

Western Carol

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At the request of many of our patrons, and in consideration of the pressure of the time, the price of this paper, for the term of the Western Carolinian has been altered, and will hereafter be as follows: Two dollars and a half per annum; or two dollars only, if paid in advance. No paper will be discontinued, except at the direction of the Editor, until all bills are paid. Advertising will be inserted at 25 cents the square for the first week, and 20 cents each week they are continued thereafter. Postage must be paid on all letters addressed to the Editor, or they may not be attended to.

United States Laws.

Passed at the First Session of the 20th Congress.

NO. XLVII.

An Act to establish a Southern Judicial District in the Territory of Florida.

BE it enacted by the senate and house of representatives of the United States of America in congress assembled, That there shall be established another Judicial District in the Territory of Florida, to be called the Southern District, embracing all that part of the Territory which lies south of a line from Indian river on the east, and Charlotte harbor on the west, including the latter harbor; which said court shall exercise all the jurisdiction within said district, as the other Superior Courts, respectively, exercise within their respective districts, and shall be subject to all the laws which govern or regulate the same; and there shall be appointed for said district a Judge; and he is hereby authorized to appoint a Clerk for said court. There shall also be appointed an Attorney and Marshal, who shall exercise all the duties, give the same bond and security, and be entitled to the same salaries, fees, and compensation, that is now allowed by law to Attorneys and Marshals in other districts in the territory.

Sec. 2. And be it further enacted, That the stated sessions of said court shall be held on the first Mondays of May and November annually, at Key West; and such other intermediate sessions, from time to time, as the Judge in his discretion may think advisable and necessary. The Judge shall reside at the Island of Key West, and shall be entitled to receive as a salary for his services two thousand dollars per annum, to be paid quarterly, out of any moneys in the Treasury not otherwise appropriated.

Sec. 3. And be it further enacted, That whenever, in any case concerning wrecked property, or property abandoned at sea, the Judge aforesaid shall have determined the rate of salvage to be allowed to salvors, it shall be his duty, unless the salvage decreed shall have been adjusted, without recourse to vessel and cargo, to direct such proportion of salvage to be paid to the salvors in kind; and that the property saved shall be divided according to the provisions of the laws of the United States, and before it shall have been taken out of the custody of the Revenue officers.

Sec. 4. And be it further enacted, That whenever it shall be ascertained, to the satisfaction of the Judge of said court, that any of the property saved is, from its character, not susceptible of being divided in the manner proposed, or that there are articles in the cargo of a perishable nature, it shall be his duty to direct a sale of the same, for the benefit of all concerned.

Sec. 5. And be it further enacted, That the property remaining, after separating the portion adjudged to the salvors, shall not be removed from such store as may be used for public purposes, nor disposed of in any other way, within nine months, unless by the order of the owners, or of their authorized agents; and that the duties accruing upon such property may be secured at any port in the United States, where the owners may reside.

Sec. 6. And be it further enacted, That no vessel shall be employed as a wrecker, unless under the authority of the Judge of said Court; and that it shall not be lawful to employ on board such vessel, any wrecker who shall have made conditions with the captain or supercargo of any wrecked vessel, before or at the time of affording relief.

H. STEVENSON,
Speaker of the House of Representatives
J. C. CALHOUN,
Vice President of the United States, and
President of the Senate.
Approved: 23 May, 1828.
JOHN QUINCY ADAMS.

NO. XLIX.

An Act in addition to an act, entitled "An act concerning discriminating duties of Tonnage and Import," and to equalize the duties on Prussian vessels and their cargoes.

BE it enacted by the senate and house of representatives of the United States of America in congress assembled, That, upon satisfactory evidence being given to the President of the United States, by the government of any foreign nation, that no discriminating duties of tonnage or impost are imposed or levied in the ports of the said nation, upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise, imported in the same from the United States, or from any foreign country, the President is hereby authorized to issue his proclamation, declaring that the foreign discriminating duties of

tonnage and impost, within the United States, are, and shall be, suspended and discontinued, so far as respects the vessels of the said foreign nation, and the produce, manufactures, or merchandise imported into the United States in the same, from the said foreign nation, or from any other foreign country; the said suspension to take effect from the time of such notification being given to the President of the United States, and to continue so long as the reciprocal exemption of vessels, belonging to citizens of the United States, and their cargoes, as aforesaid, shall be continued, and no longer.

Sec. 2. And be it further enacted, That no other or higher rate of duties shall be imposed or collected on vessels of Prussia, or of her Dominions, from whence ever coming, nor on their cargoes, howsoever composed, than are, or may be, payable on vessels of the United States and their cargoes.

Sec. 3. And be it further enacted, That the Secretary of the Treasury be, and he is hereby, authorized to return all duties which have been assessed, since the fifteenth day of April, one thousand eight hundred and twenty-six, on Prussian vessels, and their cargoes, beyond the amount which would have been payable on vessels of the United States, and their cargoes; and that the same allowances of drawback be made on merchandise exported in Prussian vessels as would be made on similar exportations in vessels of the United States.

Sec. 4. And be it further enacted, That so much of this act as relates to Prussian vessels, and their cargoes, shall continue and be in force during the time that the equality for which it provides shall, in all respects, be reciprocated in the ports of Prussia, and her Dominions; and if, at any time hereafter, the said equality shall not be reciprocated in the Ports of Prussia, and her Dominions, the President may, and he is hereby, authorized to issue his proclamation, declaring that fact, and thereupon so much of this act as relates to Prussian vessels, and their cargoes, shall cease and determine.

Approved: 24 May, 1828.

NO. L.

An Act declaring the assent of Congress to an act of the State of Alabama.

BE it enacted by the senate and house of representatives of the United States of America in congress assembled, That the assent of Congress be, and hereby is, granted, to the operation of an act of the General Assembly of the State of Alabama, passed on the tenth day of January, one thousand eight hundred and twenty-seven, entitled "an act to incorporate the Cahaba Navigation Company."

Approved: 24 May, 1828.

NO. LI.

An Act to incorporate the Trustees of the Female Orphan Asylum in Georgetown, and the Washington City Orphan Asylum in the District of Columbia.

BE it enacted by the senate and house of representatives of the United States of America in congress assembled, That John I. Stull, William G. Ridgely and Daniel Bussard, and their successors in office, duly elected or appointed in the manner hereinafter directed, be, and they are hereby made, declared and constituted a corporation and body politic in law and in fact, to have continuance forever, by the name, style, and title of "The Trustees of the Female Orphan Asylum of Georgetown, in the District of Columbia."

Sec. 2. And be it further enacted, That William Hawley, John P. Van Ness, Nathan Towson, Obadiah B. Brown, and James Larned, and their successors in office, to be appointed as is hereinafter directed, are hereby made, declared and constituted a corporation and body politic in law, and in fact, to have continuance forever, under the name, style, and title of "The Washington City Orphan Asylum."

Sec. 3. And be it further enacted, That all and singular the lands, tenements, rents, legacies, annuities, rights, privileges, goods, and chattels heretofore given, granted, devised or bequeathed to either of said Asylums, or to any person or persons for the use thereof, or to have been purchased for, or on account of the same, be, and they are hereby, vested in, and confirmed to, the said corporations respectively, and that they may purchase, take, and receive, and enjoy any lands, tenements, rents, annuities, rights or privileges, or any goods chattels or other effects, of what kind or nature soever which shall, or may hereafter be given, granted, sold bequeathed or devised unto either of them, by any person or persons, bodies politic or corporate, capable of making such grant, and to dispose of the same: Provided, The clear annual income of property to be acquired by either of said corporations, shall at no time exceed the sum of three thousand dollars.

Sec. 4. And be it further enacted, That the said corporations respectively, by the

name and style aforesaid, be, and shall be hereafter, capable, in law and equity, to sue and be sued, within the District of Columbia, or elsewhere, in as effectual a manner as other persons or Corporations can sue or be sued, and that they shall adopt and use a common seal, and the same to use, alter or exchange at pleasure, to appoint a Treasurer and Secretary, and such other officers as they may deem necessary and proper, to assign them their duties, and fix their compensation, and to remove any or all of them and appoint others, as often as they shall think fit, and to make such bye laws as may be useful for the government of said Asylums, and not inconsistent with the laws of the United States, or the laws in force in the District of Columbia, and the same to alter, amend or abrogate at pleasure.

Sec. 5. And be it further enacted, That there shall be an annual meeting of the contributors to the Orphan Asylum of Georgetown, on the first Monday in June, in every year, at which they shall appoint a first female directress, a second female directress, a second female manager, who shall have power to superintend and manage the internal affairs of the Asylum, and to fill vacancies in their own Board, and any vacancy that may happen by death or otherwise among the Trustees, and to serve until their successors are duly appointed; and a majority of the said Trustees shall be a quorum, and authorized to act.

Sec. 6. And be it further enacted, That the present managers of the Washington City Asylum, called by the article of association "a Board of Trustees," may continue in office, discharging the duties of the same, until the second Tuesday in October next, at which time, and on the same day in each year thereafter, said corporation, by those who from their bye laws may be qualified to vote, shall be regulated, and the officers thereof appointed, agreeably to the provisions of this act; that is to say, there shall be appointed a first, and a second female directress, and also fifteen female managers; and these directresses and managers, a majority of whom shall be necessary to do business, at such time and place as they may direct, shall appoint a Treasurer and Secretary, and such other officers, and also perform such other duties as the bye laws may direct: Provided, No bye law shall be enacted inconsistent with any law now existing in the District of Columbia.

Sec. 7. And be it further enacted, That when any destitute male or female child may be received into the Asylum, with the approbation of the parent, guardian or friends who may have the care of said child, they shall not thereafter be at liberty to withdraw or leave the Asylum without the consent of the Directors, until, if a male, he shall attain the age of twenty-one years, or if a female the age of eighteen years; but, up to the periods, and ages aforesaid, they shall remain subject to the direction of the Asylum, or those to whom by said Asylum, they may be bound, unless by consent given by those directing the Institution they may be emancipated from service previous to attaining those respective ages.

Sec. 8. And be it further enacted, That any vacancy which from death, resignation or otherwise, may happen in any the offices or places of said Asylum, shall be supplied or filled after the mode to be prescribed in their bye laws; and also in pursuance of said bye laws, power shall be possessed to alter and amend the same from time to time, and to remove and appoint to office whenever it shall be deemed advisable to do so.

Approved: 24th May, 1828.

NO. LII.

An Act making appropriations for Custom Houses and Ware Houses.

BE it enacted by the senate and house of representatives of the United States of America in congress assembled, That the Secretary of the Treasury be, and he hereby is, authorized to cause to be selected, and purchased, a suitable site for a Custom House and Ware House, at Newport, in Rhode Island, and to cause a safe and convenient building to be erected thereon, for the transaction of Custom House business, and for the safe keeping of the records thereof, and of the property in the custody of the Government; and that a sum not exceeding ten thousand dollars be, and the same is hereby appropriated, for the purpose aforesaid, out of any money in the Treasury, not otherwise appropriated.

Sec. 2. And be it further enacted, That the Secretary of the Treasury be, and he is hereby, likewise authorized to cause to be purchased a suitable site for a Custom House and Ware House in the city of Mobile, in the State of Alabama, and to have erected a safe and convenient building, or to purchase a proper site with a suitable and convenient building already erected thereon, in the territory

of Custom House the safe keeping of the property of the Government not exceeding eight hundred dollars be, and the same is hereby appropriated, for the purpose aforesaid, out of any money in the Treasury not otherwise appropriated.

Sec. 3. And be it further enacted, That the Secretary of the Treasury be, and he hereby is authorized to cause to be repaired, in proper repair, the Custom House, a Newburyport Massachusetts, once the property of Abner Wood and David Wood, junior, but now belonging to the United States; and that a sum not exceeding three hundred dollars be, and the same is hereby appropriated, for the purpose aforesaid, out of any money in the Treasury not otherwise appropriated.

Sec. 4. And be it further enacted, That the Secretary of the Treasury is hereby authorized and directed to cause a suitable site to be selected and purchased for a Custom House and Ware House at Portland, in Maine, and to cause a safe and convenient building to be erected thereon, for the transaction of Custom House business, and for the safe keeping of the records thereof, and of the property in the custody of the Government; and that a sum not exceeding twenty thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose aforesaid.

Approved: 24th May, 1828.

NO. LIII.

An Act to continue in force, for a limited time, and to amend an act entitled, "An act to enable claimants to lands within the limits of the State of Missouri and Territory of Arkansas, to institute proceedings to try the validity of their claims."

BE it enacted by the senate and house of representatives of the United States of America in congress assembled, That the act approved the twenty-sixth of May, eighteen hundred and twenty-four, entitled "An act to enable claimants to lands within the limits of the State of Missouri and Territory of Arkansas, to institute proceedings to try the validity of their claims," shall be, and the same hereby is, continued in force; that is to say, for the purpose of filing petitions in the manner prescribed by that act, to and until the twenty-sixth day of May, in the year one thousand eight hundred and twenty-nine, and for the purpose of enabling the claimants, to obtain a final decision on the validity of their claims in the Courts of Missouri and Arkansas, respectively; the said claims having been exhibited within the time above specified; the said act shall be continued in force, to and until, the twenty-sixth day of May, in the year one thousand eight hundred and thirty, and no longer; and the Courts having cognisance of said claims shall decide upon and confirm such as would have been confirmed under the laws, usages, and customs of the Spanish Government, for two years, from and after the twenty-sixth day of May, one thousand eight hundred and twenty-eight, and all the claims authorized by that act, to be heard and decided, shall be ratified and confirmed to the same extent that the same would be valid if the country in which they lie had remained under the dominion of the sovereignty in which said claims originated.

Sec. 2. And be it further enacted, That so much of the said act as subjects the claimants to the payment of costs in any case where the decision may be in favor of their claims, be, and the same is hereby repealed, and the costs shall abide the decision of the cause as in ordinary cases before the said court; and so much of the said act as requires the claimants parties to their suits, or to show the court what adverse claimants there may be to the land claimed of the United States, be also hereby repealed. And the confirmations had by virtue of said act, and the patents issued thereon, shall operate only as relinquishment of title on the part of the United States, and shall, in no wise, affect the right or title, either in law or equity, of adverse claimants of the same land.

Sec. 3. And be it further enacted, That where any claim, founded on concession, warrant, or order of survey, shall be adjudged against and rejected, the claimant or his legal representatives, by descent or purchase, being actual inhabitants and cultivators of the soil, the claim to which shall have been rejected, shall have the right of pre-emption, at the minimum price of the public lands, as soon as the land shall be surveyed and subdivided by the United States, of the quarter section on which the improvement shall be situated, and so much of every other quarter section which contains any part of the improvement, as shall be within the limits of the rejected claim.

Approved: 24 May, 1828.

arising from the sale thereof in some productive fund, the proceeds of which shall be for ever applied, under the direction of said Legislature, for the use and support of schools, with the several townships and districts of country for which they were originally reserved and set apart, and for no other use or purpose whatsoever: Provided, said land, or any part thereof, shall, in no case, be sold without the consent of the inhabitants of such township, or district, to be obtained in such manner as the Legislature of said State shall, by law, direct: And provided also, That in the apportionment of the proceeds of said fund, each township and district aforesaid shall be entitled to such part thereof, and no more, as shall have accrued from the sum or sums of money arising from the sale of the school lands belonging to such township or district.

Sec. 2. And be it further enacted, That, if the proceeds accruing to any township or district, from said fund, shall be insufficient for the support of schools therein, it shall be lawful for said Legislature to invest the same, as is herein before directed, until the whole proceeds of the fund belonging to such township or district shall be adequate to the permanent maintenance and support of schools within the same.

Approved: 24 May, 1828.

NO. LV.

An Act to confirm claims to lands in the District between the Rio Hondo and Sabine Rivers, founded on habitation and cultivation.

BE it enacted by the senate and house of representatives of the United States of America in congress assembled, That the claims to lands founded on habitation and cultivation, reported for confirmation by the Register and Receiver of the South-western District of Louisiana, in their report, dated November first, eighteen hundred and twenty-four, in conformity to the provisions of the acts of Congress, of the third of March, eighteen hundred and twenty-three, and twenty-sixth of May, eighteen hundred and twenty-four, contained in the third class of the report of said Register and Receiver, be, and the same are hereby confirmed, except claim number forty-two, near Cantonment Jaspard, and the claims of Leonard Dyson, numbers fourteen and eighteen; Samuel Norris, numbers ten and thirteen; Baptiste Poirot, brother and sisters, number nineteen; Baptiste Poirot, senior, number twenty; Henry Stockman, number twenty-one; Moses Robinson, number twenty-one; James Pharis, number twenty-four; Cesar Wallace, number thirty-four and fifty-six; John Montgomery, Junior, number sixty-nine; and Emanuel Trickett, number two hundred and thirty-one; which claims are suspended until it is ascertained whether they are situated within the limits of the lands claimed by the Caddo Indians.

Sec. 2. And be it further enacted, That the confirmations made by this act shall not be construed to extend further than to a relinquishment of title on the part of the United States, and the claims hereby confirmed shall be located under the direction of the Register and Receiver of the proper Land Office, in conformity with the legal subdivisions of the public surveys, so far as practicable, and shall include the improvements of the claimants respectively.

Approved: 24 May, 1828.

Mills and Lands.

THE valuable Mills and Lands formerly the property of Geo. Saner, dec'd. are offered for sale by the late purchasers. This land lies on Dutchman's creek, 4 miles east of Mocksville, adjoining the Giles-Mumford tract, and is equal to any land in Rowan county, with a large proportion of superior meadow; the Mills are of superior construction, and have now a very good and increasing run of custom; the water-power can very conveniently be made to drive any kind of Machinery. For other particulars, and terms, apply to Thomas D. Gibbs, one of the proprietors, on the premises.

16th THOMAS D. GIBBS, JOSEPH HANES, PETER SANER, JACOB SANER, MARVIN SANER.

May 23d, 1828. N. B. Another tract, belonging to Peter Saner, adjoining the above, containing 225 acres, will be sold in connection with the above, or separately, as may best suit the purchaser, which is likewise first rate land.

It will be sold, a lot adjoining the town of Mocksville, containing ten acres of land, with a good dwelling-house, with out-houses, and an excellent garden; this property will be sold on reasonable terms. Apply to Geo. D. Gibbs.