



**The "Tarborough Press,"**  
BY GEORGE HOWARD.

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**Miscellaneous.**



From the Cincinnati Daily Gazette.

**TO MY CIGAR.**

By Dick Tinto, Gent.

Sweet soother of the cares of life,  
That maketh all things end in smoke,  
I bless thee as I would a wife  
When donning first the nuptial  
yoke:  
The fairest rose hath no perfume  
As sweet as that inhaled from thee,  
And Araby, in all its bloom,  
Could never have such charms for  
me.

I sit beneath a shady tree,  
My feet at angle forty-five,  
And as I draw thy sweets from thee,  
I am the happiest man alive:  
Soft floating on the sunny air,  
A thousand songs of birds are mine:  
Away, away with every care,  
My principle I'm wholly thine.

The falsehood of the world shall not  
Disturb me in this hour of peace;  
My soul a joy from thee hath caught,  
Will last until thy puff shall cease.  
The smile of woman may be false,  
And friendship last but for a day,  
But thou each test alone exalts,  
Thou never, never canst betray.

As round my nose thy curls ascend,  
I build my castles in the air,  
So bright 'tis pity that they end,  
And last but while thy smoke is  
there:

Awhile I rule the world a king,  
Or mingle in the heady fight,  
While birds in lofty numbers sing  
The grateful praises of my might.

Or, lulled in a delicious dream  
To beauty's power I bend the knee,  
And loving and beloved, I dream  
The world is filled with joy for me;  
And with my spirit's idol stray,  
Forgetful of the fleeting hours,  
Where smile, like angels on our way,  
The faces of a thousand flowers.

Oh love thou art the sweetest ill  
That ever racked the soul of man,  
Thou sometimes thou art said to kill,  
Yet I will catch thee if I can.  
I know the prettiest—zounds, my  
dreams

Of joy have suffered an eclipse,  
My principle is done, it seems  
I've smoked it till it burnt my lips.

**The Sea Serpent.**—A correspondent of the New York Era, writes from Nahant, a peninsula in the town of Lynn, about 14 miles northeast of Boston, giving a full account of the famous Sea Serpent. Nahant is a place of fashionable resort, for sea air, fishing and bathing. The proprietors thought it necessary to add to the attractions of the establishment, that of a Sea Serpent, and accordingly had a very splendid one manufactured of barrels, kegs, &c. covered with coarse canvass. The head was made of plank, and so contrived as to be about 8 feet above the water. This serpent was anchored off the shore, never offener than once a week, and sometimes was not allowed to appear for a month; at which periods he is exhibited for a short time, and at night concealed near the shore, by sinking. The head is so contrived that a person can move it about with oars, without being detected. The whole affair was blown, by two gentlemen, who suspected the hoax, and visited his snakeship by moonlight. Thus have the lovers of the marvellous been cheated out of a vast deal of enjoyment.—*Ral. Stand.*

**Horrible Death.**—A fisherman named Thompson, was drowned at Boston on Thursday night, under the following strange circumstances. It appears that the man had fallen asleep in the bottom of his small boat, which, as it is conjectured, drifted under a wharf at the north part of the city. There it became wedged in among the timbers; while the tide rising rapidly, every moment was hastening the catastrophe—his death; and still he waked not! In all probability, the fellow was not awakened until the continued rising of the tide pressed the boat against the top of the wharf, and forced the water in upon him. There was no way of escape—he was boxed up, as it were—coffined alive! The agonizing cries of the wretched man, as the horrible conviction of his inevitable death presented itself, was heard by the watch, but ere assistance could reach him, the waters had closed over him forever.—*N. Y. Sun.*

**The "Lady Aeronaut,"** Mrs. Warren, of Baltimore, has come down from the skies safe, and says she was delightfully pleased with her ride and free from all apprehensions. She was carried over the Chesapeake Bay, and arriving over Chestertown on the Eastern Shore, concluded, as it was dusk, to descend to terra firma, which she readily did by opening one of the valves.—*N. Y. Star.*

For proving and recording at length in bound books kept for that purpose, and filing an inventory account of sales or account current, exhibited by an executor, administrator, or guardian, or for search and certificate of the amount thereof, if the estate be under \$200, the clerk shall be entitled to receive for his fee, 20 cents; if above \$200 and under \$1,000, 40 cents; if above \$1,000, 75 cents, and no more.

For entering on the minutes the probate of wills, qualifying executors, making certificates and recording the will in a bound book kept for that purpose, 80

For granting administration, taking bond and all other services therein, 80

For every marriage license and bond, 75

For every search of record out of court, 10

For proving or entering the acknowledgment of the conveyance of lands or other estate, and certifying the same, with order of registration & examination of a feme covert without commission, 20

For proving or taking the acknowledgment of a deed or power of attorney, and certifying the same, including order of registration, 20

For every commission to examine a feme covert, 25

For every commission to take testimony, 25

For every guardian or other bond taken in court, 60

For every indenture for binding apprentices, 60

For every special verdict or demurrer or motion in arrest of judgment, 30

For every writ of error or appeal, with a transcript of record, 1 00

For every certificate of witnesses' or jurors' attendance, 10

For affixing the seal of office and writing the necessary certificate on any instrument of writing requiring the same, 25

For every certificate without the seal of office, and when the same is not otherwise directed to be paid, 20 cents: *Provided*, that this shall not authorise the Clerk of the Court of Pleas and Quarter Sessions for Craven county to charge any fee for a certificate given according to the provisions of an act to regulate the finances of Craven county, passed A. D. 1828.

For recording a mark or brand, and giving a certificate thereof, 10

For issuing warrant on entry of land by order of court, 40

For enrolling divisions of estates, for each lot, 20

For taking and recording every prosecution bond, 40

For every certificate of tavern license and bond, with copy of rates, 1 00

For taking an account, such sum as the court may allow, not exceeding \$50.

For every subpoena founded on petition, 50

For every petition, by the copy sheet, 10

For every writ other than leading process or subpoena ad testificandum, 75

For every order of court authorising the sheriff to issue a license to retailers, 80

For correcting an error in patent, 40

For recording professioner's certificate, 20

For every search of entry taker's books, 10

For every copy of location from entry taker's books, 10

For docketing constables' levies, including all services in court, 1 00

For filing schedule bond, and all other services in court without trial by jury, 1 00

For trial of issue on schedule bond, 75 cents; and the creditor at whose instance the issue is made up, shall be bound to pay the taxed costs of the issue if the defendant be discharged by the court.

For declaration of a foreigner wishing naturalization, copy & seal, 1 50

For final entry of naturalization, copy of the same, and seal, 1 50

For docketing appeals and entry of plea or default, 80

For every guardian notice for renewal of bonds or settlement of accounts, 60

**II. Be it further enacted**, That the clerks of the Superior Courts of Law in this State shall, for like services, receive the same fees as are by this act allowed the clerks of the County Courts, and no other.

**III. Be it further enacted**, That any clerk who shall fail or neglect to record, in a well bound book or books to be kept for that purpose, all last wills and testaments, inventories and accounts of sales, and accounts current of executors, administrators and guardians, within six months from the time of their probate, shall be liable to an indictment in any court of record within the county wherein he held the office of clerk; and upon conviction, shall be fined at the discretion of the court.

**IV. Be it further enacted**, That at each term of the County Courts in this State, which shall be held after the first day of May in each year, it shall be the duty of the Justices present to appoint two or more of their body to examine and ascertain if all the wills and testaments, inventories and accounts of sales, and accounts current of executors, administrators and guardians, which have been admitted to probate within the preceding year, have been duly recorded, and report to their next Court; and in case any failure shall be discovered, it shall be the duty of the county attorney, at the succeeding court, to institute a prosecution against the clerk.

**V. Be it further enacted**, That whenever a court shall make an order of sale of lands levied on by a constable or other officer, in pursuance of an execution issued by a justice of the peace, no attorney's fee shall be taxed, nor any other fees for clerks or sheriffs than those prescribed by this act.

**VI. Be it further enacted**, That no clerk of any County or Superior Court shall be entitled to charge any fee for any *capias* ad respondendum, issued during term time, returnable instant, unless such *capias* be executed.

**VII. Be it further enacted**, That in all State cases, where there shall be a *nolle prosequi* entered, or the defendant shall be acquitted or convicted, and be unable to pay costs, and the court shall not order the prosecutor to pay the costs, the counties shall pay the clerks and sheriffs half the fees allowed by this act, except in capital or clergyable felonies, or prosecutions for forgery, perjury and conspiracy.

**VIII. Be it further enacted**, That in all civil suits and indictments, hereafter tried or disposed of, either in the County or Superior Courts, the party or parties cast or convicted, shall pay a tax fee of one dollar; which several sums the respective clerks shall pay over to the county trustees within three months after the same shall be received by them: *Provided*, nevertheless, the plaintiffs in civil suits shall not be required to pay a tax fee on writs as heretofore; and *provided* further, that the provisions of this section shall not extend to the county

of Nash or Beaufort; and in the county of Beaufort, no other tax on suits or indictments shall be collected, except those fixed by the act of the last session, providing compensation for the jurors of said county.

(SHERIFFS' FEES.)

**IX. Be it further enacted**, That the several Sheriffs in this State shall receive the following fees, and no other, viz:

For every arrest, 75

For every bail or replevin bond, 25

For service of a copy of declaration in ejectment, 60

For service of subpoena, with a copy of petition, 60

For serving a copy of declaration, 10

For service of every scire facias, 60 cents: *Provided*, nothing herein contained shall repeal any part of the act of 1828, allowing the Sheriffs half fees in cases of scire facias.

For service of notice to arbitrators, referees or commissioners to take an account, 30

For every attachment levied, 75 cents; and if further trouble by moving of goods, to be taxed by the court.

For every replevy bond upon such attachment, 25

For every subpoena served, for each person named therein, 30

For putting a person in the stocks or pillory, 50

For every commitment, 30

For every release, 30

For summoning commissioners to divide real estate, and for qualifying them, to be paid in equal portions by the claimants, 30 cents each.

The fees for keeping each criminal in jail, per day, to be allowed and fixed by each County Court as now directed by law.

For every notice to take depositions, 30

For summoning, empannelling and attending on every jury, in every cause in court, and calling the same, 10 cents. Where a special venire shall issue by order of court, for summoning each juror, 20 cents.

For serving and attending on any person on a habeas corpus, per day, 1 50

For selling the estate of an intestate, to be allowed by the court, not exceeding two and a half per cent.

For executing a warrant of distress, or an execution against the body, two and a half per cent.

For all monies collected by him by virtue of any levy, two and a half per centum, and the like commissions for all monies that may be paid the plaintiff by the defendant while such precept is in the hands of said sheriff.

For every writ of possession, 1 00

For every levy by virtue of an execution, 75

For the execution and decent burial of any criminal, 10 00

For services of equity process and incidental thereto, the same fees as for the like services at law.

For maintaining any slave or other property, or any criminal seized by virtue of any legal precept, such sum as may be fixed by the County Court in each county in this State.

For apprehending any criminal, 1 00

For conveying any criminal to the jail where such criminal ought to be conveyed, 10 cents per mile, and 5 cents for each person composing the guard, provided the number shall not exceed four persons; and if more than four shall be absolutely necessary, 2 cents per mile for each of said guard.

For each day the sheriff shall maintain said prisoner he shall receive 50 cents.

The expense shall be paid by the respective counties, if such prisoner shall not be liable or able to pay the same.

**X. Be it further enacted**, That no sheriff of any county in this State shall charge a commission on any monies collected on an execution issued by a justice of the peace, nor any other fees than those allowed by law to constables for similar services.

**XI. Be it further enacted**, That sheriffs of the respective counties in this State shall hereafter collect and receive all fines, amercements, forfeited recognizances and forfeitures on penal statutes, imposed, adjudged or decided by any of the courts in this State, and all sums of money by them so collected and received, shall pay over to the respective county trustees or wardens entitled to receive the same, within three months after such monies shall be so collected and received.

**XII. Be it further enacted**, That the said sheriffs shall return a transcript at the time of settlement with the trustees, which shall contain the names of all persons from whom fines, forfeitures and amercements shall have been collected, & the amount from the persons so received.

**XIII. Be it further enacted**, That the clerks of the several courts within this State shall annually, on or before the first day of January in each and every year, make a full and complete return to the respective county trustees of all tax fees, fines, forfeitures and amercements which shall have been imposed, adjudged or decreed in the preceding year, as well as the names of the persons who shall have paid fees, as of all those who have been fined, amerced or adjudged to have forfeited their recognizances.

**XIV. Be it further enacted**, That the sheriff shall receive 60 cents for summoning each guardian to renew his bond or to settle his accounts; which sum shall be paid by such guardian.

**XV. And be it further enacted**, That it shall be the duty of the clerks of the County and Superior Courts to keep a copy of this act posted up in their respective offices and in the court house, in some conspicuous place, during the sitting of each court, under a penalty of fifty dollars, to be recovered before any justice of the peace by any person suing for the same.

**XVI. Be it further enacted**, That the provisions of this act shall not affect any private act passed for any county in this State in relation to the fees of clerks and sheriffs, or shall be so construed as to give the clerks & sheriff any claim to either whole or half fees (as provided in the seventh section of this act) against those counties which were exempted from the payment of such fees before the passage of this act.

**XVII. Be it further enacted**, That nothing herein contained shall be so construed as to prevent the several County Courts of this State from making just and reasonable allowances to their sheriffs and clerks for performing what has heretofore been called extra services, as now authorised by law.

**XVIII. And be it further enacted**, That an act, passed at the last session of the General Assembly of the State of North Carolina, entitled "An act fixing the fees of the clerks of the County and Superior Courts and sheriffs' fees," and all other acts coming within the meaning and purview of this act, be, and the same are hereby repealed: *Provided*, that nothing herein contained shall be so construed as to exempt any clerk or sheriff from any penalty which he or they may have incurred under the aforesaid act, passed 1829.

**AN ACT,**

**Fixing the fees of the Clerks of the County and Superior Courts and Sheriffs' fees.**

(Passed by the General Assembly of North Carolina, in 1830.)

*Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That from and after the passing of this act the Clerks of the several County Courts in this State shall receive the following fees, and no other, viz:

For every leading process returned to the first court, including all services, together with dismission or final judgment, where either happens at the return court, \$1 00

For every indictment, 60

For each recognizance, 20

For every reference or continuance of any case, 30

For every judgment entered after the return court, 75

For every subpoena, provided the party insert no more than four witnesses in the same, 15

For every execution or order of sale, 35

For every scire facias, (provided nothing herein contained shall be construed to repeal any part of the act of 1828, allowing half fees in cases of scire facias,) 60

For every copy of record, 5 cents for each copy sheet of ninety words, not exceeding five copy sheets; and 3 cents for each copy sheet after five: *Provided*, that the total amount of fees charged for any one record shall not exceed \$5.

For every order or rule foreign to the cause, with a copy of the same if required, 20

For copy of a will, 5 cents for each copy sheet of ninety words, not exceeding five copy sheets, and 3 cents for each copy sheet after five: *Provided*, that the total amount of fees charged for the copy of any will shall in no case exceed \$5.