NORTH-CAROLINA GAZETTE,

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

Vol. IV.

Friday, February 2, 1827.

No. 335.

THE BEGISTER Is published every Tuesday and Friday, by

JOSEPH GALES & SON,

At Five Dollars per annum-half in advance.

ADVERTISEMENTS

Not exceeding sixteen lines, neatly inserted three same proportion Communications thankfully received ... Letters to the Editors must be postpai.d

IN SENATE. WEDNESDAY, JANUARY 3d, 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.

at first attach to it. The gentleman from affect it, the course for us to pursue. appointed an officer to collect his debts. out remorse. Tyson's house: Tyson must necessarily for upon it depends the proper extracted of

conclusions. ject of the law is that the election should mischief will end.

be conducted fairly. which he deemed an illegal vote. This infraction of the law in the reiculars unin the result of the election, for Tyson re- more serious consequences, and should alceived 26-more than Dowd. Shall we for so meet the frowns of opposition. the omission of a duty of the court or of We are told that for the improper conthe Sheriff, deprive the county of Moore duct of officers in conducting the election, of its representative on this floor? Again; they are liable to heavy fines and penalties. Ino. Worthy opened the ballots contrary Whatever bearing this may have on agents to the provisions of the law. This imper- legally appointed, it must lose its force tinent curiosity to see how is neighbours when applied to persons acting in a sphere were voting, is to deprive the freeholders unknown to the law and not recognized of Moore county of their constitutional by it.

to the decision of the Committee.

from Bladen, that Josiah Tyson had solitimes for a dollar, and 25 cents for every succeed- cited the appointment of John Worthy from intended, with others, to be protected by ing publication; those of greater length in the the Sheriff, and had qualified him for the this most solemn appeal. And sir, if duty office. This was true, but it was eighteen cation was made and the oath administer- are bound by the most sacred ties to vaed by Tyson.

> Mr. Gilchrist remarked, that from the symptoms which prevailed, he perceived the debate was drawing to a close. Before it terminated, he asked the indulgence of the Committee whilst he submitted a

few remarks on this important question. To give the subject under consideration Mr. Spaight of Craven hoped the Com- its due weight, we are to consider all the mittee would pardon him for trespassing consequences that may result from our deat this late period of the discussion upon cision. We are not to look to the flash of their attention. He should not have troub | a day-to the circumstances of the presled the Committee with any remarks, but ent moment only, we are to consider its MAST & SPAR TIMBER for the course which the debate had taken. operation in times to come. We are sent In his opinion the question was a plain here to watch over the true and permanent one, and is easily to be decided. The interests of our constituents; and whatevgiven to it an importance, which he did not highest purity, is, so far as this matter will

bring any accusation of fraud against the should be conducted. Among a variety of before the 1st of July, 1827, at sifting member, Mr. Tyson. This pre- provisions, it enacts that when the county sumption of fraud and corruption, is found- court shall fail to appoint two inspectors. ed upon the circumstance of Jno. Worthy the Sheriff, with the advice of three justi having been appointed a deputy by the ces of peace, and for want of them three Sheriff, at the instance of Josiah Tyson, respectable freeholders, shall make the apand that said Worthy held the election at pointment, and so on. Thereby providing Tyson's house, and opened some of the inspectors for the election in every possitickets there given. It is not stated when ble contingency that might occur. The Worthy was appointed a deputy by the Sheriff of Moore, in the fullness of his Sheriff. That Worthy was appointed a power, disregards this salutary provision, deputy by the Sheriff at the instance of and makes the appointment himself. He Tyson, did not, he thought, in itself prove takes the power into his own hands, sets any thing. Tyson kept a store, and might the law at defiance, and tramples on this without impropriety, wish a neighbor to be valuable institution without fear and with-

This part of the subject had been suffi- He did not view this matter the the ciently explained by the gentleman from gentleman from Greene as a slight vivil-Duplin, (Mr. Miller.) But, sir, suppose tion of the law, and therefore unworth Worthy to have been appointed for the the notice of the Senate. It is of as month sole purpose of holding the election at importance as the right of suffrage itself :

have some interest in the selection of a it. These inspectors have important duperson who was to take possession of part | ties assigned them. They take, in the his of his house for the day. Worthy was an instance, an oath of office. They attend old and respectable man; why not then to the qualification of voters; whether they prefer him without the suspicion of fraud are freeholders, pay taxes, are resident citibeing attached to his conduct? Worthy zens over a certain age, and many other felt some little anxiety to see how the votes points they are to decide, which all must were going, and opened some of the tick- know, who are ocquainted with the bitter ets; and this is fraud and corruption. - contentions that prevail at elections, par-Really, the gentleman from Bladen draws ticularly in times of excitement. They from very slight circumstances important are constituted a tribun. and receive and reject votes at pleasure. To do all this Two grounds of objection to the sitting with understanding, they have a right to member, Mr. Tyson, are taken: first, the call and examine witnesses on oath. They election is not legal, becruse inspectors possess, in short, the attributes of a court were not appointed by the county court, of justice, and their acts are to be returnnor by the advice of three justices of the ed into court under their seals, and made peace or three freeholders. Again: that matters of record. Listly, if their pro the deputy sheriff opened the ballots when ceedings are not agreeable to the rights of by law they ought to be received closed. the rival candidates, an appeal lies to either Gentlemen in these bjections, stick at the branch of the General Assembly. Such is bark without penetrating to the substance; a brief sketch of this institution. The they catch at the show and lose the real- weighty matters confided to it, proclaim its ity. Are the provisions and spirit of the importance. And are we now to consider constitution complied with? The spirit its downtall as a matter of little conseof that instrument is, that each county quence? and recognize the acts of a spushould send a Senator, that the freeholders rious court, unknown to the law and in diof the county should have a voice on this rect violation of its provision? If we do, floor. The freeholders of Moore county our mode of election will be a niere mockhave; by the right given them by the Con- ery. The legal barriers around the inastitution, elected Josiah Tyson; and this lienable right of suffrage are already brok-election is to be set aside, and their voice en down. The evil of bad precedents will disregarded, because a provision of the be felt. A door to fraud will be opened, law has not been complied with. The ob- and time alone can determine where the

It seems to be admitted by gentlemen on How has this election been conducted? the other side, that an election held by a The Sheriff appointed to hold the election | Sheriff pursuant to advertisement on a day at Tyson's house, the place complained of, different from that designated in the act, selected two inspectors, one of whom, should vacate the seat of the returned England, was the decided friend of Dowd, member, though all the other forms were the opposer of Tyson, and voted for him complied with. But if actions are good or with an open ticket, and who says that evil, according to their tendency, and there was but one vote offered and taken therefore to be allowed or prohibited, an vote cannot make the slightest difference der consideration, must be fraught with

privilege to be here represented. If by At the threshhol of our legislative cathis conduct, the voice of Moore county reer, said Mr. G. an oath is administered has not been fairly heard, and fraud and in these words, - "You do solemnly and corruption have determined the election, sincerely swear, that you will be faithful of the dimensions, if necessary to regulate their then set it aside; but do not say that the and bear true allegiance to the State of Sherilf or his deputy may, by looking at a North-Carolina, and to the constitutional vote. destroy the validity of an election. powers and authorities which are or may Such a decision gives to the Sheriff of the be established for the government thereof." county, an opportunity of setting aside any The Sheriff on a certain contingency, is election when he finds his friend is about vested with powers to appoint inspectors to be beaten. Can there be any doubt in the manner already described. He need that if by this course, fraud and corrup- not repeat again the importance of this tion had been practised, that Dowd would tribunal. It is the place where the people not have been able to shew it. He has meet to make their free-will offering. The shewn too much zeal and interest to sup box is the grand reservoir of political powpose otherwise. He hoped the decision of er. Intelligence, integrity and firmness, several Navy Yards. this Committee would be such as to shew are indispensable in the character of the January 1826.

that the constitutional rights and privile-|inspectors. The forms prescribed in this ges of the people are not to be set aside act, are inseparable from the proper exerfor the negligence of the Court, or the cise of the right of suffrage. Conceive warranted fresh and genuine. misconduct of the Sheriff. With these then, if you can, any distinct portion of few remarks, he would leave the subject power in the whole scheme of our political fabric, of more vital interest to the com-Mr. Speight of Greene remarked, that munity than the one under consideration. it had been asserted by the gentleman Surely no one will hesitate to say that this very power delegated to the Sheriff was be any thing more than a word of imposmonths before the election, that the appli- ture, if conscience be not a bug-bear, we cate the seat of the sitting member. It is Soft Shelled Almonds Spanish Liquorice impossible to delude ourselves and evade Prunes & Figs it. And if these considerations will not avail-if the will of the citizens of Moore, in this particular, must be obeyed in contravention to the same will virtually expressed in the Election law, then he will retain his seat contrary to reason, contrary to sound policy, contrary to the most solemn sanctions and obligations, and contrary to an express law of the State.

NAVY COMMISSIONERS' OFFICE,

December 22, 1826. § course which the discussion has taken, has er preserves the elective franchise in its HE Commissioners of the Navy will receive Sealed Proposals, until the 15th February next, for the supply of the Bladen (Mr. M'Kay) has been the first In 1777 the General Assembly passed following Mast and Spar Pieces, deliverawho has taken a part in this discussion to an act declaring in what mode elections ble at the respective Navy Yards, on or

> New-York. 2 half spindles, 2 fishes, 4 heel pieces, 4 side trees, { main-mast.

2 fishes, and 3 side trees, for fore mast, 4 quarter spindles, 1 check, and 1 paunch, for mizen-mast, 1 fore and 1 main top-mas',

I 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 gumship. 4 fishes and 6 side trees for main-mast,

1 spindle, 4 cheeks, and 2 paunches for mizen-

2 quarter spindles, and I paunch for bowsprit, Fishing Creek. I fore and 2 mizen-top-masts, I lower half main-yard. .

4 airin, I fore, and 2 mizen top-sall-yar is. 1 man, 4 fore, and 2 mizen-top gallant-masts, I pp booms, I flying do, and 2 spanker booms,

The above for a 44 gan ship. Philiphile. 1 fore and 1 mizen-top mast, I fore-top-gallant-mas', 2 main-yard pieces, 4 how sprit pieces,

I 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, I heel piece for fore cheek, I half main-yard, Joining Jacob Bates, on Tom's Creek. 1 half fore-top-sail-yard, 2 main fishes, 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 41 gun ship.

Washington.

2 paunches for bowsprit, 1 spindle, 2 fishes, 2 side trees, 2 cheeks, 2 heel pieces, 1 paunch } formainmas' 1 spindle, 2 fishes, 2 side-trees, 2 checks, 2 heel-pieces, 1 paunch } for foremast 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, I fore, 14 main yards, 2 fore-topsail, 3 main-topsail, 2 mizen-topsail

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

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,

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-sai

S jin-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 he got straight, of long leaf, fine grain southern heart vellow pine.

Persons wishing to offer, may obtain schedules 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 tunber when delivered, must undergo the Jackson William aspection and measurement agreeably to the Jones William printed rules adopted by the Commissioners, Kindred Elisha H. dated September 1st, 1826, as practised at the King George

28-t15Feb.

Fresh Garden Seeds. TUST received, a supply of Garden Seeds,

C. D. LEHMAN. Raleigh, Jan. 15, 1827.

Confectionaries.

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 Confec-TIONARY line of business which with those on hand makes his assortment very good, consisting

Fresh Tamarinels Brazil Olives, Capers & Ancho Pecan vies Madeira >Nuts Spermaciti Candles Filbert and Pearl Barley Shell Bark Prime chewing Tobacco Cakes, Candies & Lorrillard's do do Cordials of every des-Spanish Cigars

cription Champaigne Com'n & Torpedo ditte Madeira Goshen Cheese Port & Water & Butter Crack Claret Fresh Lime Juice & A handsome assortment Lemon Syrup

Sallad O 1 N. Y. Pippin Apples Market ditto ass'd. sizes St. Augustine Oranges Fresh Smoked Beef Dried Citron Bologne Sausages Preserved Limes &

Cod Fish Ginger New Brewed Pough Cologne Water & Pokeepsie Ale matum With a great variety of Nutmegs & Cassia

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

HENRY HARDIE, etteville St.

Cut do

of Ladies Work Bas

Children's Toys, &c.

do

kets

23 5w1aw

Notice.

Surry County, the following tracts of Land, or for hearing ex parte. 3 fishes, 3 half spindles, and three side trees for as much thereof as will be sufficient to satisfy the Taxes for the year 1825, with costs, to wit : 1963 acres, given in by the heirs of George Long, adjoining James Marster's land, lying on

297 acres, given in by Asa Burnsides, adjoining the land of Daniel Windsor, lying on Hunting

42 acres, given in by Candis Keeter, adjoining Allen Sish, lying on the Little Mountain. 336 acres, given in by Warren Powell, adjoining Sarah Douthett, lying on Hunting Creek. 120 acres, given in by William Armstrong, adjoining T. Roby, lying on Turner's Creek. 350 acres, given in by Lyon & Keely, adjoin ing Wm. Wolfe, lying on Grassy Creek.

100 acres, given in by Joshua Hendrin, adjoin ing Jesse Sish, lying on the waters of Hunting 437 acres, given in by Jesse Sish, adjoining

Richard Allen, lying on the waters of Hunting 250 acres, not given in, belonging to Nicholas Michal, adjoining David Baity, lying on Turner's

721 acres, given in by Daniel Elder, adjoining Pleasant B. Roberts, lying on Snow Creek. 200 acres, given in by the heirs of Jesse Pritch-

ard, adjoining James Murray's, lying on Beaver-160 acres, given in by Matthew Marshall, ad-

445 acres, given in by Hannah Pickett, adjoin-2 main spindle pieces, 1 fore-top-gallant-mast, ing Elijan Warden, lying on Flat Shoal Creek. 225 acres, given in by Jackson Carter, adjoin-

ing Edward Bingham, lying on the Word's Gap - THO. B. WRIGHT, Shff. Dec. 4, 1826. 21 6w pr. adv \$5

A List of Letters EMAINING in the Post Office at Oxford, or the 31st December, 1826, and if not taker out before the 1st of April, 1827, will be sent to to the General Post Office as dead Letters : Locke John

Arnold Ira E. Anderson Martha Mrs. Littlejohn Jos. B. 2 Bradford John Loyd Zadock Bryant John F. Lindsay Caleb Bowers & Nuttall Morris Matthew Bullock William Mitchell David 3 Bullock Benja. Dr. Mallory Mary G. Miss Blount Joseph Mallory Charles 3 Bullock Erasmus D. McClenahan William Bullock George 2 Montague Young Brintle Jacob McClenehan John Barker John Mangum D. H. Mize Lewis Brummit John Bullock Richard 2 Nuttall Joan 5 Bullock & Norwood Nuttall James & others Blunt Mary R. Miss Norman Thomas W. Bonner Mary Mrs. Peace Margaret S. Burwell Sally T. Miss Parker Mary Mrs. Bowers William G. Parrish Shadrach Carter Jesse Dr. Pettiford Anderson Clerk & Master Equity Paschall Edwin G. Davis Absalom 2 Pretty Littleberry Dickirs Martha Y. Mrs. Powell William Davis Cyrus, Sen. Person Elizabeth Davis Winifred 2 Peede William Eaton Walliam L. Qualls William Farrar Alexr. J. Robards Nathaniel Freeman Evan Ross Peter W. Frazier Howell Roley Sally Frazier Lemuel Sup'r. Court Clerk of Frazier William Freear John Gooch Daniel Govan Andrew R. Graves Ralph W. Green Lewis Col. Hubbell Ransom 3 Henderson William Hutcherson John B. Hunt Thomas T.

Stone Parker F. 2 Pairbank Nancy R. Mrs. Saunders John Shew Edwin Sneed, Stephen K. 4 Smith Grizzy P. Taylor Wm. V. 3 Taylor Joseph Jr. Taylor Lewis Thomasson George Umstead Richard Vincent-Jacob Hunt Edward Washington John Howard Allen Webb James Jones Daniel 2 White Caley Jones Nicholas Washington William Jones Isaac N. Wortham James L. Dr. Jinkins Sarah Webb Samuel Jackson Sarah

White Philip Webb & Dickins 2 Young Smith Yancey Absalom 3

JAMES M. WIGGINS, P. M. Jan. 1. 1827.

Louisburg Male Academy.

THE exercises of this Institution will be resumed on Monday the 23d inst. The char. ges-for tuition will be as follows-for Spelling eading and Writing, \$7 -for the other branch es of English and Arithmetic, Grammar, Geography &c. \$8 --- and \$15 for the Classical and Scientific studies. Tuition money must be paid in advance. A small tax for wood, &c. will be required of each Student at the close of each E. BREWER, Principal. Jan. 15.

Coach Making, Gigs, &c.

THE subscriber having employed one of the best and most experienced workmen, from Newark, N. Jersey, as Superintendant of his Shop, and having laid in a well chose, stock of materials in New-York and Philadelphia, he will furnish those who may want any thing in his line, as low as they can be purchased at any

regular shop north of this. He has on hand a handsome assortment of Carriages, Gigs and Harness, of almost every description; some of which are now finished. the rest in a state of forwardness; all of which will be sold at reduced prices, for cash, or negotiable paper. The work, in every instance, will be handsomely finished, and warranted to be well executed. Orders are solicited.

THO. COBBS. Raleigh, N. C. Inn. 1827

State of North-Carolina, Rutherford County.

In Equity .-- October Term, 1826. Arthur Bronson, Goold Hayt, Jas. B. Murray, Peter A. Jay.

Peter W. Rateliff and Eliza Bill to foreclose Thompson, Executors & Ex- > Mortgage. ecutrix of James Thompson, | Amended. dec'd.

Augustus Sacket Tappearing to the satisfaction of the Court, that the defendant in this case is not an inhabitant of this State : It is ordered by the Court, that publication be made six weeks successively 3 doors below AV. & in the Raleigh Register, that unless he appear at D. Shaw's Store, Fay- the next Court of Equity to be held for Rutherford County, at the Court House in Rutherfordton, on the third Morday after the fourth Monday in March next, then and there to answer N the second Monday in February next, will plead or demur to complainant's bill as amend-be sold at the Court House door in Rockford, ed, the same will be taken pro confesso and set

T. F. BIRCHETT, C. & M. Teste, Dec 12. 1826.

Wagoner Wanted

E wish to hire immed ately, for one year, a sober, industrious and honest Wagoner. For such, the highest wages will be given, by coming rec mmended. PETERS & WATSON. Apply to

Nashville, N. C. Jan. 6. 28 3t

BELL TAVERN.

THE Public are respectfully informed, that the Subscriber has taken that spacious building in the town of Windsor, lately occupied by Mr. James Palmer, as a Tavern. The building has recently undergone a thorough repair, and is now in complete order for the reception of Travellers and Boarders. It contains several rooms with fire-places, suitable for the accommodation of private families travelling.

The beds are principally new and in fine order. The bar is well supplied with choice Liquors. The Stables will be part cularly attended to,

and the Subscriber pledges himself to spare no pains to merit the patronage of the public. JOHN FOLK. Windsor, N. C. Jan. 1, 4826.27 Gw

State of North-Carolina,

Hertford County, Court of Pleas and Quarter Sessions, November Term, 1826.

Thomas Maney ? Original attachment return-John Saunders. Sed levied on land. T appearing to the satisfaction of the Court,

that the Defendant in this case is not a resident of this State. It is therefore ordered by the Court, that publication be made in the Raleigh Register for six weeks, that unless the Defendant appear at the next Court to be held for the County of Hertford, at the Court-touse in Winton, on the fourth Monday of February next and replevy the property so attached or plead, that final judgment will be entered and execution will accordingly issue.

Test L. M. COV PER, Clk. January 1, 1827. 30-pd.

State of North-Carolina, Rockingham County.

Court of Pleas and Quarter Sessions, November Term, 1826. Jane W. Calland,

John Smith, Wm. W. Smith, Reuben Hopkins and James Hopkins, Executors of the last will and testament of Booker Calland, dec'd, and Eliza Calland, Wm. B. Calloway, John M. Calloway and - Smith the Hasband and Administrator of the late Matilda A. Smith, De-

Tappearing to the satisfaction of the Court, that the Defendants in this case, are not inhabitants of this State : it is therefore ordered by the Court that publication be made for 6 weeks in the Raleigh Register, giving notice to the said defendants to appear at the hext Court of Pleas Quarter Sessions to be held for the County of Rockingham, at the Courthouse in Wentworth, on the 4th Monday of February next, and answer, otherwise Judgment and decree will be entered against them. Witness, Ro. Galloway, Clerk of said Court, at Wentworth, the 4th Monday of November, 1826. RO : CALLAWAY, c. c.

State of North-Carolina, Rutherford County. Court of Equity .- October Term 1826.

James Bridges, 7 Injunction

Augustus Sacket I'l appearing to the satisfaction of the Court

that the Defendant in this case is not an inhabitant of this State : It is ordered by the Court, that publication be made six weeks, successively in the Raleigh Register, that unless he appear at the next Court of Equity, to be held for Rutherford county, at the Court House in Rutherfordton on the 3rd Monday after the 4th Monday of March next, and plead, answer or demur, the Complainant's billwill be taken pro coafesso, and set down for hearing ex parte.

T. E. BIRCHETT, C. & M. Dec. 12, 1826.