FOR THE REGISTER.

he Laws of our State on the subject diministering the estates of insolvent ead men are radically defective; and each ew modification of the artificial rules and les on which they are based but involves us in greater difficulty, by the proluction of uncertainty, litigation and injus-That they are not satisfactory to our may be inferred from the constant alterations made by our General Assembly; that the principles yet sacredly prerved by us on this subject, form an unsound basis, would seem to be true from the daily experience of those who are oflected by the operation of such amendments, and the doubt, difficulty and unfairthese exertions to apply them to purpose of justice. It is a subject which merit consideration. Let us review in a plain way, some of the obvious evils under which we labour, and see if there be not a method

The Law is imperative on the Adminis trator or Executor to pay debts owed by a deceased man according to their dignity: an artificial rule by which are excluded from payment entirely, one portion of a man's creditors, and the whole of his effects go to another. The Administrator or Executor, if he disobey this rule, (however inadvertently) must satisfy the postponed creditor out of his own estate, and he is left without the means of coercing a repayment from the creditor thus ignorantly o by mistake preferred. To one unskilled in legal fore it would occur, that this pro terence by the Law of one class of debts over another, is bottomed on some distincfion growing out of the nature of the consideration on which the debt was contracted, and such an one will be surprized to learn, that it is indebted to no such princi ple for its existence; and the legal dignity of a debt which ensures it favor, is borinwed. 1st. from the adjudication of Court, or the official attestation of a Mu sistrate; 2nd. from the signature of a debtor with a scroll like a seal; 3rd. from the ignature of his name only to an acknowedgment of what he owes in the form of a promissory note, and the like artificial rules. Is there any equity in these distinctions? At an early date, our Legislature by statute declared, that thereafter the distinction between a Bond or sealed Note. and a Note not scaled, should be a bolished, and elevated to the same rank with both these, a signed account. The same reason which included this change ought in justice to have wrought others. If there be no equity in preferring a Bond creditor to him whose debt is evidenced by a Bill, Note or signed account, as assuredly there is mone; where is it to be found in the rule we still preserve, to prefer a Judgment to a Boud-a signed account to an unsigned account? They are all roped with the high claims of justice, honesty and fairness. Whence then the reason for adding to the one a superior right in Law to be satisfied? A produces his account for goods sold, which he has required of his dealer to sign -he proves his demand by evidence of the signature. B has loaned his friend money, and he can only prove it by the same respectable witnesses. Is it justice to exclude the latter entirely from payment, and exhaust the whole estate in satisfying the former?-Yet such is the Law of North-Caralina

A has loaned his neighbor a sum of monev, and to evidence his claim he procures him to acknowledge it before a Magistrate, who attests, by adding to his signature J. P. B who has conferred the same favor, is less rigorous, and is content to take a Note as evidence of his claim, attested by the same person. The former creditor, can in conscience, have no higher right to satisfaction than the latter; yet by the laws of one State, these magical letters, J. P. have invested the debt of A with a dignity which sets it above B's, and the creditor's offects must be applied exclusively to A. if there be not enough for both. These, and thousand similar unjust consequences, reweek in the year. Such rank injustice, strikes the mind with a force which asks end. no arbunient to aid it. And it is marvellous, that we have submitted to its opera tion so patiently.

rule, that equality is equity. If a man in surrender of his effects and obtain his discreditors who, after due advertisement present their demands, are allowed to share in the fund. There are no distinctions known, by which, to bestow all on one, and exclude entirely the others; yet if this insolvent had died, in which event the Law would assume by its appointee the Administrator, a like controll over his effects, the rule is different. Indeed, the inconprudent man sacrifices much of his pretension to such a character, if he will now undertake to administer a large estate, ow-inglarger debts, (always provided he means to deal fairly, since I will shew hereafter most circumspection, a perfect acquaintance with the law for his conduct, will not exempt him from great hazard of loss -nay, I may say, from certain loss, in a open at all seasons of the year, and the rich ver, by the name of Gordon, who had pur-

erally owes much in judgments, some be-Lord Justices, others in the Courts of coupties where he does not reside, perhaps adwill see in this new effort, an additional baggage, to the Mississippi. The men pledge of our earnestness to draw closer were handcuffed and chained together in ly examinations had. Letters of enquiry prompts

and to give judgments by confession, enoug to cover the assets, in order that he mabe enabled to defend himself against the suits of those who have claims of yet an inferior order, (such as the nurse or sician, who have day and night ministere to the sick man who is now dead, and who they were careless enough thus to serv without taking his Note beforehand. When he has thus honestly applied all assets, a judgment creditor, armed with the powers of a high legal dignity, demands

from his own estate a satisfaction. Those, who have by this honest mistake been preferred, are not by law obliged to give up the hold they have acquired, and the hunest Administrator suffers, not for actual neglect-not because he had omitted to learn the rules of his office-but because it is impossible, fairly to follow them and be secure. Many honest men have been ruined by such and similar consequences, resulting from the danger of being an honest Administrator upon the estate of an

And when our law books assign as a reaon for these distinctions, that the law must favor the vigilant, with all proper respect, for that which is termed the "perfection of reason," it seems almost ridicu-

Must a physician who attends your sickbed, obtrude himself as a creditor to de mand your signature to his account in your last moments, or have his fair claims for remuneration postponed, upon the plea, that his omission to do so was a mark of indolence? Must the client who entrusts his ettorney with notes to collect for him, to secure the protection of the law, demand in stead, the bond of his Agent? Will you call the merchant careless, who, when he consigus to his factor a cargo to sell. does not take a judgment as security? Nay more, is the law in this respect consistent with itself ? The Sheriff, who is the sole Agent of the Law to collect your money due upon a judgment, gives the indemnity for his faithfulness in the shape of a less dignified security, to-wit, a bond only .-Other like cases might be adduced for illustration. - These are enough for proof of what is stated.

I need only appeal to the experience of such as have strived honestly to administer the estates of those who had died insolvent, and committed such a trust to them. How mony have escaped without loss, and have not these losses resulted from this artificial distinction in the dignity of debts? Many (for they could not injure) a political opan honest man's estate has paid tribute to this unjust difference. Let us remove the evil,-abolish this unequal law and act upon the higher principle, that with debts in our country, it shall be, as we boast it is with men, "all who are honest are equal in dignity." However, on account of the difficulties which grow out of any system which may restrain a man whilst living, to prefer one creditor over another, we might hundred dollars to be appended to it !be deterred from such an experiment, yet when he has died and the Law, by its agent, assumes the control of his estate, it does appear to me, that Justice requires a rate- States, or its branches, sends his order it able distribution of it among all creditors who are honestly so. I will pursue the L. N. W. subject further.

# THE ROANOKE COMMERCE.

Norfolk, Sept. 2.

We feel almost chargeable with neglect of an important duty, towards our neighbors of North Carolina, as well as our own citizens, in not having before noticed the laudable efforts of the Virginia and North-Carolina Transporting Company, to supply a manifest desideratum in our commercial operations with the Roanoke country, through the Dismal Swamp Canal. It will be recollected, that the Newbern, Halifax and other N. C. papers, represented that the Steam Boat Petersburg drew too much water to admit of her navigating the upper Roanoke, during the dry season; and that it was in lispensable to the success of that valuable intercourse, that a Boat of lighter draught of water should be placed on that river, without delay, to co-operate with her. Faithful to the important interest confided to them, the Transportation Company some time since contracted with Mes. sult from sech artificial distinctions, each Ryan & Gayle, of this place, for a Steam Bust well adapted in every respect to that Her dimensions to be 80 feet keel. 17 1-2 feet beam, and to draw only 30 inches water, and to be elegantly fitted for the accommodation of passengers. This But this rate cannot be supported by any boat, which is now rapidly progressing a nlea of necessity or convenience. In other the yard of Messrs. Ryan & Gayle, will, similar cases, our Legislature adopt the we are assured, be a first rate vessel of her kind-her engine, now constructing in his life time become insolvent, and make a Baltimore, is of 25 horse power, on the high pressure principle, and will enable charge from arrest, the effects thus surren- her to tow 2 or 3 of the Transportation dered; are placed in the hands of commis- Boats at a time, and from her light draught sioners appointed by the Court, and all of water, to navigate the Roanoke at all seasons. So soon as she shall take her place in the line, the communication will be complete. Cooperating with the Petersburg, which will ply regularly between Elizabeth City and one of the proximate or Jamestown) she will meet her at the appointed place and continue the run to Weldon. These arrangements being completvenience of this rule is very great. A ed, and no time will be lost in their accomplishment, no impediment will exist to the fruition of the great advantages which first prompted this enterprise, destined as we hope and believe, in a few years, to restore to Norfolk its former importance in the that he who disregards the mode of pro- scale of commerce, and eventually to give curing wealth, so that he gets it, is a great her that high rank among the cities of the gainer by these technicalities,) for the ut- Union, to which her ample capital-her

Without any knowledge of their existence, the relations of business and friendly in- the usual manner for driving those poor the Alministrator proceeds promptly to tercourse, and that it will beget a correst wretches, white the women and children to the women and children

erring assurances.

STATEMENT OF FACTS.

ect for the rights of others following statement of nes to us through the Post Office : uth (N. H.) Commercial dvertiser of the 27th, it appears William Pickering, Esq. of Concord, has been ap pointed Agent for the payment of Pens ers in New-Hampshire, with a salary perannum. The effect of this appointment ment every wegro was found perfectly would be, in the first place, to reward Mr. William Pickering, who, it seems, is an gave Petit a violent flow on the head, and eleventh-hour Jackson man; 2d. To trans- laid him dead at his feet; and Allen, who fer to a bank in Concord, of which the cele- had come to his assistance, met a simil brated Isaac Hill, now third comptroller, late, from the contents of a pistol fired by is President, and a large stockholder, the another of the gang. Gordon was then government deposits for the payment of attacked, seized and held by one of the pensioners. These two important objects negroes, whilst another fixed twice at him gained, mattered not how much the pen- with a pistol, the ball of which each time sioners were inconvenienced, or that a new grazed his head but, did not prove effectual, office with a salary of \$500 was created, he was beaten with clubs and left for dead. when the United States Bank are compell. They then commenced pillaging the waged by their charter, to pay the pensioners on, and with an axe split open the trunk without any charge or risk to the govern- of Gordon, rifled it of the money, about

with the order of the Secretary of War to the Branch Bank at Portsmouth, to pay over to him the pension funds. He was informed the fact would be communicated to the Parent Bank, and its instructions obeyed. The Parent Bank submitted the question to their Council at Philadelphia, who decided that the Department of War had no such power over the Bank; that a law of March 13, 1816, provides that the Bank of the United States and its several branches, and such State Bank as the Bank of the United States may employ in those States where no Branch Bank shall be established, shall do the duties of Commissioners of Loans and Agents of Military Pensions, and that the pay and emoluments of the said Commissioners, &c. should cease and determine.

This attempt to create a new office, in defiance of the law has been successfully resisted in Portsmouth, and Mr. William Pickering must be rewarded somewhere

it demonstrates, with sufficient distinctness, "rewards and punishments" are sought to Administration. The object in view seems to have been threefold : 1st. To annoy ponent, and most distinguished man, Mr. Jer. Mason, of New-Hampshire who, as President of the Branch Bank at Portsmouth, is charged with the duties of loan officer, and that of paying pensions, without any expense to the government. 2dly. To provide for a partizan ; and to that end. a new office was, by order of the Secretary out of what fund we know not; and the Secretary of War, who has no official communication with the Bank of the United would seem for the transfer of certain public moneys. 3dly. To help the Bank of a rewarded partizan Editor, by taking the public moneys from the U. S. Bank, where they are without risk, and placing them in be safe ! 'And, in seeking to do this, econ-States, the safety of the public funds, and the convenience of the pensioners, are alike set at mught : Yet are they all "honorable men !"-N. Y. Amer.

## TRIAL OF JASPER ELLIS.

Richmond, August S1. On Saturday last, came on the trial of Jasper Ellis, a man of color, charged with a design of promoting an Insurrection of the slaves. (If found guilty, the accused would have incurred the punishment of death.) Mr. Mayo, appeared as Attorney of the Commonwealth, and Mr. Robert G. Scott for the Prisoner.

The witnesses who were examined on behalf of the Commonwealth, were Mr. Geo. D. Atkinson-and Gabriel Willis, a man of color. Mr. Atkinson related a conversation he heard on the 1st inst. at Shockoe Warehouse, between the accused and Gabriel Willis-in which Ellis spoke of an expected rising of the blacks in the country on that night, the slender defence which the uniform companies could make in the city, and his determination to join in the plan. Mr. A. observed, that Gabriel appeared to him, although he heard him very indistinctly, to object to Jasper Ellis' proposition; that he did not see the accused when he uttered the words, but was familiar with his voice, and would know it any where.

Gabriel Willis narrated the conversation which had taken place between Ellis and himself : in the course of which, Ellis told him that the Black people had risen-Gabrief replied, he should then be getting out of the wav-and Jasper then remarked. ports to the mouth of the river, (Prymouth "You are not a man of spirit"-and G. briel replied. " No. I am not, and never was." The Coursel on both sides agreed to re-

fer the question to the Court without argument-The Court acquitted the prisoner. There seems to be a doubt with some whether the remarks of Jasper Ellis to Willis, were not in a jocular, quizzing vein.]

### Compiler. AFFRAY AND MURDER.

Portsmouth, Ohio, Jug. 22 qualled rolle-stead and capacious harbor; place, on the 14th instant. A negro dri- of that city. products of an extensive and fertile back chased in Maryland, about 60 negroes, in-An intestate who is thus involved, gen- country pouring into her lap, point as un- cluding all sexes and ages, was taking ountry pouring into her lap, point as uncluding all sexes and ages, was taking them, assisted by an associate named Al.

We trust that our friends of Carolina len, and the wagoner who conveyed the

brance. It appears that by means of a file, the negroes unabserved, had succeedin separating the irons which bound their hands, in such a way as to be able to throw them off at any moment. About lies of those who may accompany them. hile proceeding 8 o'clock in the mornil Greenup to on the state roud lead Vanceburg, two of them dropped their strickles and commenced wagoner, Petit, rushed in fight, when the with h to compel them to desist. At at liberty; and one of them, seized a club, \$2,400, six een of the negroes then took Mr. Pickering accordingly appeared to the woods. Gordon, in the mean time, not being materially injured, was enabled by the assistance of one of the women, to mount his horse and flee : pursued however, by one of the gang on another horse, with a drawn pistol Fortunately he escaped with his life, barely arriving at a plantation as the negro came in sight; who then turned about and retreated. The neighborhood was immediately rallied, and a hot pursuit given-which we understand has resulted in the capture of the whole gang, and the recovery of the greater part of the money. Seven of the negro men and one woman, it is said, were engaged in the murders, and will be brought to trial at the next court in Greenupsburg. . Times.

### ANECDOTES.

From the New-England Palladium.

Basil Hall .- Captain Hall found one individual in the United States who read him, and treated his annoying curiosity Assuming this statement to be accurate, in the manner which it merited, and which it seems Captain Hall himself inthe blind and unscrupulous spirit in which directly commends. As the anecdote Norfolk, Va. and that he ranaway from the side has never been published we will give it, be administered by the present reforming at the same time expressing a hope that it will find a place, with suitable comments, in the American edition of Captain Hall's Travels.

Pavier, who was very busy in laying curb stones on one of the side walks leading to the Capitol at Washington. The Pavier looking up at the enquirer, and deriving an unfavorable impression as to his character from the first glance at his features, deliberately determined to quiz him, instead of making a civil and satisfactory reply. What stones are these? repeatof War, to be created, and a salary of nine ed Captain Hall impatiently. They are such stones, returned the Pavier, as we use for curb stones. Where do you get the stones ' said the Captain. At Captain Folsom's, was the reply. Who is Captain Folsom? Captain Folsom is the cantractor for furnishing stone. Where, said the Captain, in utter despair, does Captain Folsom get the stones? Here the fellow, with a sly look of triumph, gravely replied, that's Captain Folsom's look out, not mine.

While we are upon this subject, we will relate another anecdote of Captaiu Basil the Concord Bank, where they might not | Hall, which will show the estimate which the very respectable representative of omy, the rights of the Bank of the United Great Britain, in the United States, Mr. Vaughan, puts upon Captain Hall.

> At the Columbia Institute Dinner, Captain Hall sat near the President Mr. Adams, Mr. Vaughan, and Col. Knapp. Captain Hall stated, in the course of conversation, that he had learned from good authority, that there were 1,200,000 paupers in the United States. Mr. Adams expressed his disbelief of the statement, and Captain Hall repeated that he had learned the fact from authority on which he implicitly relied.—
> Mr. Adams appealed to Colonel Knapp for his
> views on the subject, as he had been on a committee of the Massachusetts Legislature appointed to investigate the subject of pauperism.-Colonel Knapp, after giving his views, asked Captain Hall what he understood by paupers.— The Captain replied, that he understood by the term those members of the community who were unable to pay their debts. Then, replied Colonel Knapp, the King and Royal family of England have been paupers for a century. Mr. Vaughan pinched his countryman, and, in a whisper, begged him not to make a fool of lumself by nazarding another remark.

### JOSEPH GALES & SON, Have just Received-

Fravels in North America, in the years 1827 and 1828, by Capt. Basil Hall, of the Hoyal Navy, The English in France, by the author of the English in Italy, 2 vols.

FOR SALE,

O'M moderate terms, a neat Pannel Double GIG and HARNESS, also an excellent Family HORSE, accustomed to any kind of Harness. For terms, apply at this Office.

DEPARTMENT OF STATE. Washington, 25th August, 1829. THE Proprietors of all newspapers now taken by this Department, are requested to discontinue sending the same after the first day of October next-and to render their accounts to that date. And notice is hereby given that no paper will be paid for after that time, except such as may be specially subscribed for, subsequent

WM. COVENTRY II. WADDELL, Sept. 2 .- 31

## MEDICAL.

HAVE been induced to resume the Practice of Physic in consequence of a connexion in business formed with Dr. Hamilton Taylor, a talented Physician from Oxford; who has pursued a long course of severe and systematic study there under his brother Dr. Wm. V. Tayposition among the States, her proximity A most shocking outrage was committed tor of Medicine at Philadelphia, after two years and easy success to the ocean—her une- in Kentucky, about eight miles from this attendance in the Medical Schools and Hospitals

This connexion, an ample library, convenient offices, the moderate expense of living here

MISS E. GEDDY is prepared to a e eight Members of the approach Legislature with Board, together with the application is requested. GENCY.

BOARDING.

THE subscriber offers his services for the co Jection of claims against the United Su or individuals. His knowledge of the mann conducting business at the public offices, and quaintance with the citizens generally, great facilities for the speedy settlement counts. Satisfactory reference will be and charges moderate.

B. HOMANS Georgetown, D. C. Sept. 1, 1829.

North-Carolina Christian Alman For Sale. Price 5, 41, 4, 31 cents, as the order may h

for 50, 100, 200, or upwards. P. W. DOWD or Apply to TH. P. HUVE Raleigh, Sept. 3, 1829.

NOTICE.

N the 22d flay of September next, will Sold to the highest b diler, at the late bad ling House of John Davis, dec. several valuable Negro Slaves, all the stock of lio ses, Can Hogs and Sheep, Corn, Fodder, Oats, House hold and Kitchen Furniture, Plantation Tools every description, Waggon & Geer, Blacksman Tools, and other articles too tedious to mention A credit of six months will be given ; Bond

and undoubted security required. The Sale will continue from day to day until all are sold. JOHN LIGON, Admr.

Wake county, 18th August, 1829. 100 3w

Further Notice.

THE Subscriber having qualified at Augus Court 1829, as Administrator of the Estat of the late John Davis, requests all persons in ciebted to make immediate payment, and those having claims against the Estate to bring then torward authenticated as the law directs, or this notice will be plead in bar of their reco-

JOHN LIGON, Admr. Wake county, 18th Aug. 1829

## NOTICE

TAS taken up and committed to the Jail of this county, on the 2d of March last, negro man supposed to be a Slave, who calls himself SAMUEL WILKINS, and says that he Mosely before his term of apprenticeship hader pired. The said negro has been in this coun 5 or 6 years, and has passed during that time; a free man; he is about 24 years of age, 5 feet. or 5 inches high, and coal black. The owner What stones are these? said Captain Hall to property and pay charges, or he will be deal Pavier, who was very busy in laying curb with as the law directs.

JAMES PALMER, Jailor. Windsor, Bertie county, June 9. Price adv. \$7.

### NOTICE.

RS. SARAH GLENDENNING, late of Gran ville county, formerly resident in Raleigi has lately died intestate. Many of her next of his reside at a distance from this place, and I do hereby notify all persons concerned, that at the expiration of two years from the 1st May, 1829, as prescribed by law, I shall be ready and willing to settle the said Estate. - The Administra tion of said Estate having been committed tome by the County Court of Granville County in May

I will attend to all communications (post puid) which may be addressed to me at Raleigh, N.C. PARKER RAND, Adm'r. Wake county, 21st May, 1829.

## State of North-Carolina,

Meckleoburg County. Superior Court of Law-May Term, 1829. Marion Tanner, ) Petition for Divorce.

John Tanner. RDERED by court, that publication be made for three months successively, in the Raleigh Register, and Western Carolinian, that the defendam be and appear at our next Superior Court of Law to be held for the county of Mecklenburg, at the Court House in Charlotte, on the 6th Monday after the 4th Monday in Septemb next, and plead or answer to the plantiff's peu-

tion, or the same will be heard ex parte. Witness, Samuel Henderson, Clerk of our said court, at Office, the 7th Monday after the 4th in March 1829.

SAMUEL HENDERSON, C. S. C.

## State of North-Carolina.

Bertie County. Court of Pleas and Quarter Sessions,

August Term, 1829. Elijah Ravner, Adm'r. &c. v. Blount B. Ruffin Original attachment returned "John Ruffin T appearing to the satisfaction of the Court

I that the defendant Blaunt B. Huffin reside Registerfor three months that unless the sa Blount B. Ruffin make his personal appearance at our next Court of Pleas and Quarter Session to be held for the County of Bertie at the Coun house in Windsor, on the second Monday November next, and replevy, final judgment will be taken ag inst him. By order of Court.

E. A. RHODES, Clk. MANAGERS' OFFICE,

AUGUST 1st, 1829 Virginia State Lottery,

FOR THE BENEFIF OF THE Dismal Swamp Canal Company.

21st Class. To be drawn at Richm and, on Wednesday, 16 September, 1829. 60 No. Lottery-9 Drawn Ballots.

on Tion Tables 1 1 - 2 The state of		
SCHEME.		
1 Prize of	\$10,000 is	\$10,000
	5,000	5,000
	2,500	2,500
1	1,995	1,995
20	1,000	20,000
20	500	10,000
40	100	4,000
51	60	3,060
<b>351</b>	50	2,550
102	30	3,060
102	20	2,040
530	10	-15,500
475	5	57,375

\$136,880 Whole Tickets S5, Halves 2 50, Qual ters 1 25.

Send your orders (past paid) to LATES & M'INTYRE, Lichmond