in Fayetteville, at a Fair held by the Ladies of the Episcopal Church, and the amount is to be applied towards paying for a Rectory.

Charlotte, May 7.—We mentioned in our last that the Miners in the employ of Capt. John Penman, had been successful in discovering a vein of unusual richness. He has since informed us that the ore in this vein, he believes, will yield upon an average, 13 dwts. to the bushel—it is from 2 to 3 feet wide, and the prospect of its continuance, from its location, very great. The value of the ore has not been fully tested, but it is his intention to do so in the Tyrolese mill. He also informed us that a large quantity of ore from this mine had been sent some time ago, and he was now preparing to send more, to London, in order to have the value of the ore fully tested, thereby holding out inducements to capitalists to invest their money in the mining operations. He has promised us information respecting the success of the experiment.—Journal.

The Evangelical Lutheran Synod has been in session in this place for several days, during this and the last week.—Having finished their business, they adjourned on Wednesday.

We are gratified to hear that the Synod unanimously adopted a Resolution to establish a Manual Labor School at some convenient place within the bounds of the Synod, and have appointed a Committee to take the necessary steps for carrying this most laudable and praiseworthy plan into execution.

We are also highly pleased to hear that the Presbyterians, within the limits of this Presbytery, have not only decided on the establishment of an institution on this plan but their active and enterprising Committee have already made considerable progress in the noble work.

In addition to this, we have reason to believe that the Synod of the "German Reformed Church" has also in contemplation the establishment of a similar institution. We say, success to the whole, and to all such noble efforts!—Western Carolinian.

Ohio.—Governor Lucas has returned to the seat of Government, and we are happy to learn that the difficulties between Michigan and Ohio may be satisfactorily terminated.—N. Y. Star.

The U. S. Commissioners, Mr. Rush of Philadelphia, and Col. Howard of Baltimore, have left the disputed ground on the borders of Ohio and Michigan, and are on their return. With their united exertions, peace has been restored in that quarter, at all events for the present. It is understood that the Legislature of Ohio is to be called together, and that a reasonable prospect now exists of a temporary arrangement of this unhappy, and, at one moment, menacing dispute, until Congress or the Judiciary can act upon it. Fortunately, there has been no blood shed—a result much to be deprecated at all times—and which we sincerely hope we may never be called on to record. It also presents to the world another instance of mutual forbearance, which ought ever to be cherished by each member of the Confederacy.—Pet. Con.

The Hon. Nehemiah R. Knight has been re-elected a Senator of the United States from the State of Rhode Island for six years, from the 4th of March last, by a majority of three votes, over Mr. Elisha R. Potter the Republican candidate.—ib.

The Lewis Convention.—We have just received the gratifying intelligence, that the Democratic State Convention at Lewistown, have unanimously nominated Henry A. Muhlenberg as the Democratic candidate for Governor—and have elected delegates to the National Convention to be held at Baltimore on the 20th inst., instructed to vote for Martin Van Buren a President.

There were, we understand, one hundred and twenty-four delegates in attendance, and the most unanimity prevailed.—John C. Bucher of Dauphin, acted as President.—Pennsylvanian.

The fever of speculation is no longer confined to lands: it has extended its influence to grain, bread-stuffs, provisions, and other staple products of the country, which have appreciated in price as if there was an unwonted scarcity of them, when in fact they have seldom been more abundant. Only think of Indian Corn, of which there is an abundance in the country, being up to \$1 in New York, and Flour to \$7. In a little time all the necessities of life will be in the hands of monopolists, and the mass of the community will be taxed for their profit at least 25 per cent. on the amount of their ordinary consumption. The same state of things was brought about in 1815 and 1816, and was followed by a reaction in '17, '18 and '19, which shook the prosperity of the country to its foundation. Norfolk Herald.

Some few cases of cholera have occurred in this city; but they are justly attributed to imprudence or intemperance on the part of the victims.

The small pox has also attacked a few of our citizens; but it does not appear to be very dangerous.

In other respects New Orleans is now healthy in general. Rain has indeed been severe and almost constant during the past fortnight; and produced temporary indispositions. In the afternoon of yesterday, we had thunder and lightning and rain on the most magnificent scale. The burst of one convulsion of Heaven's artillery was as sudden, loud, and violent, as many have experienced.—New Orleans Bee, April 25.

Horrible.—It is stated in the Pensacola Gazette, of the 25th ult., that a Mr. Whittaker, of that city, after returning to his residence from a public assembly with his wife, cut her throat from ear to ear! and then made an unsuccessful attempt to destroy himself by

cutting his own throat. They both found lying on their backs, weltering in blood; the wife entirely dead, and Whittaker himself, in a dangerous situation. He said he was actuated by jealousy.

While the crowd were waiting for the opening of the office of the Tremont Theatre, Boston, on Monday morning, some malicious villain threw a handful of cayenne pepper among them, which produced the most excruciating pain, and some were depriving several of their sight. N. Y. Star.

FORBIDDEN.

From France.—The ship Zen, from Havre, brings dates to the 11th, and the 13th. The unduly long season was under warm skies. Mr. Bignon, whose active exertions defeated the old bill, proposed a proposition which he made at that time to allow twelve millions as the maximum due to this country, and the debate was on the substitute. It is however, that the opposition being unable to defeat the passage of the bill, sort was had to this mode of settling difficulties and diminishing the majority, which they may possibly do, but not defeat the bill. The allowance of 12 millions equivalent to a defeat, and never be accepted by the people of the United States.—N. Y. Star.

Important Rumor.—When the 10 o'clock boat left New York yesterday, we understand there was a report that the Commodore were in open rebellion, and had sent home some of the vessels appointed by the King. Philad. Gaz. May 12.

MARRIED.

In Halifax county, on Wednesday, 15th inst., at the residence of Mr. Whittaker, by the Rev. Mr. M. W. Moore, Mr. William H. Hill, to Miss Maria Whittaker. In Nash County, on the 20th inst., at the residence of George B. Moore, Esq., by the Rev. Mr. M. W. Moore, B. F. Moore, Esq. to Miss B. B. Boddie.

DIED.

In this place, on Thursday evening last, at an advanced age, Mrs. Elizabeth Sessions.

Prices Current.

At Tarboro' and New York

MAY 15.	per	Tarboro'	New York
Bacon	lb.	10 1/2	11 1/2
Bread	do.	18	20
Brandy, apple	gall.	60	70
Corn	bu.	13 1/2	14 1/2
Cotton	do.	16 1/2	17 1/2
Cotton bag	yard	20	25
Flour, superfine	bu.	60	65
Iron	do.	4 1/2	5
Lard	do.	9	10
Molasses	gall.	35	40
Sugar, brown	do.	10	12 1/2
Salt, T. I.	bu.	60	65
Turpentine	hd.	250	275
Wheat	bu.	80	90
Whiskey	hd.	45	50

Notice.

At a Court of Pleas and Quarter Sessions, held for the county of Nash, at the Court house, the town of Nashville, North Carolina, on the 2nd Monday of May, 1835, the Subscribers named as Executors to the last will and Testament of Drewry Pigeon, dec'd, late of said county, this is therefore to give notice to all who may have claims against said testator, to bring them forward duly authenticated within the time prescribed by law; this notice will be plead in bar of recovery. Also, to require all persons indebted to said dec'd to come forward and settle with out delay.

Notice is also further given that on Wednesday, the 10th of June next, will be sold to the highest bidder on the premises said dec'd, on a credit of six months, all the perishable and personal estate, consisting in part one likely negro woman, household and kitchen furniture, Stock of Horses, Hogs, Cattle, Sheep, Corn, Fodder, Bacon, farming utensils, and many other articles two tedious to mention. Bonds with two approved securities will be required before the property is delivered.

Saml. W. W. Fick, J. Esq. Wm. A. Pridgen, J. Esq. May 16, 1835.