

RALEIGH REGISTER,

AND NORTH-CAROLINA GAZETTE,

"Ours are the plans of fair, delightful peace,
Unwarp'd by party rage to live like brothers."

Friday, January 19, 1827.

No. 381.

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THE REGISTER

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ADVERTISEMENTS

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STATE LEGISLATURE.

IN SENATE.

WEDNESDAY, JANUARY 30, 1827.

Continuation of the Debate which occurred on the Report of the Committee of Privileges and Elections, in the case of Josiah Tyson, whose seat as Senator from Moore County, was contested by Cornelius Dowd.

Mr. Sewell observed, that it appeared to him, that this matter had been made much more difficult of comprehension, by attempting to clear it. He would endeavor to give a plain and simple statement of the case, as he understood it, from the report of the Committee of Privileges and Elections, for he had not heard one particle of the evidence in the case. There were, he believed, two points on which the petitioner relied to shew that Josiah Tyson, the returned member from the county of Moore, was not entitled to his seat, and those two were illegality in the appointment of Inspectors, and fraud in conducting the election. The report states that it appeared to the Committee in evidence, that the County Court had not appointed Inspectors of polls as required by law, but that the Sheriff had of himself selected them; and that the Deputy Sheriff who received the tickets at the election, opened them and saw what name was inscribed thereon, and then deposited them in the box. Now, sir, what does the Constitution of our State say in relation to this matter? It declares that the members composing the Legislature, shall possess particular qualifications, and that they shall be elected by ballot, in contra-distinction to *vi. a. voce* suffrage. And the Constitution having declared it should be by ballot, it was left to the Legislature to point out the mode in which it must be done. At the first session after the adoption of the Constitution, the Legislature prescribed by an act, the manner of holding elections, one of the provisions of which was, that on certain days therein named an election should be held by the Sheriff. That at such election he should receive the ticket rolled up, and deposit the same in their respective boxes. Why rolled up? It was a salutary provision intended to preserve the purity of elections, by enabling the voter to consult his own wishes, without tearing oppression.

By a subsequent act, and as the law now stands, the County Courts were required to appoint Inspectors to attend at the several elections; but if the Court failed to make the appointment, then the Sheriff was to do it with the advice of three Justices of the Peace, or in the absence of such, by consulting with three respectable freeholders. The Legislature does not entrust to him the right of appointment, but says expressly with whom he shall consult. It had been insisted, by the honorable Speaker, that though it was clearly proved that there was an irregularity in the appointment of Inspectors, yet inasmuch as the member returned received a constitutional majority of votes, he ought to retain his seat. There is, said Mr. S. an obvious distinction between an act done before and one done after an election.—That which is done afterwards, to use a technical term, is a ministerial act, but that done previously, is a judicial one; and every thing which is then done, must be as the Constitution and the law directs. The Speaker had said, that because one of the Inspectors was the friend of the petitioner, and every body voted as they pleased, the irregular appointment of Inspectors was nothing. To show the fallacy of this argument, he would suppose that the Sheriff had proposed to the Inspectors, by way of a frolic, that they would hold a *viva voce* election, and that the bystanders had all agreed—that every body had consented, and they had proceeded to hold it without tickets, would that election be a valid one? Certainly not—yet the Sheriff had as much authority to act in this way, as to open the votes. The Constitution says the election shall be held by ballot, and the Legislature has prescribed the mode, and if it is not conducted as directed, it is the same as though there had been no election. Suppose the Sheriff should hold an election on the day after the law says it shall be held, would it be pretended that this election was regular and valid, because the person elected was the choice of the county? Whenever we depart from a rule, which has been laid down for our guidance, there was no rule at all; we are to act in accordance with established usage, and not depend on our own whims and caprices. The plain truth of the case then is, that the election in Moore county was not held in the manner required by law; first, because the Inspectors were improperly appointed; and second,

because they did not vote by ballot.—Whenever this House shall lay it down as a rule, that a Sheriff who holds an election in this illegal way, shall be justified, it will be undermining the Constitution, and attacking the government in its most vital part. He appealed to experience for the truth of the fact, that there is not one person in an hundred, who is willing that any one should know how he votes. If it was known how every individual voted, it would excite the vindictive feelings of the opposing candidates, to whom in many instances the voters might be indebted, who would shew them, in all probability, that though they did not respect, they should feel them. There are many instances, where persons who have voted against candidates, have been exposed to the most unrelenting persecution on that account. If the Deputy Sheriff opened the tickets, he may be arraigned for it as a criminal—it is a misdemeanor in office, and he may be removed. To open tickets to see how a man votes, is monstrous—it is aiming a blow at the highest privileges we enjoy. When a grand Juror is sworn, he takes an oath to keep secret his fellow's counsel, and why? because by revealing them, he might expose to vindictive prosecutions, those whom he was bound to protect. It was the same principle which induced the framers of our Constitution to insure the provision, that elections should be by ballot.

These were his simple views of the case. It was his misfortune whenever he rose, to occupy too much of the time of the House—but believing that whenever we begin to relax in rules which have been prescribed for our government, we should soon be without rule, he felt it incumbent on him to address the Committee. He felt so far as he was individually concerned, perfectly indifferent as to the result of this investigation. He regretted exceedingly, that he had been under the necessity of addressing the Chair on this subject, but he had been constrained to do it from a sense of duty, confident that a great evil would grow from the precedent established. It was true, if the sitting member was ousted, Moore county would be put to some inconvenience; but it was of much more importance that the law should be enforced, than this inconvenience should be avoided.

THE REV. J. WITHERSPOON, in consequence of the loss of his house in the country, has opened his Private Boarding School in town, where he is prepared to accommodate the number of pupils he proposed to receive under his care.
Hillsborough, Jan. 10. 50 4w

DRAWING
On the 21st day of February, 1827.
Only 7980 Tickets.

North-Carolina Lottery.

FOR THE BENEFIT OF
THE OXFORD ACADEMY,

THIRD CLASS,
To be drawn at Raleigh, on Wednesday, the 21st of February next.

J. B. YATES & A. MCINTYRE, Managers.

SCHEME.		
1 Prize of \$7,000 is	\$7,000	
1	5,000	5,000
1	2,500	2,500
1	1,500	1,500
1	1,320	1,320
1	1,250	1,250
108	40	4,320
108	20	2,160
108	10	1,080
2,754	5	13,770

3,984 Prizes, } 7,980 } \$39,900
4,895 Blanks, } Tickets,

In this Scheme, composed of 21 Numbers by permutation, producing 7,980 Tickets, and with three drawn ballots, there will be six prizes with three of the drawn Numbers on them; 324 with two on; and 2,754 with one only, of the drawn numbers on them.

To determine the prizes, the 21 Nos. from 1 to 21, inclusive, will be placed in a wheel on the day of Drawing, and three of them be drawn out, and that ticket having on it, for its permutation numbers, the three numbers drawn from the wheel, in the order in which drawn, will be entitled to the prize of \$7,000.

And those five other tickets having the same numbers on them in the following orders, shall be entitled to the prizes affixed to them respectively, viz:

The 1st, 3d, and 2d, to	\$5,000
2d, 1st, and 3d, to	2,500
2d, 3d, and 1st, to	1,500
3d, 1st, and 2d, to	1,320
3d, 2d, and 1st, to	1,250

Those 108 tickets, having two of the drawn numbers on them, and those two the first and second in either order, will each be entitled to a prize of \$40

Those 108 tickets having two of the drawn numbers on them, and those two the second and third in either order, will each be entitled to a prize of \$20.

All others with two of the drawn numbers on them, being 108, will each be entitled to a prize of \$10

And those 2,754 tickets, having one only of the drawn numbers on them, will be entitled to a prize of \$5

No ticket which shall have drawn a prize of a superior denomination can be entitled to an inferior prize.

Prizes payable forty days after the drawing, and subject to the usual deduction of fifteen per cent.

Present price of Tickets, \$5, Halves \$3 00, Quarters \$1 50.

Orders, including the cash or prizes as above, post paid, for Tickets or Shares, will receive prompt attention, if addressed to
YATES & MCINTYRE,
Raleigh or Fayetteville, N. C.
Raleigh, Dec. 20th, 1826.

Virginia State Lottery.

Fifth Class—For the benefit of the
Dismal Swamp Canal Co.

Will be drawn
On Wednesday the 7th of Feb. next.

J. B. Yates & A. McIntyre, Managers.

SCHEME.		
1 Prize of \$20,000 is	\$20,000	
1	10,000	10,000
1	4,000	4,000
1	2,000	2,000
1	1,500	1,500
1	1,020	1,020
10	1,000	10,000
20	500	10,000
20	200	4,000
52	100	5,200
52	50	2,600
1,552	10	15,520
10,608	5	53,040

12,120 Prizes, \$136,880

Whole Tickets, \$5
Half do 2 50
Quarter do 1 25

Orders post paid, punctually attended to if addressed to

YATES & MCINTYRE,
RALEIGH OR FAYETTEVILLE, N. C.

Georgia, North and South Carolina Bank Notes received in payment.

Confessionaries.

THE subscriber grateful for past favors hopes by assiduity and attention to merit a continuance of public patronage. He has the pleasure to inform his friends and customers that he has lately received from New-York a large and well-selected supply of articles in the CONFESSONARY line of business which with those on hand makes his assortment very good, consisting in part of

Soft Shelled Almonds	Spanish Liquorice
Prunes & Figs	Fresh Tamarinds
Brazil	Olives, Capers & Anchovies
Pecan	Spermatic Candles
Madeira	Pearl Barley
Filbert and Shell Bark	Prime chewing Tobacco
Cakes, Candies & Cordials of every description	Lorillard's do do
Champagne	do do Cut do
Madeira	Spanish Cigars
Port & Claret	Com'n & Torpedo ditto
Fresh Lime Juice & Lemon Syrup	Goshen Cheese
Sallad Oil	Water & Butter Crackers
N. Y. Pippin Apples	A handsome assortment of Ladies Work Basket
St. Augustine Oranges	Market ditto ass'd. sizes
Dried Citron	Fresh Smoked Beef
Preserved Limes & Ginger	Bologne Sausages
Cologne Water & Pomatum	Cod Fish
Nutmegs & Cassia	New Brew'd Poughkeepsie Ale
	With a great variety of Children's Toys, &c.

The above articles are all perfectly fresh and of the best quality and will be sold low for cash. A liberal discount will be made to persons buying Candies to sell again and furnished at the shortest notice.

HENRY HARDIE,
3 doors below W. & D. Shaw's Store, Fayetteville St.
23 5w1aw

Nashville Male Academy.

THE Trustees of the Nashville Male Academy, take pleasure in informing the public, that they have at length succeeded in employing the Rev. John Armstrong, as Principal in this Institution. This Gentleman produces the most satisfactory testimonials of his pre-eminent qualifications as a Gentleman, a Divine, and a Teacher. He is a graduate of distinction in the Columbian College, D. C. from which, besides his Diploma, he brings the most flattering testimonials of character and acquirements, from the Revd. Doctor Staughton, President of the College, the Revd. O. B. Brown, President of the Board of Trustees, besides the highest recommendations from the Rev. E. Baptist of Virginia, and very many other distinguished names equally satisfactory.

Mr. Armstrong has taught the present year in the Cartersville Academy, Va. Dr. Wharton and Dr. James, of Va. and others, afford the most ample testimonials of his success in Teaching. To all of which the Trustees would superadd, that in an interview with Mr. Armstrong, and an examination of his credentials, and method of Teaching, they are abundantly satisfied and can, with pleasure and confidence, recommend him to the public.

The School will go into operation on the 8th day of January next. The price of Tuition will be \$8 per session for Reading Writing and Arithmetic—\$10 for English Grammar, Geography, History, &c.—\$12 for Latin, Greek, French, Astronomy, Natural and Moral Philosophy, Mathematics, and all the higher branches of Arts and Sciences, to be paid in advance. The Trustees have obtained from Chapel Hill, the System of Studies taught there, and the course of Studies in this Academy will be precisely such as to prepare Students from this School to enter with ease the Freshman, Sophomore, Junior, or even Senior Class of our University.

The Trustees are well aware of the inconveniences that a young man labors under, who enters College, having pursued a course of studies different from that taught in the University, and they are determined to have an eye to it. Board can be had in respectable houses in the Village at \$37 50, per session.

The character of Nashville is so well established for health, that it is deemed unnecessary to say any thing here. There are several never-failing Springs of excellent water near the Academy. The Trustees are convinced that no Academy ever commenced under more favorable auspices. Even if a distinguished Teacher, healthiness of situation, cheapness of terms, and vigilance in the guardians of the school, can recommend it to a generous public, we are assured that this Institution will be very liberally encouraged.

By order of the Board,
H. BLOUNT, Sec'y.
Nashville, Nash C'ty, N. C. } 17-t
Nov. 25, 1826.

Bonds,
Deeds, &c.
For sale at this Office.

Fashionable Hats.

FREDERICK C. ELLIS, at the Fashionable Clothing Store, two doors below the Newbern Bank, on Fayetteville Street, has just received an Assortment of FASHIONABLE BEAVER HATS, warranted of the first quality, which will be disposed of on accommodating terms.
Raleigh, Jan. 1.

Twenty Dollars Reward.

RAN AWAY from the subscriber on the 18th inst. a bright mulatto fellow by the name of BOB, about 28 years of age, 5 feet 8 inches high, stout made, very active, and quick spoken; he is very freckled for a negro; he had on when he went away a white hat, brown pantaloons, drab colored home made coat, and a drab big coat with a large cape; he had also a double-cased Silver Watch, marked Norton, London, No. 324, with D. Scott's watch bill in the case. The above reward will be paid to any person who will take up said fellow and deliver him to the subscriber in Orange county, or to the Jailor of Guilford county—Ten Dollars if secured in any Jail so that I get immediate information.
SEYMORE PURYEAR.
Dec. 27. 26 3t

MAST & SPAR TIMBER.

NAVY COMMISSIONERS' OFFICE,
December 22, 1826.

THE Commissioners of the Navy will receive Sealed Proposals, until the 15th February next, for the supply of the following Mast and Spar Pieces, deliverable at the respective Navy Yards, on or before the 1st of July, 1827, at

New-York.

2 half spindles, 2 fishes, } main-mast.
4 heel pieces, 4 side trees, }
2 fishes, and 3 side trees, for fore-mast,
4 quarter spindles, } for mizen-mast,
1 check, and 1 paunch, }
1 fore and 1 main top-mast,
1 lower half-main yard,
2 main and 1 mizen-top-sail-yards,
2 main, one fore and 1 mizen-top-gallant-mast,
2 jib-booms, 3 flying do. and 1 spanker-boom.
The above for a 74 gun ship.
4 fishes and 6 side trees for main-mast,
3 fishes, 3 half spindles, and three side trees for fore-mast,
1 spindle, 4 cheeks, and 2 paunches for mizen-mast,
2 quarter spindles, and 1 paunch for bowsprit,
1 fore and 2 mizen-top-masts,
1 lower half main-yard,
4 main, 1 fore, and 2 mizen-top-sail-yards,
4 main, 4 fore, and 2 mizen-top-gallant-masts,
4 jib-booms, 4 flying do. and 2 spanker-booms.
The above for a 44 gun ship.

Philadelphia.

1 fore and 1 mizen-top mast,
1 fore-top-gallant-mast,
2 main-yard-pieces,
4 bow-sprit pieces,
1 sprit sail-yard,
3 top-gallant-yards in one piece,
2 spindle-pieces for main mast,
2 fishes, 2 heel pieces for fish,
4 side trees, 4 heel pieces for side trees,
4 cheek pieces, 2 heel pieces for cheek,
2 spindle pieces for foremast, 2 fishes, 1 heel piece,
2 side trees, 2 heel pieces,
All the pieces for the mizen-mast.
The above for a ship of the line.
2 half main cheeks, 2 fore side trees,
2 main side-trees, 1 fore fish,
1 bowsprit piece, 1 heel piece for main-cheek,
1 heel piece for fore cheek, 1 half main-yard,
1 half fore-top-sail-yard, 2 main fishes,
2 main spindle pieces, 1 fore top-gallant-mast,
2 half main-top-sail-yards,
1 mizen-top-sail-yard in one piece,
1 sprit-sail-yard,
1 jib-boom piece, 1 spanker-boom,
The above for a 44 gun ship.

Washington.

2 paunches for bowsprit,
1 spindle, 2 fishes, 2 side trees, } for mainmast
2 cheeks, 2 heel pieces, 1 paunch }
1 spindle, 2 fishes, 2 side-trees, } for foremast
2 cheeks, 2 heel pieces, 1 paunch }
1 spindle, 2 cheeks, 1 paunch, for mizen-mast,
2 fore, 2 main, 2 mizen-topmasts,
2 fore, 3 main, 2 mizen-top-gallant-masts,
1 spritsail, 1 fore, 1 1/2 main yards,
2 fore-top-sail, 3 main-top-sail, 2 mizen-top-sail yards,
3 fore, 3 main, 2 mizen-top-gallant-yards,
1 cross-jack-yard, 2 jib-booms, 3 flying ditto.
1 spanker-boom, 4 lower-studding-sail booms,
1 spindle, 4 side trees, 4 cheeks for a fore or main-mast,
1 bow sprit piece, 1 swinging-boom,
1 main piece for a mizen-mast,
2 spindles, 1 fish, 5 side-trees, and 4 cheeks for two main masts,
1 spindle for mizen-mast,
1 mizen-top-gallant-mast,
The above for a 44 gun-ship,
1 spindle for main-mast,
1 cross jack-yard,
The above for a sloop of war.

Norfolk.

17 side-trees, 2 paunches, 2 cheeks,
1 half main yard, 2 half fore, 3 mizen-top-sail yards,
3 jib-booms,
4 flying jib-booms,
2 spanker-booms,
5 swinging-booms, and 8 top-mast studding-sail-booms.
The above for a 74 gun ship.
The whole of the timber required above, must be got straight, of long leaf, fine grain southern heart yellow pine.
Persons wishing to offer, may obtain schedules of the dimensions, if necessary to regulate their offers on application to the Navy Agent at either

NEW-YORK,
PHILADELPHIA,
BALTIMORE,
NORFOLK,
CHARLESTON, S. C. and
SAVANNAH,

The proposals must be made per cubic foot and must state the names of the sureties.
The timber when delivered, must undergo the inspection and measurement agreeably to the printed rules adopted by the Commissioners, dated September 1st, 1826, as practised at the several Navy Yards.
January 1826. 28-15Feb.

Fresh Garden Seeds.

JUST received, a supply of Garden Seeds, warranted fresh and genuine.
C. D. LEHMAN.
Raleigh, Jan. 15, 1827. 1f

Fashionable and Cheap CLOTHING STORE.

FREDERICK C. ELLIS, & Co.

HAVE the pleasure of informing their friends and the public generally, that they have been induced, from the liberal encouragement they have heretofore received, to establish themselves three doors below the Newbern Bank, on Fayetteville Street, in the City of Raleigh, where they have, and intend to keep on hand, a large and general assortment of Goods in their line of business, made in the latest fashion and superior style of workmanship, consisting of the following articles:

Superfine Blue and Black Dress Coats,
Second quality, do do
Superfine Blue, Claret and Olive Frock Coats,
do Blue and Drab Box Coats,
do Blue Cloth Cloaks,
do Blue, Black and Fancy Colored Pantaloons,
do Blue and Black Cloth Vests.
French, India and English Silk do
Toilet, Valencia and cut Velvet do
A great variety of fancy do
Cotton and Lambswool Drawers,
Lambswool Shirts,
Gentlemen's first quality Woodstock Gloves,
do Black Horsekin do
German and Fancy Cravats,
Webb's patent Suspenders,
Common do
Ives & White's first quality Beaver Hats,
Second quality do
Superfine Blue and Black Cloths.
All of which will be disposed of, wholesale and retail, at reduced prices, for cash.
They will keep in their employment a number of the best workmen that can be obtained from the North, in order that they may promptly execute all orders with which they may be favored, and they pledge themselves, that their work, in durability and elegance, will not be inferior to any.
Nov. 1, 1826. 1f 9

LAFAYETTE HOTEL, FAYETTEVILLE, N. C.

THE Public are respectfully informed, that in consequence of the recent death of Mr. Clement Tracy, the subscriber, who has been employed in the management of the LAFAYETTE HOTEL, has assumed the superintendance of it. This new and spacious building, (which has been purposely erected at great expense for an Hotel,) is now in complete order for the reception and accommodation of TRAVELLERS and BOARDERS. Besides the advantage of a number of rooms with single beds, fire-places and bells, the Hotel contains several handsome DRAWING ROOMS and APARTMENTS, particularly suited for the private accommodation of Travelling Families.
BOARDERS, with or without Lodging, can be accommodated.
The FURNITURE and BEDDING are of the best quality and entirely new, and each bed is supplied with a MOSCOW NET.
BATHING ROOMS are attached to the House, supplied with water from the Hay Mount aqueduct.
The BAR is richly supplied with a variety of the choicest Liquors, recently selected for it in the Northern cities, by an experienced Judge. Large Stables are conveniently placed in the rear.
The subscriber is determined to conduct the House in the most genteel manner, and no efforts shall be spared to render it every way worthy of a continuation of the patronage it has received.
WM. TRACY,
8-law 3m

Oct. 25, 1826.

Stammering Cured.

Mrs. Leigh's & Dr. Yates' Virginia Institution for correcting Impediments of Speech.
THE Rev. THOMAS P. HUNT informs the public that he is qualified to act as Agent for Mrs. Leigh and Dr. Yates, "of the New-York Institution for correcting Impediments of Speech," for the State of Virginia.
He may be found at the Brunswick Mineral Springs, Va. 45 miles south of Petersburg. The stage passes by the Springs twice a day; and excellent accommodations on liberal terms may be obtained there.
Mrs. Leigh's system is founded on rational principles. There is no trick nor quackery in it. No stammerer need fear not being cured; nor a return of his disease. Numerous certificates from the most respectable gentlemen, by whom the system has been explained, and from those who have been cured by it, attest the certainty & permanency of Mrs. Leigh's discovery. These certificates may be seen by any who will apply. But the reputation of the system does not depend on certificates. If any doubt, we can convince them—if any stammerer, we can cure them.—Letters (post paid) directed to Percival's, Brunswick, Va. will receive immediate attention.
Sept. 26—cont.

PETERSBURG, Va. Sept. 28, 1826.

I CERTIFY with much pleasure, that under the tuition of the Rev. THOMAS P. HUNT, of Brunswick County, who is Mrs. LEIGH'S Agent in this State, for curing impediments of Speech, I have been in three days entirely released from a very distressing habit of Stammering contracted upwards of thirty years ago.
If I ever Stammer again, it must unquestionably be my own fault, as I sincerely believe that all persons laboring under that affliction may be permanently relieved by Mrs. Leigh's System. I have yet remaining a slight hesitancy at the pronunciation of some very hard words, but I feel confident of being relieved even from that, in a very few days more.
H. B. GAINES.

WE, whose names are hereunto subscribed, do certify that we have been instructed by the Rev'd. Thomas P. Hunt, of Brunswick County, Va. in Mrs. Leigh's system of correcting impediments of speech, and that we are satisfied of the certainty and efficacy of her rule in affording permanent relief to all stammerers if they will apply her remedy, & it is our own fault if we are not entirely cured by it.
JON. FRENCH, Norfolk, Va.
H. B. GAINES, Petersburg,
A. M. ADOU, ditto,
J. P. KEEN, ditto,
J. B. BURTON, ditto.