

it, that it will be done, or that it could not be done—either of these is unpleasant and disagreeable to me, having been all my life accustomed to more regularity and punctuality. Nothing but system and method are required to accomplish any reasonable requests.

Captions of the Laws

Enacted by the General Assembly of North Carolina, at its session in 1829—30.

PUBLIC ACTS.

1 An act fixing the true construction of the term liquidated accounts, contained in the act of 1820, extending the jurisdiction of justices of the peace. [Provides that the words liquidated accounts, used in said act, shall be so construed as to comprehend only such accounts and balances of accounts settled as are stated in writing, and signed by the party from whom the same shall be owing.]
2 Amending the act of 1827, prescribing upon what evidence the Public Treasurer shall receive the purchase money for vacant and unappropriated lands. [Provides that the Secretary of State shall issue grants for vacant lands upon a certificate taken from the copy of entry books returned to his office, in the same manner as he now does from warrants and surveys.]
3 Amending the 10th section of the act of 1819, prescribing the mode of surveying and selling the lands acquired by treaty from the Cherokee Indians. [Provides that the certificate of the Public Treasurer, stating that full payment has been made for said lands, shall be taken by the Secretary of State as evidence of payment.]
4 Authorising the Board of Internal Improvement to contract for the re-opening and improving Currituck Inlet [Directs that an examination shall be made by the Board of Internal Improvement to ascertain the practicability of re-opening said Inlet, and if so, the sum of 2,000 dollars is appropriated for that purpose.]
5 Amendatory of the law respecting the crime of Bigamy. [Provides that persons convicted of Bigamy shall be entitled to the benefit of clergy for the first offence; and that the court may sentence the offender to be fined and imprisoned, to receive one or more public whippings, and to be branded on the left cheek with the letter B. If the offender be a female, it shall be discretionary with the court to inflict all or any of the aforesaid punishments, branding excepted.]
6 Vesting the right of electing Sheriffs in the several counties within the State in the free white men thereof. [Provides that the Sheriffs shall be elected by the free white men who are entitled to vote for members of the House of Commons, every two years, at the same times and places that members of the General Assembly are elected. If two or more persons receive the greatest, and an equal number of the votes, or the person elected fail to enter into bond, &c. the county court shall choose the Sheriff. No person to be eligible to the office of Sheriff who has not attained the age of 21 years, resided in his county one year immediately preceding the election, and be possessed of a freehold of 100 acres of land. Sheriffs now in office to continue therein until the qualification of those elected under this act.]
7 Directing the removal of certain papers from the office of the Treasurer to that of the Secretary of State. [Provides for the removal of the papers relative to the Tuscarora lands.]
8 Authorising the Governor to grant certain lands to the Baptist Congregation at Franklin, in Macon county. [Grants 4 acres of land, on which their meeting house has been erected, to include the grave yard.]
9 Concerning the commissioners of public works. [Provides that all public agents, superintendents and commissioners entrusted with the direction of public works, and the several navigation, canal and turnpike companies, in which the State is interested, shall report annually to the Board of Internal Improvement. Those failing to comply with said regulation, to incur a penalty of 500 dollars.]
10 Providing for a division of negroes and other chattel property held in common. [Provides that when two or more persons shall be entitled as tenants in common to ne-

groes or other chattel property, and any one or all shall desire a division of the same, such person or persons may file a petition in the county or superior court for that purpose; and when the court may deem it necessary, it may order a sale of such property, in such a manner as to secure to each tenant in common his or her rateable share; but if such sale shall not be deemed necessary, the court may appoint three freeholders to divide the property.]
11 To amend and improve the Hickory Nut Gap road. [Appropriates 1200 dollars for the purpose.]
12 Vesting in the superior and county courts jurisdiction of applications for the legitimation of bastard children.
13 Concerning the places where company musters shall be held.— [Provides that a majority of the company shall select the place where the musters shall be held.]
14 Amendatory of the laws now in force for the suppression of counterfeiting. [Provides that if any person, for the purpose of gain, shall pass or attempt to pass, or shall receive with intent to pass, any counterfeit bill, note, order, check or draft on the United States Bank or any of its branches, he shall be subject to be whipped, stand in the pillory, to be fined not exceeding 1,000 dollars, and to be imprisoned not exceeding three years—any one or all of these punishments to be inflicted, at the discretion of the court.]
15 For the relief of certain purchasers of Cherokee lands. [Provides that where satisfactory proof is produced to the Public Treasurer and Attorney General that any of the Cherokee lands, for the purchase of which bonds were given, were materially interfered with by Indian reservations, the Treasurer shall remit all the interest which may have accrued on such bonds, from their date to the 1st of December, 1829, or so much thereof as may be commensurate with the injury sustained.]
16 Concerning the cross canal leading from the Great Dismal Swamp Canal, near the head of the woods in Camden county, to the White Oak Spring Marsh in Gates county. [Allows a further time of seven years to complete said canal authorising the company to erect locks and collect tolls; and provides that the charter of the company shall remain in force for 33 years from Jan. 1, 1830.]
17 To prevent frauds in deeds of trust and mortgages. [Provides that no deed of trust or mortgage for real or personal estate, executed after the 4th July next, shall be valid, unless registered in the county where the property is situated. Clerks of the county courts to have authority to take the probate or acknowledgment of such instruments at any time in as full a manner as their respective courts can or may do. The registers to endorse the date of registration on them, and enter them in the order they are presented.]
18 Exempting the members of fire companies from performing military duty.
19 Concerning the Buncombe Turnpike Company. [Provides for the appointment of officers, &c.]
20 Amending the act of 1828, entitled an act to amend the law regulating the inspection of flour in Fayetteville. [Provides for the appointment of an additional inspector.]
21 Amending the militia laws of this State so far as respects the uniform companies of light infantry, riflemen, grenadiers and artillery.— [Authorises the formation of a regiment of uniform volunteers in each brigade of militia, provided such regiment consists of six companies.]
22 To prevent disfiguring the walls of the State House.— [Prescribes a penalty of five dollars for writing or scribbling on said walls, or marking them with pictures.]
23 Granting to feme covert the right to sue and be sued in certain cases. [Provides that the Judge, when he makes a decree to secure property afterwards acquired to a feme covert, may make a decree extending to her the provisions of this act.]
24 Amending the charter of the Catawba Navigation Company. [Authorises the president and directors to call upon the stockholders for such portion of their stock as may be necessary for carrying on the works of the company; and if they

fail to pay such portion, the stock of such delinquents to be sold at auction. Extends the charter five years from the 1st January, 1836.]
25 Concerning the bonds in the office of the Public Treasurer for the purchase of the Cherokee and Tuscarora lands. [Provides that the Public Treasurer shall prepare a full statement of said bonds, and deliver it to the Comptroller, to be by him filed in his office, who shall raise an account against the Treasurer for the same.]
26 Ceding to the United States jurisdiction over certain lands as sites for light houses. [Provides that the United States shall have jurisdiction over lands at Pamlico Point and Cape Hatteras, for the said purpose.]
27 Regulating the entries of lands in certain cases. [Provides that no lands, now entered, and the entries of which will expire on the 15th December, 1831, shall be re-entered within twelve months after that date by the persons in whose names said entries are now made.]
28 For the relief of securities in certain cases. [Provides that original securities on Justices' judgments shall be absolved from liability in certain cases by causing their dissent to be entered by the justice.]
29 Securing the collection of fines and amercements from sheriffs.— [Renders the securities of sheriff liable for such fines and amercements.]
30 Extending the time for registering grants and mesne conveyances, powers of attorney, bills of sale and deeds of gift. [Extends the time for registering said instruments for the term of two years.]
31 To enable the State Bank to wind up gradually, and to fix a uniform rate of collection. [Grants a restricted extension of the charter until Jan. 1, 1838; and provides that after Dec. 1, 1834, the bank shall make no new loans, or discount any note, except in renewal of some previously existing debt; nor emit or re-issue any bills or notes except bill, obligatory, or other proper evidences of debt, to secure payment of what it may owe; and shall, after Dec. 1, 1832, issue no bill under the denomination of \$5. Provides further that said bank shall not collect more than one-twentieth part of the debt now existing, every ninety days, except in cases where a special engagement exists to pay by larger instalments. Stock may be received in payment of debts; and dividend of the capital may be declared after Jan. 1, 1833. Reduces the number of directors of the principal bank to ten, and of the branches to not more than seven nor less than five. Provides for the discontinuance of the branches at intervals of not less than nine months. After the 1st September next, not to loan, except on business paper. Allows the bank until the 1st of July to determine whether they will accept this restricted extension of the charter.]
32 To enable the Bank of Newbern and Cape Fear to wind up gradually, and to fix a uniform rate of collection. [The provisions of this act nearly correspond with those of the foregoing.]
33 Fixing the fees of the Clerks of the County and Superior Courts, and Sheriffs' fees.
34 Concerning the State road in Macon county. [Places the said road under the jurisdiction of the county court of Macon.]
PRIVATE ACTS.
Legitimizing Alexander Cheshire, of Edenton.
Authorising the county court of Camden to appoint a committee of finance.
Compelling the clerk of the county court of Gates to keep the whole of the records, books, papers, &c. belonging to his office, in the office at the court house.
For the protection of the bridge across Scuppernon river at Columbia, in Tyrrell county.
Amending the act of 1824, authorising the opening a road in the counties of Camden and Pasquotank, and putting a float bridge across Pasquotank river.
Authorising the setting of guns in the night time in the desert in the counties of Pasquotank and Perquimans.
Authorising the county court of Currituck to provide for the erection of public buildings, and for other purposes.
Amending the act of 1817, to prevent persons from obstructing the passage of fish up Newbiggin creek, in Pasquotank county.
Amending the 2d section of the act of 1815, chapter 893, relative to the cleansing of lots, &c. in the town of Edenton.
Repealing part of the act of 1819, to

amend the laws respecting the town of Edenton.
Concerning the wardens of the poor of Gates county.
Establishing a fire engine company in Elizabeth City.
RESOLUTIONS.
Requesting the Governor to deliver to the Public Treasurer his check on the State Bank for \$2,113 90, now in deposit to the credit of the Governor.
Directing the Public Treasurer to call on the several Banks for a statement of the amount due them by directors, stockholders, &c.
Concerning Miss Udner M. Blakely [Discontinues the appropriation for her support and education.]
Allowing credit to the Public Treasurer for the amount of Treasury Notes which have been burnt this session.
Directing the Comptroller to make the proper entries on his books relative to the balances of certain debts due to and from the State.
Instructing our Representatives and Senators in Congress to call the attention of Congress to the subject of selling or attempting to sell counterfeit orders, checks or drafts on the Bank of the United States, for the purpose of providing for the said offences.
In favor of Isaiah Rogerson.
Instructing our Senators and requesting our Representatives in Congress to use their endeavors to procure the repeal of the salt tax.
Instructing the Board of Internal Improvement to procure, if possible, from the Cape Fear Navigation Company a release to the State of their privileges in the tributary streams of the Cape Fear river.
Directing a survey of Trent and Black rivers.
In relation to certain large western grants. [Suspends the further sales of Cherokee lands, covered by the grants of Holdiman and Esselman and to Cathcart and Stedman, until the further order of the Legislature; and until which the Treasurer is directed to abstain from collecting money, due upon bonds given for certain lands sold by the State in the counties of Macon and Haywood. [Authorises the employment, if necessary, of additional counsel in defence of certain suits pending in the federal court.]
Concerning the claim of the State against the United States.
REPORT
The committee to whom was referred so much of the Governor's message as relates to the opening of a communication from Albemarle Sound to the ocean, respectfully report the accompanying memorial and resolution, and recommend their adoption.
B. J. MONTGOMERY, Chairman.
To the Honorable the Senate and House of Representatives in Congress assembled.
The memorial of the Legislature of the State of North Carolina, beg. leave respectfully to state:
That it has been long notorious, that the trade of said State has been kept down by the obstructions to navigation on her seaboard; and that of these, the impediments to navigation through Ocracock are the most extensive and injurious, as obstructing the only outlet to the ocean for the products of the industry of a very large proportion of the State. Near the mouth of this outlet, exist numerous and extensive shoals, to which is applied the general term of the swash, through which winds a difficult channel, so shallow as not to permit vessels to pass of a greater draft of water than seven feet.—Every vessel navigating the Roanoke, Cashie, Chowah, Meherrin, Perquimans, Pasquotank and the Albemarle Sound, and their tributary streams, in going and returning from sea, has to pass through this tedious and obstructed channel. Every vessel of respectable size must be lightened of a part of her cargo before this passage can be effected, and is thus not only subjected to heavy charges of lightage, and still heavier costs of detention, but to the most imminent perils in a situation of peculiar exposure.—Vessels of a large burthen, fit for transporting heavy products to distant markets, are now almost unknown to the navigation of this part of the State; and therefore such products, when designed for distant markets, are transported coastwise, to be re-shipped in other vessels for the places of consumption. Many vessels of small burthen, at a vast additional expense, are employed to perform that but for these obstructions, might be performed by one. When intelligence is received from a favourable market, the ship owners, by reason of the unavoidable delays at the Swash and Bar at Ocracock Inlet, are anticipated by others having no such impediments to encounter, and cannot avail themselves of the information. These evils, added to the charges of lightage, detention and increased rates of insurance, have raised the price of freight to a ruinous amount. Upon those by whose industry the products are made, fell, with aggravated force, the consequences of high freight and double shipments. It is impossible to compare the ordinary prices of the staple commodities of our country in the ports connected with Ocracock, and in

those which have an unobstructed outlet to the ocean, without being struck with the enormous difference: Staves, shingles, lumber, obtain in the former about two-thirds of the price which they command in the latter; naval stores about three-fourths; and the more valuable articles seven-eighths. It is then clear that the stave, shingle & lumber-getter pays to the Swash and Bar at Ocracock an annual tax of one-third of what his labour produces; the maker of naval stores pays one barrel in four; and the grower of cotton one bale in eight. The productive industry of the country not only is thus taxed in all which it makes for sale, but it is taxed again in all which it consumes of imported articles. The prices of all commodities imported through Ocracock, are higher by reason of its obstructed navigation. It is believed that in the article of salt, alone, that part of the State lying on the waters above mentioned, pays an annual tax of eight thousand dollars to the Swash and Bar at Ocracock. And it is further believed, that the State at large every year sustains from the said Swash and Bar a pecuniary loss of more than a million of dollars.
All the grievances herein set forth, may be obviated by opening an inlet to the ocean at Roanoke Island, at or near Nags's Head, through which the products of a very large proportion of the State might pass directly to the ocean with one wind; whereas now, from the circuitous route which the products of the State have to take to go out to sea, at Ocracock, many winds are necessary, and often great delay and detention occasioned. The distance from the upper end of Albemarle Sound to Ocracock, is about one hundred and fifty miles; whereas the distance from the same point to the contemplated inlet would not exceed seventy five, and the dangers of the swash and bar, and the delay occasioned by adverse winds would be avoided. It is confidently believed that the opening of said inlet would not only be matter of great moment to the State; but that it is an object well worthy the attention of Congress in a national point of view. In time of war it would afford a safe harbor for our vessels, either public or private, and at all times a safe retreat in stress of weather. It is believed it might be made best port of entry and harbour between Charleston and the Chesapeake. At present it is a fact, which cannot be doubted, that most losses are sustained between Nags's Head and Ocracock than on any point of the passage from Albemarle Sound to New York. It is believed that the opening said inlet is entirely practicable; but the funds of the State are inadequate to its execution. Your memorialists therefore pray your honorable body to take into consideration the grievances aforesaid, and grant to us such appropriations as you adjudge we are justly entitled to receive.
Resolved That our Senators and Representatives in Congress be, and they are hereby requested to use their best endeavors to procure such appropriations as may be necessary to open an inlet from Albemarle Sound to the ocean, at or near Nags's Head.
CONGRESS.
21st CONGRESS—1st SESSION.
From the National Journal.
FRIDAY, Jan. 1.—In the Senate, Mr. Webster yesterday appeared in his seat. After disposing of various matters presented for deliberation, the Senate proceeded to the consideration of Executive business. The bill authorizing a subscription of stock to the Washington Turnpike Road Company was taken up, and after some observations by Messrs. Hendricks and Dickerson, on motion of Mr. D. it was postponed and made the order of the day for Monday week.
In the House of Representatives yesterday, the resolution offered by Mr. Hunt was again under consideration, but no question was taken.—The bill relative to the mileage of Members, was passed. The special order of the day being the Report of the committee of Elections on the petition of Mr. B. Arnold against the sitting member, Pryor Lea, of Tennessee, was then taken up, and the House went into committee of the whole Mr. McDuffie in the chair, when Mr. Arnold was admitted, and some discussion took place on the printing of the testimony. The committee then rose and reported progress, and some resolutions offered by Mr. Nuckolls, at the request of Mr. Arnold, were amended and adopted. The House then adjourned till Monday.
TUESDAY, Jan. 5.—In the Senate, yesterday, the bill to revive and continue in force to the 4th of July, 1832, the provisions of the several acts providing for the extinguishment of the debt for the Public Lands; the bill for the relief of the purchasers of Public Lands; and the bill granting