

GREENSBOROUGH PATRIOT.

"THE IGNORANT AND DEGRADED OF EVERY NATION OR CLIME MUST BE ENLIGHTENED, BEFORE OUR EARTH CAN HAVE HONOR IN THE UNIVERSE."

VOLUME 1.

GREENSBOROUGH, N. C. WEDNESDAY, FEBRUARY 10, 1830.

NUMBER 38.

THE GREENSBOROUGH PATRIOT.
Is printed & published every Wednesday morning, by
WILLIAM SWAIN.

At Ten Dollars per annum, payable within three months from the date of the first number, or Three Dollars will be invariably exacted immediately after the expiration of that period.

Each subscriber will be at liberty to discontinue at any time within the first three months, by paying for the numbers received, according to the above terms; but no paper will be discontinued until all arrearages are paid, and a failure to order a discontinuance will be considered a new engagement.

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All letters and communications to the Editor, on business relative to the paper, must be post-paid, or they will not be attended to.

NORTH-CAROLINA.

"And sovereign laws, that State's collected will,
O'er the sea and globe elate,
Six empires, crowning good, repressing ill."

SHERIFFS' BILL.

Mr. Fisher's remarks on the bill for vesting in the free men of this State the right of electing the Sheriffs in their respective counties.

Mr. Fisher said, he felt that it was due to himself to assign some of the reasons why he was about to vote for the passage of this bill. In doing so he would detain the house but a few moments.

Some of the zealous friends of this bill looked upon it as a measure of very great importance—one calculated to do much good to the community; while some of its opponents consider it as a most dangerous project, full of mischief and evil. For his part, he viewed it differently. He thought to change the mode of electing the sheriffs would correct some evils that now prevail; but it would at the same time, introduce some of another description. On the whole, however, he did not think it was going to do much good or much harm. He did not believe that we would get better sheriffs by the change; nor did he think we would get any worse. It is not so much the mode of electing the sheriffs, as the laws prescribing their duty, that make good sheriffs.

Viewing the question in this way, Mr. F. said, he would vote for this bill, first—because he believed that the people wished the change. He held it a correct republican maxim, whenever the people wished any measure adopted, not inconsistent with the Constitution, that it was the duty of their representatives to comply with their wishes. Who are we, and for what purpose are we sent here? We are the representatives—the agents of the people; and we are sent here to do their will. They sent us here to act for them, because it is inconvenient for them to attend here themselves. As their agents, then, we are bound to do what we believe they would do were they here personally acting and doing for themselves. If we know the will of the people, no matter how we acquire this knowledge, it is our duty to do that will. Now, he would ask, if any member in this house can doubt but that a large majority of the people of North-Carolina are in favour of the principles of this bill? He thought no one could doubt it, who had noticed the history and progress of this question. At all events, he entertained no doubts on the subject, and therefore saw his course clear.

But, he said, he had another reason for now voting for this bill. He thought it was time for the Legislature to get rid of this question. For the past eight or ten years, session after session, this subject had been before the Legislature, and he believed that there had generally been a majority of the members in favour of the principle; but it always failed by the disagreement on the details. The friends of the bill never would cease their efforts until they should succeed. If you reject the bill this year, it will pass at the next session, or at farthest in a few years. As well might you attempt to turn the current of Neuse river back to the mountains as to resist the will of the people, when they set their minds in a certain direction. They look upon it that they have a right to the privilege of electing their sheriffs, and why should we withhold from them the enjoyment of this right?

Mr. F. said, that he would further remark that economy required that we should put this question to rest. For a number of years past, this bill has consumed one or more days of every session. We sit here at an expense of \$700 per day, and therefore it is clear that this subject has already cost the State some thousands of dollars; and it will continue to cost thousands until we pass it. It is better, then, to gratify the people at once.

Mr. F. said, he knew there were some who doubted whether the people would exercise this power judiciously. For one, he thought in a general way they would. He thought that the people of North-Carolina were as capable of choosing their sheriffs as were the people of other States. In every State south of North-Carolina, the sheriffs are elected by the people. In Maryland, Pennsylvania, New York,

and several others of the States north of us, the people elect their sheriffs, and so likewise in some of the Western States.

To say that the people of those States are capable of choosing their sheriffs, and that our people are not, would be a slander on our constituents. He believed that the people of North-Carolina would exercise this privilege with as much discretion as those of any other State; and under this belief, and for the reasons he had adverted to state, he would give his vote for the passage of the bill.

AN ACT,

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

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 the Clerks of the County Courts shall receive the following fees, and no other, viz.

For every leading process, \$1 00 cts.
For every indictment, 60 cts.
Do, each recognizance, 20 cts.
Do, every continuance or reference of any cause, 30 cts.
Do, every judgment, 75 cts.
Do, do, subpoena, provided the party insert no more than four witnesses in the same, 20 cts.

Do, every execution or order of sale, 40 cts.
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 cts.

For every copy of record, 10 cents for each copy sheet of ninety words, not exceeding five copy sheets, and five cents for each copy sheet after five.

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

For entering the probate of a will on the minute docket, and qualifying the executors or administrators with the will annexed, 25 cts.

For recording will, for each copy sheet, 10 cts.

For copy of a will, do, do, 10 cts.

For receiving probate, and entering the same on the minutes of the court, of each inventory, account of sales and account current and schedule of executors, administrators and guardians, 25 cts.

For recording each do. in books for that purpose, by the copy sheet, 10 cts.

For every marriage license, 75 cts.

For every search of record out of court, 10 cts.

For proving or entering acknowledgment of any conveyance of land and other estate, 20 cts.

For every commission to examine a feme covert, 25 cts.

For every commission to take testimony, 25 cts.

For every guardian or other bond taken in court, 60 cts.

For every indenture for binding apprentices, 60 cts.

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

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

For every certificate of witnesses or jurors, 10 cts.

For recording mark or brand, 10 cts.

For affixing the seal of office to every instrument of writing requiring the same, 25 cts.

For every certificate, 20 cts.: Provided, that this shall not authorize the Clerk of the Court of Pleas and Quarter Sessions of Craven county to charge any fee for a certificate given according to the provisions of the act to regulate the finances of Craven county passed, A. D. 1828.

For issuing warrants on entry of land by order of court, 40 cts.

For enrolling divisions of estates, for each lot, 20 cts.

For taking and recording every prosecution bond, 50 cts.

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

For taking an account, such sum as the court may allow, not exceeding 50 dollars, 1 00 cts.

For every subpoena founded on a petition, 100 cts.

For every petition by the copy sheet, 10 cts.

For every writ other than leading process or subpoena ad testificandum, 1 00 cts.

For certificate of amount of account of sales or account current of administrator, executor or guardian; if under \$200, 20 cts.

If above \$200, 40 cts.

For every order of court authorizing the sheriff to issue a license to retailers, 80 cts.

For correcting an error in a patent, 40 cts.

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, testaments and inventories and accounts of sales of administrators, executors and guardians, and accounts current of executors, administrators and guardians, within three months from the time of their probate, shall incur a penalty of one hundred dollars, to be recovered by any person suing for the same; and shall be further liable for all damages which may be sustained by any person in consequence of such failure or neglect.

Be it further enacted, That the Clerks of the Superior Courts shall for like services receive the

same fees as are by this act allowed Clerks of the County Courts, and no other.

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

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, unless such capias be executed.

Be it further enacted, That in all State cases where there shall be a nolle prosequi entered, or the defendants shall be acquitted or convicted, and unable to pay the costs, and the court shall not order the prosecutor to pay the costs, the counties shall pay the Clerks and sheriffs half their lawful fees only, except in capital or clergyable felonies or prosecutions for forgery, perjury and conspiracy.

Be it further enacted, That in all civil suits & 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 trustee within three months after the same shall be by them received: 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.

Be it further enacted, That the sheriffs shall receive the following fees, and no other;

For every arrest, 75 cts.

For every bail or replevin bond, 25 cts.

For service of a copy of a declaration in ejectment, 60 cts.

For service of subpoena, with copy of petition, 60 cts.

For serving copy of declaration, 10 cts.

For service of every scire facias, 60 cts.

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

For every attachment levied, 75 cts.

And if further trouble by moving of goods, to be taxed by the court.

For every replevy bond upon such attachment, 25 cts.

For every subpoena served, on each person named therein, 30 cts.

For putting in stock or pillory, 50 cts.

For every commitment, 30 cts.

For every release, 30 cts.

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

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

For every notice of taking depositions, 30 cts.

For summoning, examining and attending on every jury, in every cause in court, and calling the same, 10 cts.

Where a special venire shall issue by order of court, for summoning each juror, and attending the same, 20 cts.

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

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 goods or body, two and a half per cent.

For every writ of possession, 1 00 cts.

For every levy by virtue of an execution, 75 cts.

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

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

For apprehending any criminal \$1 00

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

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, two cents per mile for said guard. For each day such sheriff shall maintain said prisoner, fifty cents; the expense shall be paid by the respective counties, when such prisoner shall not be liable or able to pay the same.

Provided, that nothing herein contained shall effect the provisions of an act, passed at the present session of the Legislature, providing compensation for jurors of the original panel in the counties of Beaufort and the other counties therein mentioned.

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

Be it further enacted, That the sheriffs of the respective counties within 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, to be applied to the discharge of county claims and contingent expenses as by law directed.

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 received.

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.

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

Be it further enacted, that all laws coming within the meaning and purview of this act, be, and the same are hereby repealed.

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.

Provided nevertheless, 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.

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 been heretofore called extra service, as now authorized by law.

SELECTED.

"And 'tis the sad complaint, and common cry,
What 'er we write, we bring forth nothing new!"

FROM THE

Yearly Meeting of Ministers and Elders, held at New Garden in 1829,
To the Monthly and preparative Meetings that constitute it.

DEAR FRIENDS:—On the present interesting occasion, our minds have been introduced into exercise and concern, for the welfare of every part of our religious society, and particularly for those who fill the important stations of ministers and elders: believing that much depends on our keeping our ranks in righteousness, and faithfully discharging our various duties, in the present backsliding state of society, wherein it is sorrowfully apparent that many inconsistencies have found their way through the medium of unwatchfulness.

And dearly beloved friends, we are led to believe that our present situation loudly calls upon us as individuals to sanctify a fast, to call a solemn assembly, and sincerely inquire for ourselves how far we have been accessory to the enemy's making inroads in our families, and in the church, which does so greatly mar the beauty of our Zion.

Do we hold forth the bright example of seeking first the kingdom of heaven, and the righteousness thereof, in preference to all worldly interest, by our cheerfully leaving it to attend our meetings constituted for divine worship, taking our friends with us, and when the revivance that our minds are drawn from all sublimary objects, our humble patient waiting for the risings of the pure stream of divine life, by which alone we should be enabled to see and strengthened to move forward in the work of reformation, in ourselves, in our families, and in society at large?

And as we believe that a living minister is of great importance in preserving society from unsound doctrines and principles, we earnestly desire that such may how in humility and wait for the holy anointing oil, whereby their understandings may be opened clearly to see, and firmly to believe the glorious truths of the Gospel as recorded in the Holy Scriptures. We tenderly sympathize with our brethren and sisters called to this solemn service: we would revive the apostolic injunction, "When a man speak, let him speak as the oracles of God; if any minister, let him do it as of the ability which God giveth, that God in all things, may be glorified through Jesus Christ."

Ministers and elders being united in that by which casteth out all fear, each standing in his proper allotment, we shall not be offended, at the gentle admonition of a brother or a sister, but be willing every part of our conduct should be brought to the light, and tried by the light; that our whole heart being thus given up under its influence, our lives and conversation will be one clear and blameless amongst men, and we be continually on the watch tower, with our loins girded and lamps burning, waiting for the coming of our Lord.

We believe there is great need for us to be more circumspect in our example and deportment in our families, and that if we were more disposed to frequent waru retirement, to meditate upon our latter end, and our eternal condition, it would have a powerful tendency, to check our too anxious pursuit after