Hillsborough Recorder.

UNION, THE CONSTITUTION, AND THE LAWS—THE GUARDIANS OF OUR LIBERTY.

Vol. XVI. FRIDAY, MAY 15, 1835. No. 770.

HILLSBOROUGH, N. C.

PUBLISHED WEEKLY

BY DENNIS HEARTT,

AT THREE DOLLARS A YEAR, OR TWO DOLLARS FIFTY CENTS IF PAID IN ADVANCE.

Those who do not give notice of their wish to have their paper discontinued at the expiration of the year, will be presumed as desiring its continuance until countermanded.—And no paper will be discontinued until all arrearages are paid, unless at the option of the publisher, except in the case of deceasing subscribers, who will pay the present year.

Advertisements not exceeding sixteen lines will be inserted three times for one dollar, and twenty-five cents for each continuance.

Subscriptions received by the printer, and most of the post masters in the state.

All letters and business relative to the paper must be post paid.

NOTICE.

A MEETING will take place at Haywood, Chatham county, on Tuesday the 26th of May, with the view of forming a new company to render the Cape Fear River and its tributary streams navigable above Fayetteville, and persons as feel an interest in effecting the same are requested to attend said meeting.

April 30 68—

State of North-Carolina,

Person County.

Superior Court of Law, Fall Term, 1834.

Martha Sims vs. *David Evans* } Petition for Divorce.

It appearing to the satisfaction of the Court that the defendant in this case is not an inhabitant of this state, it is ordered that publication be made in the Hillsborough Recorder and Milton Spectator and Gazette for six weeks successively, for him to appear at the next term of this Court, to be held for the county of Person, at the Court House in Roxborough, on the second Monday after the fourth Monday in March, 1835, and plead to or answer said petition, otherwise it will be taken *pro confesso* and heard *exparte*

Witness, Duncan Rose, Clerk of our said Court at office, the second Monday after the fourth Monday in March, 1834.

DUNCAN ROSE, *C. S. C.*

Price Adv. $5.00 65—

State of North-Carolina,

Person County.

Superior Court of Law, Fall Term, 1834.

Rachel Blackwell vs. *Thomas Blackwell* } Petition for Divorce.

It appearing to the satisfaction of the Court that the defendant in this case is not an inhabitant of the state, it is ordered that publication be made in the Milton Spectator and Hillsborough Recorder for six weeks successively, for him to appear at the next term of this Court to be held for the county of Person, at the Court House in Roxborough, on the second Monday after the fourth Monday in March, 1835, and plead to or answer said petition, otherwise it will be taken *pro confesso* and heard *exparte*

Witness, Duncan Rose, Clerk of our said Court at office, the second Monday after the fourth Monday in March, 1834.

DUNCAN ROSE, *C. S. C.*

Price Adv. $5.00 65—

State of North-Carolina.

Orange County.

Superior Court of Law, March Term, 1835.

Andrew Patton vs. *Elizabeth Patton* } Petition for Divorce.

It appearing to the satisfaction of the Court, that Elizabeth Patton the defendant, is not an inhabitant of this state. It is therefore ordered that publication be made for three months in the Hillsborough Recorder, for the said defendant to appear at the next Superior Court of Law, to be held for Orange county, at the court house in Hillsborough, on the second Monday in September next, then and there to plead, answer or demur to the said petition, otherwise the cause will be taxed *pro confesso* and decreed accordingly.

Witness, George W. Bruce, clerk of our said Court, at office in Hillsborough, the second Monday of March A. D. 1835.

GEO. W. BRUCE, *C. S. C.*

Price Adv. $5.00 67—3t

EQUITY SALES.

STATE OF NORTH-CAROLINA,

Orange County.

In Equity—March Term, 1835.

Joel C. Pew, and others. Petition to sell lands.

ACCORDING to the decree made in this cause, I shall expose to sale, on Monday the 25th day of May, before the court house door in the town of Hillsborough, a

TRACT OF LAND,

which belonged to Asa Pew, dec'd., on the waters of Stoney Creek, supposed to contain about 240 acres, on a credit of nine and 18 months.

JAMES WEBB, *C. & M.*

March 25. 64—

STATE OF NORTH-CAROLINA,

Orange County.

In Equity—March Term, 1835.

Elizabeth Kirkland and others. Petition to sell land.

It appearing to the satisfaction of the Court, that the defendant, Elizabeth Kirkland, is not an inhabitant of this state. It is therefore ordered that publication be made for three months in the Hillsborough Recorder, for the said defendant to appear at the next Superior Court of Law, to be held for Orange county, at the court house in Hillsborough, on the second Monday in September next, then and there to plead, answer or demur to the said petition, otherwise the cause will be taxed *pro confesso* and decreed accordingly.

Witness, George W. Bruce, clerk of our said Court, at office in Hillsborough, the second Monday of March A. D. 1835.

GEO. W. BRUCE, *C. S. C.*

Price Adv. $5.00 67—3t

CASH FOR NEGROES.

THE subscriber wishes to purchase ONE HUNDRED likely young NEGROES, and will give higher prices in CASH than any other person in market.

GEORGE LAWS.

April 20. 68—

NEW WATCHES, JEWELLERY, &C.

HUNTINGTON & LYNCH

HAVE just received an extensive assortment of goods in their line, consisting of all kinds of

GOLD AND SILVER WATCHES,

A GREAT VARIETY OF

Rich and Fassionable

JEWELLERY,

MUSICAL INSTRUMENTS of different kinds,

THERMOMETERS,

SPECTACLES, Gold, Silver Plated, and Steel, to suit all ages.

PERFUMERY, &c. &c.

All of which will be sold extremely low for CASH.

WATCHES repaired at short notice, and warranted.

April 24. 65—

Convention Act.

AN ACT concerning a Convention to amend the Constitution of the State of North Carolina.

Whereas the General Assembly of North Carolina have reason to believe that a large portion, if not a majority of the free men of the state are anxious to amend the Constitution thereof, in certain particulars hereinafter specified, and whereas, while the General Assembly disclaim all right and power to themselves to alter the fundamental law, they consider it their duty to adopt measures for ascertaining the will of their constituents, and to provide the means for carrying that will into effect, when ascertained, therefore

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 Court of Pleas and Quarter Sessions of each and every county in the state, at the first term that shall be held after the first day of January 1835, shall appoint two inspectors to superintend the polls to be opened at each and every election precinct in said counties, for ascertaining, by ballot, the will of the freemen of North Carolina relative to the meeting of a State Convention. And if any court of county should fail to make such appointments, or if any inspector so appointed shall fail to act, it shall be the duty of the sheriff or the person acting as his deputy on such occasion, from the advice of any justice of the peace, or if none be present with the advice of three freeholders to appoint an inspector or inspectors in the place of those who fail to act, which inspectors, when duly sworn by some justice of the peace or freeholder to perform the duties of the place with fidelity, shall have the same authority as is appointed by the court.

II. *Be it further enacted*, That it shall be the duty of the sheriffs of the respective counties in the state, to open polls at the several election precincts in said counties on Wednesday and Thursday, the 1st and 2d of April next, when and where all persons qualified by the constitution to vote for members of the House of Commons may vote for or against a State Convention, those who wish a convention voting with a printed or written ticket, "Convention," and those who do not want a convention voting in the same way, "No Convention," or "Against Convention."

III. *Be it further enacted*, That it shall be the duty of the sheriffs to make duplicate statements of their polls in their respective counties, sworn to before the clerk of the County Court, one copy of which shall be deposited in said clerk's office, and the other copy transmitted to the Governor of the state at Raleigh, immediately after the election.

IV. *Be it further enacted*, That it shall be the duty of the Governor, as soon as he shall have received the returns of the sheriffs, in the presence of the Secretary of State, Public Treasurer, and Comptroller, to compare the number of votes for and against a convention: and if it shall appear that a majority of the votes polled are in favor of it, he shall forthwith publish a proclamation of the fact in such of the newspapers as he may think proper; and shall issue a writ of election to every sheriff of the state, requiring him to open polls for the election of delegates to the convention at the same places and under the same rules as provided for holding other state elections, and at such time as the Governor may designate.

V. *Be it further enacted*, That the same persons who were appointed to hold the polls in taking the vote on convention, shall hold them for the election of delegates; provided, that if any of such inspectors shall fail to attend or act the sheriffs and their deputies shall supply their places in the manner hereinbefore pointed out.

VI. *Be it further enacted*, That the several County Courts shall allow the sheriffs the same compensation for holding said elections that they usually allow for holding other state elections. And if any sheriff or other officer appointed to hold said elections shall fail to comply with the requirements of this act, he shall be liable to a fine of one thousand dollars, recoverable before any competent jurisdiction, to the use of the county whose officer he is. And it shall be the duty of the county solicitors to prosecute for the same.

VII. *Be it further enacted*, That all persons entitled to vote for members of the House of Commons, under the present constitution, shall be entitled to vote for members to said Convention. And all free white men of the age of twenty-one years, who shall have been resident in the state one year previous to, and shall continue to be so resident at the time of election, shall be eligible to a seat in said Convention: Provided he possess the freehold required of a member of the House of Commons under the present constitution.

VIII. *Be it further enacted*, That each county in this state shall be entitled to elect two delegates to said convention, and no more.

IX. *Be it further enacted*, That if any vacancy shall occur in any county delegation, by death or otherwise, the Governor shall forthwith issue a writ to supply the vacancy; and the delegates shall convene in or near the city of Raleigh, on the first Thursday in June next; and provided that a quorum does not attend on the day the delegates may adjourn from day to day until a quorum is present; and a majority of delegates elected shall constitute a quorum to do business.

X. *Be it further enacted*, That no delegate elect shall be permitted to take his seat in Convention, until he shall have taken and subscribed the following oath or affirmation: I, A B, do solemnly swear, (or affirm as the case may be,) that I will not, either directly or indirectly, evade or disregard the duties enjoined, or the limits fixed to this convention, by the people of North Carolina, as set forth in the act of the General Assembly passed in 1834, entitled, "An act concerning a Convention to amend the Constitution of the State of North Carolina," which act was ratified by the people, so help me God.

XI. *Be it further enacted*, That the Public Treasurer be, and he is hereby authorized to pay, upon the warrant of the Governor such sums of money as may be necessary for the contingent charges of the convention; and also to pay each member of the convention one dollar and fifty cents per day during his attendance thereon, and five cents for every mile he may travel to and from the convention.

XII. *Be it further enacted*, That it shall be the duty of the Governor, immediately after the ratification of this act, to cause to be sent to each county court clerk in the state a duplicate of the publication of the meeting of the Convention, in the newspapers of the state.

XIII. *Be it further enacted*, That the following propositions shall be submitted to the people for their assent or dissent to the same, the former of which shall be understood as expressed by the votes for "convention," and the latter by the votes "no convention," at the time and in the mode herein before provided to wit: That the said Convention, when a majority of the delegates who shall be elected and assembled, shall frame and devise such amendments to the constitution of this state, so as to reduce the number of members of the Senate to not less than thirty-five, nor more than fifty, to be elected by districts, which districts shall be laid off at convenient and proper subdivisions by counties, in proportion to the public taxes paid into the treasury of the state by the citizens thereof: *Provided*, that no county shall be divided in the formation of a senatorial district, and when there are one or more counties having an excess of taxation above the ratio required to form a senatorial district, adjoining a county or counties deficient in such ratio, the excess of taxation of such county shall be added to the taxation of the county or counties deficient, and if with such addition, the county or counties receiving it shall have the requisite ratio, such county and counties each shall constitute a senatorial district. 2d. That the said convention shall form and devise a further amendment to the said constitution, whereby to reduce the number of members in the House of Commons to not less than sixty-five nor more than one hundred and twenty, exclusive of borough members, which the convention shall have the discretion to exclude in whole or in part, and the rest are to be elected by counties, districts, or both, according to the federal population, viz: according to their respective numbers, which shall be determined according to the whole number of free persons, including those bound to service for a term of years, and including three-fifths of all other persons, except Indians not taxed, in each of the counties to be made at every enumeration and preceding periods, but each county shall have at least one member in the House of Commons, although it may not contain the requisite ratio of population. 3d. That the said Convention shall also frame and devise amendments to said constitution whereby it shall be made necessary for persons voting for a Senator, and persons eligible to the Senate, to possess the same residence and freehold qualifications respectively, in the senatorial district, as are now required in the county: *Provided*, that they shall not in any manner disqualify any of the free white men of this state from voting for members in the House of Commons, who are qualified to vote under the existing constitution of the state. 4th. That said convention may also consider of, and in their discretion propose the following other amendments to the said constitution, or any of them, to viz. So as, 1st. To abrogate or restrict the right of free negroes or mulattoes to vote for members of the Senate or House of Commons. 2d. To disqualify members of the assembly and officers of the state, or those who hold places of trust under the authority of the state, from being or continuing such while they hold any other office or appointment under the government of the state or of the U. States, or any other government whatsoever. 3d. To provide that capitation tax on slaves and free white polls shall be equal throughout the state. 4th. To provide for some mode of appointing and removing from office militia officers and justices of the peace, different from that which is now practiced. 5th. To compel the members of the General Assembly to vote *viva voce* on the election of officers whose appointment is connected with that body. 6th. To amend the thirty-second article of the constitution of the state. 7th. To provide for supplying vacancies in the General Assembly of the state when such vacancies occur by resignation or death, or otherwise, before the meeting of the General Assembly. 8th. To provide for biennial meetings instead of annual meetings of the General Assembly; and if they shall determine on biennial sessions, then they may alter the constitution in such parts of it as require the annual election of members of assembly and officers of state, and the triennial election of secretary of state, and provide for their election every two years. 9th. To provide for the election of Governor of the state by the qualified voters for the members of the House of Commons, and to prescribe the terms for which the Governor shall be elected, and the number of terms during which he shall be eligible. And the said convention shall adopt ordinances for carrying into effect the amendments which shall be made; and shall submit said amendments to the determination of all the qualified voters of the state, but they shall not alter any other article in the constitution or bill of rights, nor propose any amendments to the same, except those which are herein before enumerated.

XIV. *Be it further enacted*, That if a majority of voters at the election first directed to be held by this act shall be found "for convention," it shall be considered and understood that the people, by their vote as aforesaid, have conferred on the delegates to said convention the power and authority to make alterations and amendments in the existing constitution of the state, in the particulars herein enumerated, or any of them, but in no others.

XV. *Be it further enacted*, That the said convention, after having adopted amendments to the constitution in any or all of said particulars, shall prescribe some mode for the ratification of the same, by the people or their representatives; and shall prescribe all necessary ordinances and regulations for the purpose of giving full operation and effect to the constitution as altered and amended.

XVI. *Be it further enacted*, That the convention shall provide in what manner amendments shall in future be made to the constitution of the state.

Read three times and ratified in General Assembly, 6th January, 1835.

AN ACT supplemental to an Act, passed at the present session entitled an Act concerning a Convention to amend the Constitution of the State of North Carolina.

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 following propositions shall be submitted to the people for their assent or dissent in the same manner and under the same forms, regulations and restrictions as were prescribed and adopted in an act, passed at the present session, entitled "An act concerning a Convention to amend the Constitution of the State of North Carolina." That the said convention may, in their discretion, revise and propose the following amendments to the said constitution, or any of them, so as, 1st. To provide that the Attorney General shall be elected for a term of years. 2d. To provide a tribunal whereby the Judges of the Supreme and Superior Courts, and other officers of the state, may be impeached and tried for corruption and malpractices in office. 3d. To provide that upon conviction of any Justice of the Peace of any infamous crime or of corruption and mal practice in office, his commission shall be vacated, and said Justice rendered forever incapacitated from holding such appointment. 4th. To provide for the removal of any of the Judges of the Supreme and Superior Courts, in consequence of mental or physical inability, upon a concurrent resolution of two thirds of both branches of the legislature. 5th. To provide that the salaries of the Judges shall not be diminished during their continuance in office, but to provide against unnecessary rival legislation. 7th. To provide that no Judge of the Supreme or Superior Courts shall, whilst retaining his judicial office, be eligible to any other, except to the Supreme Court bench.

II. *Be it further enacted*, That should the people decide in favor of a call of a convention, as provided for in the before referred to act, the said convention is hereby authorized and empowered to consider of, and in their discretion propose the above additional amendments to the said constitution, or any of them.

Read three times and ratified in General Assembly, 9th January, 1835.

Earthenware, Glass, and CHINA.

T. J. BARROW & Co.

No. 88,

WATER STREET, NEW YORK,

ARE now receiving an uncommonly great variety of GOODS, in the above line, selected with great care by the senior partner of the firm who is now in England, expressly for the purpose of procuring the

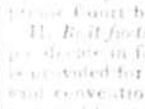
Newest and most Fashionable Styles.

As their purchases have been made at the lowest rates for CASH, they confidently invite the attention of their Customers and Merchants generally, to their very large and handsome Stock, assuring them of a determination on their part to offer the best advantages in point of price and liberality of terms.

Every attention will be given to packing and forwarding their Goods, and all orders executed with fidelity and promptness.

February 6. 59—

Plantation For Sale.



THE PLANTATION belonging to the Rev. John Witherspoon, and on which he lately resided, about one mile and a quarter from town, is offered for sale. The Plantation contains about six hundred acres, is very pleasantly situated, has on it a very good Dwelling House, and all necessary Out Houses, and some very good meadow. Persons desirous of purchasing can view the premises. For terms apply to

EDMUND STRUDWICK.

November 4. 56—

NOTICE.

MY **JACK** will stand the ensuing season at Crain & Smith's Mill, a mile and a half west of the town of Hillsborough. He is a fine stout young Jack of the Spanish stock, six years old. All those wishing to raise mules will do well to give him a call.

Terms, five dollars and twenty-five cents for the season; if paid out of the season six dollars—and seven to ensure. The season will commence the 1st of April and end the 1st of August.

J. S. SMITH.

March 25 64—

JOB-PRINTING,

Executed at this Office with neatness and accuracy.

BLANKS for sale at this Office.

ECLIPSE LIGHTFOOT,

Full Brother to the present Black Maria and Shark,

THE most beautiful horse ever seen in this quarter of the world, was got by American Eclipse; his dam Lady Lightfoot by old Sir Archey; his grand dam old Black Maria, by imported Shark; his great grand dam by imported Clockfast, (half brother to imported Medley;) his g. g. grand dam Col. Powell's Maria, by Fitzhugh's famous Regulus; sire of imported Fearnought, out of imported Jenny Dismal; his g. g. g. grand dam, Col. Bedwell's famous mare Camilla, by imported Fearnought; his g. g. g. g. grand dam Col. Rudd's imported Calista, by Forester—Crab—Ladyshilling—Bajazet's dam by Whitmore—Leedes—Bartlemore.

Gentlemen possessing and reading the horse books of this country and England, are requested to examine them diligently for Eclipse's pedigree; but for those not having the means of acquiring the same information, I beg to be permitted to state, that a better pedigree cannot exist. If blood consists in a near consanguinity to a strain of horses most remarkable for all the high and desirable qualities in the zoology of horses, a simple relation of facts will establish Eclipse Lightfoot as equal to any horse upon earth. And what are the facts? I begin with those most recent, and nearest home. He himself has been twice sold in less than six months; first time for $7,000—second time for $10,000. His full brother, Shark, still more recently, for $15,000. His full sister, the present Black Maria, is held by her owner at 8 or $10,000. Eclipse, who is the sire of Eclipse Lightfoot, is the first horse that ever sold for $10,000, in America. And a year or two ago, at 20 years old, he again sold for about the same sum. He ran until he was nine years old—all his races four mile heats—and was taken off the turf sound as a nut. He was never beaten; and to use the language of one of his strongest opponents at one time, "he challenged the world—he beat the world—he won a world of money—and he is a *world's wonder*."

Lady Lightfoot, dam of Eclipse Lightfoot, ran at all distances and at all places, until she was 11 years old. She was beaten but seldom—once by Beggar Girl, 2 mile heats, when she was prepared and run down for 4 miles; once by the great *lusus naturæ* Hermaphrodite, whom she beat twice, (all 4 mile heats) She was twice beaten by the invincible Eclipse; which is to pluck the laurel from one side of the diadem to place it the more gracefully on the other.—And she was beaten at 11 years old, by Betsy Richards; but it was evident her day had passed, and she would then have been, where she so gloriously died, among the first matrons of the age. In 1815, then 3 years old, she won all her stakes, and was carried to Charleston, S. C. by Gen Wynn, where she won in three consecutive days, at 2, 3 and 4 mile heats, all the money run for in the week, beating the best horses of the day. Among them the famous Lottery, (dam of Kosciusko, Saxe Weimer and Crusader;) the famous Transport, (dam of Bertand, jr. and Little Venus;) the famous Merino Ewe, (dam of Phillis and Gohanna;) and others: a feat never before or since performed by any horse. She won innumerable races, but most remarkable, 7 Jockey Club Purses, at 10 years old!!!

Old Black Maria, by imported Shark, grand dam of Eclipse Lightfoot, ran until she was 14 years old, acquired for herself and posterity an imperishable fame—won a number of races—lost a few in the down-hill of life, and was only rivalled by her next kin.

Imported Shark, (great grandsire of Eclipse Lightfoot,) was got by Marske, the sire of the great Eclipse, in England; and is, of course, his half brother, and the great grand son of Childers. To these two horses he has been frequently compared as next; but by the fairest reasoning in the world he must be at least their equal. He ran more races—won more money—was only beaten by two horses, and that readily accounted for. Dorimont (sire of Gabriel,) beat him, evidently by the difference of weight given him for the year. Shark beat him, when aged, and both carried the same weight. Pretender, (his half brother,) by Marske, beat him, from a slight defect in the heels,—a disease very common. A notice, in the racing calendar for 1787, (I think,) says he won upwards of 22,000 guineas (about $100,000,) and it is said, by high authority, that 10,000 guineas were offered for him, as he left the New-Market Course for the last time.

If beauty, action, speed, bottom, durability to last upon the turf, and longevity are the grand desiderata to breeders, no strain of horses possesses it in a more pre-eminent degree. These are the qualities—this the blood of Eclipse Lightfoot; not to be detracted from, by a full and still further extention, too lengthy for publication. He has been twice purchased out of a training stable, in which he was at the head, and by well approved judges; and for general and immediate benefit has been put to stand. Over this, the horse could have no possible control, but it is a just cause to inveigh against his unkind owners, for depriving him the chance by his *might* and *strength*, of sustaining side by side with his closest kin, their growing fame. It my life rested upon it, I would take him for all distances, sooner than any horse upon earth, not more tried, and as a station, second to none.

He is now at his harem, in Mecklenburg, Va. five miles south of Boydton, near Taylor's Ferry, on Roanoke, where he will be let to mares at $60 the season. Any gentleman putting five mares or becoming responsible for them, will be charged $50 each—$1 to the groom in every instance. Great liberality will be exercised in putting first rate mares (runners themselves or producing runners.) Mares missing this season, will be put next gratis. Every preparation has been made for keeping mares, and all care taken to prevent accidents, but no liability. Mares fed at 25 cents per day. Those with mare at their side, will be fed, unless positively prohibited. Mares from a distance, in foal, had better be sent before foaling. The season will expire on the 1st of July.

JOHN G. GOODE.

March 20. 65—