North Carolina Argus.

JOHN W. CAMERON, PUBLISHER.

"This Argus o'er the People's rights doth an eternal night keep: No soothing strain of Muin's Son can lull his hundred eyes to sleep."

TERMS: TWO DOLLARS IN ADVANCE.

Vol. VII. Fayetteville, N. C., Saturday Evening, December 9, 1854. No. 48.

The North Carolina Argus

IS PUBLISHED WEEKLY, BY

JOHN W. CAMERON,

EDITOR AND PROPRIETOR.

TERMS OF THE PAPER:

Two Dollars in Advance;

Two Dollars and Fifty Cents if paid during the year;

Three Dollars if not paid before the expiration of the year of subscription.

No subscription received for a less period than one year, unless paid for in advance.

No paper discontinued until all arrearages are paid, unless at the option of the Editor.

Those wishing to discontinue their papers at the end of the year, must notify the Editor of their intention two weeks before the expiration of the year, otherwise the paper will be continued to their address and charged according to the above rates.

No paper sent out of the State, unless the money accompanies the order, except to a known responsible name.

All Letters to the Editor, to insure attention, must be post-paid.

RATES OF ADVERTISING:

Sixty Cents per Square for the first, and Thirty Cents per Square for each subsequent, insertion—unless the advertisement be continued for more than two months—when it will be charged,

For three months,	$4 00
For six months,	6 00
For twelve months,	10 00

Professional and Business Cards not exceeding five lines in length will be inserted for Five Dollars a year—longer ones in proportion.

Advertisers must state the number of times they wish their advertisements inserted, otherwise they will be continued till forbidden, and charged accordingly.

Sixteen lines or less (Brevier) make a Square.

25 or 30 Negroes for Sale.

THE Subscriber will offer at public sale, on the **10th of January** next, at Averasboro', Cumberland county, **Twenty-five** or **Thirty** likely **Negroes**, consisting of men, women, and children, boys, and girls,—all young and likely.

At the same time and place, several mules, horses, and wagons will be sold, and several Negroes hired for 12 months.

TERMS:—Six and twelve months, notes made negotiable at either of the Banks at Fayetteville.

All persons indebted to the subscriber by note, account, or otherwise are requested to call and settle the same by day of sale. H. M. TURNER.

Nov. 25, 1854. 47-3t

NOTICE.

22 VALUABLE NEGROES FOR SALE.

IN obedience to a decree of Moore County Court and as administrator of the late Bryan Boroughs, the subscriber will sell on the **2nd** day of **January** next, at the late residence of said Boroughs, and on a credit of six months, twenty-two valuable **Negroes.** Some of said negroes are young, some middle aged, and superaged, and among them a valuable BLACKSMITH. Bond and security required of purchasers.

JOSEPH F. DUNLAP, Admr.

Nov. 29, 1854. 47-3t

Observer 3 times.

MONEY.

WE dislike to allude to unpleasant subjects during these hard times, but if our customers whose notes and accounts have been lying over one and two years, would call and pay us, we would be thankful. If not convenient to call in person, remittances will do. We would almost consent to pay postage for the sake of the cash.

J. & T. WADDILL, Hay St.

Nov. 27, 1854. 47-tf

For Sale.

THE subscriber offers for sale his LAND, five hundred and eighteen acres, situated in Cumberland County, 22 miles from Fayetteville, on each side of the Morganton Road, 5 miles from the Centre Plank Road and 5 miles from Lower Little River, with the necessary buildings, and from 30 to 40 acres under cultivation, the balance good Timber and Turpentine land in one and a half miles of a good still.

Any person wishing to commence turpentine on a large scale, can get about fifteen hundred acres more adjoining the above, on reasonable terms. Call soon if you want a bargain.

HUGH McPHERSON.

Inverness, 30th Nov., 1854. 47-3tpd.

STATE OF NORTH CAROLINA,

ROBESON COUNTY.—IN EQUITY.

John A. Barnes, Samuel B. Thompson and wife Louisa; Harriet McLean, Ellen McLean, Mary McLean, and Weston McLean, infants, who sue by their next friend, Willis P. Moore,

vs.

Mary Ann McLean, Oliver P. McLean, and others.

Bill of Injunction, Sequestration and Account.

The Sheriff of the County of Robeson having made return herein, that the said defendant Oliver P. McLean is not to be found in this County, and it otherwise appearing to my satisfaction that the said Oliver P. McLean is a non-resident of the State: He is hereby notified to appear at the next Term of the Court of Equity to be held for the County of Robeson, at the Court House in Lumberton, on the fourth Monday of March, A. D. 1855, and plead, answer or demur to the said Bill, or the same will be heard ex parte as to him and a final decree pro confesso be rendered against him.

R. S. FRENCH,

[47-6t-Pr. adv. $3.15] Clerk and Master in Equity.

THOS. J. JOHNSON

IS now receiving his stock of seasonable goods, consisting of

Dry Goods, Groceries, Hardware, Pocket and Table Cutlery, Mule and Horse Collars, Wagon Gear, Buggy and Wagon Whips.

Also a heavy stock of *BOOTS* and *SHOES*, some of which are very fine city made; a handsome lot of *FINE CLOTHING*; fine Mole Skin, Beaver and Wool Hats; Trunks and Carpet Bags; Trace, Breast and Log Chains; Iron, assorted; Timber Axes, weighing 6 to 7 pounds; Broad and Turpentine Axes; large and small Hatchets; *COOPERS TOOLS*; Truss Hoops; and 200 Spirit Barrels.

ALSO,

1 new Fine Close Carriage made by A. H. Whitfield.
1 gentle harness Horse.

THOS. J. JOHNSON.

Dec. 2, 1854. 47-tf

The Highest Market Price

PAID for all kinds of Country Produce in goods or money, at the "People's Store," by

WEBB & BROTHER.

Nov. 1, 1854. 44-tf

A choice lot of **BUTTER and CHEESE** just received and for sale at the Peoples' Store, by

WEBB & BROTHER.

Nov. 24, 1854. 46-tf

S. S. AREY,

DEALER IN

Fancy Dry Goods, Hats, Caps, Boots, Shoes, and Sugar and Coffee.

The public are invited to give a call at the Old Stand occupied by S. J. Hinsdale, Southwest corner of Market Square.

Nov. 25, 1854. 46-tf

STATE OF NORTH CAROLINA,

RICHMOND COUNTY.

Court of Pleas and Quarter Sessions, October Term, A. D. 1854.

John A. Gibson, Administrator of Darby Gibson,

vs.

Nathaniel Gibson, et. al.

PETITION TO SELL REAL ESTATE.

It appearing to the satisfaction of the Court that Mastin Seals and wife Betsey, Ann Lovin, Stephen Lovin, and John Lovin, defendants in this petition, are not inhabitants of this State: It is therefore ordered by the Court that publication be made for six successive weeks in the North Carolina Argus, a public newspaper published in the town of Fayetteville, notifying the said Mastin Seals and wife Betsey, Ann Lovin, Stephen Lovin, and John Lovin, personally to be and appear at the next term of our Court of Pleas and Quarter Sessions to be held for the County of Richmond, at the Court House in Rockingham, on the third Monday of [illegible] A. D. 1855, then and there to plead, answer or demur to this petition, otherwise the allegations contained will be taken *pro confesso* and the petition heard *ex parte* as to them.

Witness, Charles C. Terry, Clerk of our said Court at office the third Monday of October, A. D. 1854, and in the 79th year of American Independence.

C. C. TERRY, C. C. C.
By L. H. WEBB, Dep'y.

[Pr. adv. $3.70.] 45-6t

PRIME

RIO and old Government Java Coffee, for sale at the "People's Store" by

WEBB & BROTHER.

Nov. 1, 1854. 44-tf

SUGAR! SUGAR!!

PORTO Rico, New Orleans and Havanna Brown, Clarified, Crushed and Pulverised Sugar, for sale at the "People's Store" by

WEBB & BROTHER.

Nov. 1, 1854. 44-tf

Pure Cider Vinegar,

BY the gallon or barrel, for sale at the "People's Store" by WEBB & BROTHER.

Nov. 1, 1854. 44-tf

N. B.

ALL persons indebted to me either by note or account, are requested to call and settle by the first of January, otherwise they will find their papers in the hands of an officer.

W. S. FOWLKES.

Nov. 24, 1854. 46-3m

TO CARPENTERS.

AT the sign of the Mill Saw you will find now opening, a very general variety of superior TOOLS and BUILDING MATERIALS suited to your business, which please call and examine.

Premium Planes.	Spears's Hand and Panel Saws.
Supr. Rules, Box and Ivory.	Compass, Back, X Cutt, Turning and Pitt Saws.
Mortice and Marking Guages.	Butcher's Chisels, Gouges, Plane Irons, Drawing Knives.
Sheffield Braces & Bitts.	Also American C. S. Chisels and Knives.
C. S Screw Drivers.	
Extra C. S. Long Gimblets.	

Locks of very great variety, with various styles of mountings.

WM. BOOTH.

Nov. 25, 1854. 46-3m

LOST OR STOLEN,

AT Laurel Hill Fair ground, on Saturday, the 18th instant, a **Small Clasp Pocket Book,** containing a note made payable to me by Col. Alex. Shaw for 125 or 130 dollars, with payment to the amount of 120 dollars on said note, dated January 10, 1852; also a note payable to me by Hugh Priest for 90 dollars, dated the 17th November, 1854; also a bond to me for 400 acres of land, from Col. Charles Malloy and R. S. McDonald; and a $5 bill and $1.50 in change. All persons are cautioned against trading for said notes and bond. Any person finding said Pocket Book, and returning it to me, will be liberally rewarded.

ARCH'D B. McDONALD.

Rockingham, Richmond County, N. C.
November 23, 1854 [46-3tpd

VALUABLE SALE OF LAND.

PURSUANT to a Decree of the Court of Equity for Cumberland County upon the petition of Duncan R. Shaw and others, *ex parte*, I will expose to sale at the Court House, in Fayetteville, on the **5th** day of **January** next, the following tracts of Land, the property of the late Charles C. Shaw, viz:

One tract lying on the waters of Big Rockfish and Nicholson's Creek, (about 800 acres,) known as the McCaskill lands, and adjoining the lands of Neill Campbell and others.

Also, about 600 acres lying on the waters of Big Rockfish, in 3 different tracts, adjoining the lands of L. Bethune, Angus Ray and others, known as the McLean and McRainey lands.

The said land lies within 2 or 3 miles of the Centre Plank Road, and is valuable for timber and turpentine.

W. A. HUSKE, Clerk and Master.

Nov. 20th, 1854. 46-1m

DISSOLUTION.

The firm of G. W. I. GOLDSTON & CO. is this day dissolved by mutual consent.

G. W. I. GOLDSTON.
R. W. GOLDSTON.

Nov. 17, 1854.

The subscriber having purchased the interest of R. W. Goldston in the late firm of G. W. I. Goldston & Co., will still continue to carry on the GROCERY AND HARDWARE BUSINESS at the old stand. He invites all his friends to call on him when they come to market, and he will try to make himself useful.

G. W. I. GOLDSTON.

Nov. 17, 1854. 46-tf

Mill Stones.

HAVING lately purchased all the Mill Stone Quarries formerly owned by the late Wm. Dauily, Esq., among which is the one known and distinguished as the "Blue Grit," I am now prepared to furnish at short notice and to order, ***Mill Stones of any size*** and of the ***best quality***, on as reasonable terms as they can be purchased elsewhere. Stones have been sought at this quarry and sent to various parts of the United States, on account of their superior quality.

I will deliver Stones in Fayetteville or at any point on the F. & W. Plank Road that may be desired.

Address, DEVOTION DAVIS,
Carthage, Moore Co., N. C.

Nov. 20, 1854. [46-tf

TO COUNTRY MERCHANTS.

NEW HARDWARE STORE.

NOW open at the sign of the Mill Saw, foot of Hay Mount, a general assortment of

Hardware, Cutlery, Saddlery, Guns, Sporting Implements and Fancy Goods,

from American, English and German Manufactories, selected with especial reference to the country trade, and will be offered upon such favorable terms as will enable Merchants in this and the adjoining Counties to replenish their Stocks at all times advantageously. Merchants visiting Fayetteville are respectfully solicited to call and examine my Stock.

Orders from the country will have prompt despatch.

WILLIAM BOOTH.

Nov. 25, 1854. 46-6m

WILLIAM BOW,

DEALER IN

DRY GOODS AND GROCERIES, FAMILY PROVISIONS, &c.

Foot of Haymount, Fayetteville, N. C.

Nov. 18, 1854. 45-y

BEASLEY & HOUSTON

HAVE on hand the very best stock of goods usually kept in their line. Call and see for yourself.

Gold and Silver Watches, hunting and open face.
Chains, fob, vest and neck.
Keys, Seals and Buckles.
Rings, Pins, Earrings, Cuff pins, Bracelets, Snaps, Collar and Sleeve Buttons, Gold and Silver Spectacles and Thimbles, Gold and Silver Pen and Pencils, Silver and Pearl Fourtmonnies and Card Cases. Large lot of

Silver Ware.

Mugs, English and American; Spoons, table, tea, salt and mustard; Ladles, Forks and butter Knives. Large lot of

Plated Goods

of the best class, embracing all in common use.
Fine lot of Table and pocket Cutlery.
Fine Scissors, some of the best Razors in this place, large and small Music Boxes, one fine Mandoline, Accordeons, some fine Violins, Military goods, Surveyor's Compasses and Chains.
Large lot of Guns, double and single, large and small, long and short, fine and common, of English, German and American make. Pistols in any quantity and quality, powder Flasks and Horns, game Bags and shot Belts and a new idea of blowing Horn, walking Canes of 23 different kinds, Clocks of 18 different kinds, Fourtmonnies of 18 different styles, dog Collars and Calls, violin and guitar Strings, &c., &c.

BEASLEY & HOUSTON.

Nov. 4. 43-6t.

RAMSEY & BRO.

GENERAL COMMISSION AND FORWARDING

MERCHANTS,

Wilmington and Fayetteville.

AND

AGENTS FOR METTS' LINE OF STEAM BOATS

AT

FAYETTEVILLE.

M. J. RAMSEY.] [N. A. RAMSEY.

August 25, 1854. 33tf.

NOTICE!!

THE subscribers having formed a copartnership under the style of WEBB & BROTHER, for the transaction of a

Mercantile and Commission Business

in the town of Fayetteville, N. C., respectfully tender their services to the public.

They will keep on hand, at their store, in the new building on the east side of Gillespie Street, a constant supply of

Family Groceries and Provisions, Wood and Willow Ware,

Which they offer at Wholesale or Retail, cheap for Cash or in exchange for Country Produce of all kinds, and on the usual time to punctual customers.

Orders filled with promptness and despatch; and no pains spared to render their establishment emphatically the ***People's Store.***

Particular attention given to receiving and forwarding—buying and selling Produce and Merchandise.

L. H. WEBB,
H. H. WEBB.

Refer to—

Wm. Neil & Sons, Wilmington.
Col. John W. Cameron, Fayetteville.
Messrs. H. & E. J. Lilly, "
Col. W. L. Steele, Rockingham, N. C.
Wm. J. Lougee, Raleigh, "
E. R. Liles, Lilesville, "

Fayetteville, N. C., Nov. 1, 1854. [44-tf

STEAM CIRCULAR SAW MILL FOR SALE.

The subscribers having determined not to dispose of their Steam Circular Saw Mill, at public sale, as heretofore advertised, offer said property at private sale upon accommodating terms. It is situated within two miles of Prospect Hall, Bladen County, N. C. The Mill has all the necessary machinery, and is in fine order; and any one wishing to purchase may get a bargain.

The subscribers also offer to sell a TRACT OF LAND, containing over **300 acres**, well timbered, and suitable for Saw Mill and Turpentine purposes, which will be sold either with the Mill or separately, to suit purchasers.

Address W. J. & T. MONROE,
Prospect Hall,
Bladen County, N. C.

Nov. 18, 1854. 45-4J

FLORAL COLLEGE.

The Trustees of Floral College wish to employ some one to take charge of the Steward's Hall for the next year. The compensation allowed for their services will be the whole amount of money arising from the board of the pupils, less a certain per cent. which the Trustees reserve as payable to them. Persons making bids will state what per cent. they are willing to allow. Proposals will be received until the 15th of December next, when an election will take place, and the successful applicant be informed of his election.

M. C. McNAIR,
Sec'y to Bo. of Trustees.

Cowper Hill, Robeson Co., N. C.
Oct. 18, 1854. [45-4t

Onions.

A few barrels of the "Large Red Onion" for sale at the People's Store, by

WEBB & BROTHER.

Nov. 1, 1854. 44-tf

THE New York Ink Company's celebrated Writing Fluid and Black Ink, for sale wholesale and retail at the "People's Store," by the Agents,

WEBB & BROTHER.

Nov. 1, 1854. 44-tf

FOR SALE.

SEVERAL **Dwelling Houses and Lots,** convenient to the business part of the town. Apply at this office.

DUNCAN McNEILL.

November 3, 1854. 43-tf

FOR SALE.

3 **New 2 Horse Wagons** for sale by

WORTH & UTLEY.

Nov. 3, 1854. 43-tf

No. 3 Mackerel, Sack Salt, and Rice,

ALSO,

Fine and Common Chewing Tobacco for sale by G. W. I. GOLDSTON & CO.

October 25, 1854. 42-tf

FALL and WINTER GOODS! 1854.

THE undersigned has now in store his

Fall and Winter Goods,

consisting of a general assortment of DRY GOODS, with a large and well selected stock of

READY MADE CLOTHING

for men and boys. Also, **Hats, Caps, Bonnets, Boots and Shoes.**

In the Grocery line he is well stocked, and offers his goods to customers and all dealing in this market at the lowest prices.

Always on hand a good stock of SPERM, ADAMANTINE and WAX Candles.

Fine Chewing Tobacco, &c., &c.

W. S. FOWLKES.

N. B. All persons indebted to W. S. Fowlkes either by note or account, are respectfully requested to call and settle soon.

W. S. F.

August 24, 1854. 35-tf.

A CARD.

THE subscribers having disposed of all the Boats belonging to the Frank and Jerry Line to Messrs. Ramsey & Bro. and J. E. Mette, with the intention of permanently retiring from the Boating business, would solicit for our successors the continuance of the same liberal patronage which has been extended to us, believing at the same time that they will do all in their power to give entire satisfaction to all those who may entrust their business to them.

We beg leave at this time to tender our sincere thanks to the merchants of this place and the interior, for the very liberal patronage extended to us since we located ourselves in this community; and we must acknowledge that we have received acts of kindness from those who were almost perfect strangers to us, which will be fondly cherished by us always.

In transacting our business, we have endeavored to do it to the entire satisfaction of those who have seen proper to patronize us. If we have accomplished this, we have attained that which we most desired.

F. N. & J. H. ROBERTS.

October 5, 1854. 39tf

Employment for Agents.

SEVERAL THOUSAND energetic and trustworthy young men are wanted to act as agents—both local and travelling—in every State in the Union, for the sale of a patented article of manufacture now in extensive demand. The exclusive right of the United States is owned by the advertisers and agents of capacity and business tact can easily earn Two Hundred dollars per month.

No Capital Necessary.

"Extract from communications from our agents." "I herewith inclose you a draft for —— dollars, deducting one hundred and ninety-seven dollars as my commission on the sale of the last month." Signed "H. Reid." "I shall realize as commission on my sales this month about one hundred and seventy-five dollars." E. C. Field.

The occupation will prove a light and gentlemanly employment—as honorable as it is profitable.

No agent will be accepted unless able to produce substantial testimonials as to character and industry.

Salaries will be arranged for the first year if preferred.

So many answers to advertisements are forwarded from motives of idle curiosity only, the advertisers will consider no application unless accompanied by One Dollar as an evidence of sincerity, when full particulars will be forwarded.

Address BURNS, BENEDICT & Co.,
BALTIMORE, Md.

To the substantial nature of the enterprise, we refer to Kenneth A Dale, Le Roy, Sons & Co., Also to Hamilton R. West, Ohio; Hon. C. M. Dennis, Rhode Island, and M. Ray, Key West, Florida.

Oct. 21, 1854. 41-2m

CARRIAGE MANUFACTORY!

PIER & BRANIN,

RETURNING their sincere thanks to a liberal public for the patronage heretofore extended them, respectfully call the attention of the people of this and the adjoining counties to their

CARRIAGE MANUFACTORY,

situated on Military Green, in the rear of the Fayetteville Hotel, in the town of Fayetteville.

For durability, neatness of finish, and comfort, their work is highly recommended and having secured from the late State Fair the prize of three respective, they can, without arrogance or self-flattery, call upon their old customers, and all others disposed to encourage home industry, to visit their Repository, and make a trial of their work. All work done warranted for 12 months.

PIER & BRANIN.

January, 1854. 1y

SASHES, BLINDS AND DOORS.

JUST received a lot of Sashes, Blinds and Doors, of the late Styles, and will continue to receive from the largest Manufactory in the United States. All Persons dealing will do well to call and examine my Stock and prices, as I can sell Good Materials much cheaper than they can be put up to workmen in this market. Carpenters will find it to their advantage to call, especially those who take contracts and furnish their own material.

H. W. BLACK.

Person Street, over W. S. Fowlkes' Store, and opposite Bank of Cape Fear.

ALSO,

House and Sign Painter,

IMITATION of WOODS, MARBLE, PAPER HANGING, &c., &c.

September 7, 1854. 35 1y

STOVES.

I Have a good assortment of

Cooking, Parlor, Box, and a few Coal Stoves.

I will sell very Low. Call and examine,

MARKET SQUARE

C. W. ANDREWS.

October, 20, 1854. 41-8w

SECOND STOCK OF

FALL AND WINTER GOODS.

STARR & WILLIAMS

Are now receiving their Second Stock of

FALL AND WINTER GOODS,

Recently purchased by one of the firm, at prices ranging much lower than those of the early part of the season. Among which may be seen a splendid selection of **Dress Goods,** Embroidered and fancy merino **Shawls,** with a large assortment of

Ready-Made Clothes, Boots, Shoes, and Umbrellas.

Wholesale buyers are respectfully invited to examine their goods.

October 9th, 1854. 40-tf

A. N. McDONALD,

(FORMERLY WITH JAMES KYLE.)

TAKES this method of informing his friends and acquaintances, that he has associated himself with W. B. Shemwell in the Staple and Fancy

Dry Goods Business,

in the Store formerly occupied by F. Shemwell, in the Shemwell Hotel building, where he will be pleased to see all who may favor him with a call.

Fayetteville, Sept. 23, 1854. 39-6m

TURPENTINE LAND FOR SALE.

THE subscribers offer for sale their Land on Mark's Creek, in Richmond Co., N. C., containing about

THREE THOUSAND ACRES,

On which there is a Saw and Grist mill, the saw mill has the Hotchkis wheels, also a Cotton Gin and Threshing Machine. There are about one hundred acres of the land cleared, it produces corn, cotton, wheat, and oats well. The land is well timbered for turpentine or lumber, and in the midst of where turpentine is made—within three to four miles of a still, and there will be another still within a mile next year. It is within eight miles of the Pee Dee River, where lumber or turpentine can be rafted or carried in flat boats; it is within fifteen miles of Cheraw, S. C.

Those wishing to engage in the turpentine, lumber, or farming, would do well to come and examine the land for themselves, as a bargain may be had.

WM. FREEMAN,
JOHN W. FREEMAN.

N. B. The subscribers will sell the above land in part or all together as will suit purchasers.

WM. F.
J. W. F.

November 9, 1854. 44-6w

Mackerel.

NO. 1 and 2 for sale at the People's Store, by

WEBB & BROTHER

Nov. 1, 1854. 44-tf

POETICAL.

"Ringed on their hill, Harmonia's daughters swell
The mingling tones of horn, and harp, and shell."

LIFE'S POETRY.

The proudest poetry of youth,
Is—"*Would I were a man?*"
The golden years that lie between,
Youth like a dream would span—
'Tis in its thought, 'tis in its heart—
'Tis ever on its tongue;
But oh! the poetry of the age
Is this—"*When I was young.*"

Thus, in the morn of life, our feet
Would distant pathways find;
The sun still face to face we meet,
The shadows fall behind.
But when the morn of life is o'er,
And Nature grows less kind,
The lengthening shadow creeps before—
The sunlight falls behind.

With many a murmur slow and sad,
The stream of life flows on;
That which we prized not *when we had,*
Is doubly prized *when gone!*
And many a sad and solemn truth,
Lies written on Life's page,
Between the "Poetry of Youth"
And "Poetry of Age."

GENTLE WORDS OND LOVING SMILES.

The sun may warm the grass to life,
The dew the drooping flower,
And eyes grow bright and watch the light,
Of autumn's opening hour—
But words that breathe of tenderness,
And smiles we know are true,
Are warmer than the summer time,
And brighter than the dew.

It is not much the world can give,
With all its subtle art,
And gold or gems are not the things
To satisfy thy heart,
But oh! if those who cluster round
The altar and the hearth,
Have gentle word's and loving smiles,
How beautiful is earth!

REPORT OF THE COMMISSIONERS ON THE REVISED STATUTES.

To the Honorable the General Assembly of the State of North Carolina:

The undersigned Commissioners, appointed first by the Governor, under the act of 1850, "to collate, digest, and revise, all the public Statute laws of the State," and to "carefully collect and reduce into one act, and the different acts, and parts of acts, which, from similarity of subjects ought, in their judgment, to be consolidated; distributing them under such titles, divisions and sections, as they shall think proper; following and retaining the general arrangement, and plan of revisions, as adopted by the Commissioners for revising the Statute laws of the State, under the act of 1833, so as to have the whole included in one volume; and in every other respect to complete the said revision, in such manner as to them shall seem most useful and proper, to render said acts more plain and easy to be understood,"—and afterwards continued in their office by the act of 1852, with instruction to "revise and digest the public Statute laws of the State, under the like powers and instructions as had therefore been prescribed, and to report the laws, when digested, on printed sheets, in like manner as they were reported in the year 1836,"—have accomplished the duty undertaken by them, and now report their work for the consideration of the General Assembly.

The undersigned have departed in one respect, very essentially, from the course pursued by former Commissioners—they have not only compiled and brought together the different acts and parts of acts on the same subjects, but they have consolidated them by fusing them together, and giving them the character of a single enactment; and as to a great many, and, indeed, most of the acts, they have expunged the verbiage where it was merely cumbersome, and imparted no aid in ascertaining the meaning of the law.

This has been a work requiring great patience, close application, most careful attention, revision again and again, and a great deal of time. They were fully sinsible of the delicacy of this part of their task, and have relaxed no efforts, and spared no pains to preserve the clear meaning of the law. This duty was necessary to curtail the extraordinary and progressing growth of the Statute law, and compress it into one volume of convenient size—and they deemed it equally so, to render the law plain and easy to be understood. A review of the work since it was put to press, has satisfied them that they have succeeded in greatly abridging the language, without weakening its force or obscuring the intent, and they feel confident, also, that in numberless instances, some laws before eluded, have been thereby made plain and explicit. Their plan, during its progress, has been freely made known to many gentlemen of great experience and critical observation, and it has been uniformly approved and encouraged. They have likewise in many instances, divided long sections into several;—such by way of example, as the 5th section of 'Attachment,' and the 6th section of "Courts of Equity."

Obviously, therefore, it was impossible to revise and consolidate the law, and present, by way of note or special recommendation, all the alterations which are adopted. Such a work would have been a mere confusion, and utterly impracticable for legislative action.

All the sections which have been thus fused, are referred to in the margin, and the alterations and changes of language may be easily seen by consulting the reference.

They have introduced many new sections of which no note is taken; but they are readily discovered by the fact that the marginal index to them, has no reference to former law. These sections are the amendments which they recommend, and they deemed it better to introduce them in this mode.

One of the most efficient means of preventing the introduction of errors, into a text necessarily so much changed, and of supplying omissions, was a new revision of the MS., in the progress of printing and just as it went to the press, and then a revision of the proof sheet. This means was adopted, and one of the Commissioners gave his personal attention to the printing, and consequently became enabled to keep the whole body of the law under his eye; and the list of Errata and alterations appended to the sheets, is made up, in a great part, of such corrections as the Commissioners deemed necessary to the greater perfection of their labors, after having had a view of the whole body of the law in print.

The Commissioners have not made reference to the decisions of the Supreme Court, because such a course was not pursued by by the former Commissioners; and they conceived that these references could be more appriately introduced after the work had passed through the hands of the General Assembly, especially if many alterations should be made by that body.

They have not been able to preserve the numbers of the chapters, as they are now numbered; several new chapters are necessarily introduced, and several old ones excluded; thus, there are four pertaining to the "Literary Fund," and two to "Internal Improvements." They have introduced the subject in alphabetical arrangement; nevertheless, they have been enabled, without violating that arrangement, to preserve the numbers of the most important chapters.

Although the Commissioners were instructed to digest and consolidate the *public* statute laws of the State, they did not interpret the act as embracing any public laws other than those of a *general* nature. Such was the construction, adopted from similar language, by the Commissioners of 1836. Indeed, if all the public *local* laws were digested, it would require another volume of equal, if not greater, size than the present. The practice which has so greatly prevailed in this, of allowing exceptions as to particular counties, in a law which should be general and uniform, must always diminish the value of a revisal. Even the local laws, (differing from the general provision upon the subject,) regulating the time and place of selling real estate and slaves, would make a respectable volume. The Commissioners were surprised to find to what extent laws of this character prevailed, and how much, therefore, of *public* low, must always be excluded from the volume intended for the general use of the people.

They were very anxious to collect the boundaries of Counties; and, for this purpose, addressed a Circular Letter to the Chairman, Solicitor, and Clerk of the County Court of each county in the State, requesting them to ascertain, and forward the boundaries of their respective counties, with the view that they should be laid before your honorable body, for proper action on the subject. They have received answers but from two counties Wautauga and Robeson. The undersigned beg leave to call the attention of the Legislature to this highly important subject.

By the sixth section of the act of 1852, the Commissioners were "required to consider the expediency and propriety of proposing and reporting such bills as may be necessary and effectual to abolish the forms of proceeding in civil practice in courts of law, by which all civil suits in said courts shall be instituted by petition in writing, and defences thereto, made by demurer, or by answer on oath," &c. The Commissioners have considered the propriety and expediency of preparing and reporting such bills, and they have forborne to prepare any bills for that purpose: Because, this great experiment on the jurisprudence of the common law, although progressing in some of the States, has not, in practice, been so free from just complaint as to demand their entire confidence in its wisdom. Just at this time, a great change in the system of pleading is commencing its trial in England, and its fruits will be shortly seen. She *changes* proposed in the States are not the same; but their *purpose* is a common one, to wit: to unfetter the administration of the law from all such clogs as impede justice and defeat right. By waiting a few years for the result of these experiments, we shall be enabled to see, with reasonable certainty, whether we may safely follow these examples, and how far; and if we decide to follow, we shall have, ready and at hand, all their improved reforms on a subject, which is exceedingly complicated in its details, and must be attended with many imperfections, however wise may be the head that plans the system.

So great a change is a great work of itself, and would demand of those who might adviseit, the best acquaintance they could make with its workings elsewhere—an acquaintance which should be made by inspection of its records, if possible, and free conference with its ablest lawyers who may have had, by experience, the opportunity of knowing the advantages and defects of both systems.

The undersigned would not discourage the idea of important change in this branch of jurisprudence. They are well aware that in some respects it is exceedingly faulty, and ill suited to give men their rights speedily, and at as small cost as possible.—The difficulties and niceties of what is called technical pleading, have been justly complained of and are most truly the legitimate subjects of reform.—But the liberality of amendment enjoined by the Legislature, and in the language of command, the further provisions in the statutes, as now presented, to extend the benefit of amendment, and the gradual and increasing liberality of the courts in executing these salutary provisions, have done much and will do much more to avoid the inconveniences of technical pleading, till time shall settle the expediency of such a change as is contemplated by the act of 1852.

They have reported the whole body of the laws as one act. Such is the form of some of the modern revisals; there will be no practical difficulty in passing them in this form, with such amendments as may be adopted.

The printing has been performed by Mr. W. W. Holden, under a written contract, which is made in pursuance of the first section of the Act of 1852, and is herewith submitted.

The Commissioners have caused four hundred copies of the statutes to be printed; two hundred of which they present in paper binding, under a contract with Mr. J. H. DeCarteret, which is also submitted along with the report, the other two hundred they present in parcels stitched together.

The undersigned feel it to be their duty respectfully and earnestly to recommend your honorable body to pay additional compensation to their clerk, H. S. Smith, Esqr., whose constant, untiring and intelligent labors for two years, have greatly aided them in their task, as well in transcribing as in passing the copy through the press. His time has not only been laboriously occupied, but at all times and at whatever hour, has been subject to the demand of the Commissioners.

Anxious as they have been to discharge the important duty in a manner worthy the grave subject, and incessantly as they have labored to do so, they leave very much to be perfected by your honorable body.

Respectfully submitted,

B. F. MOORE,
ASA BIGGS.