

OPINIONS OF THE PRESS.

From the Richmond Whig. SENATOR HAYWOOD'S ADDRESS. We lose no time in laying before our readers the triumphant vindication both of the motives and of the conduct of Senator Haywood, which have been so unjustly and so wantonly impugned, in reference to a measure which he characterizes, with equal point and historical truth, as the "EXPERIMENTAL TARIFF" of the present Administration.

That part of Mr. Haywood's Address which we publish this morning, demonstrates, beyond all question, that the enactment of the Tariff of 1846, so far from being in accordance with the principles to which the party in power were pledged to the country by the result of the election of 1844, is in direct conflict with all their previous promises and declarations on the subject—and that, if they were pledged to any particular scheme, it was to McKay's bill of 1844, which differs essentially both in principle and in detail from the law just passed.

Perhaps, however, the most important position established in the first part of Mr. Haywood's Address—and it is established beyond all controversy—is the direct antagonism of Mr. Polk's (or rather we should say of "Sir" Robert Walker's) new Tariff with the principles and opinions uniformly avowed by every Republican President and Secretary of the Treasury, by every Republican Congress, and by every Party, except the Nullifiers, since the adoption of the Federal Constitution.

But our limited space admonishes us to forbear further remark. Indeed, no comment upon the lucid Address of Senator Haywood, and especially upon this branch of it, which he fortifies impregably as he proceeds, is necessary. We, for one, are willing to go before the people of Virginia and of the South upon the issue so clearly stated by Mr. Haywood. We will not say that we have rather been wrong with Washington, and Jefferson, Madison and Monroe, and with the great and pure men by whom they were aided in the administration of the government, than right with Polk, Walker and their advisers; but we may safely say, when we find ourselves sustained by the old Fathers, even though we be thrown into conflict with the apostates from their creed and practice, who nevertheless claim to be in the direct line of succession and the only authorized interpreters of their doctrines, that we stand upon the old Republican platform.

We occupy a large portion of our space to-day, in giving place to Ex-Senator Haywood's Address to the people (of the "Democratic party") of North Carolina, setting forth his reasons for resigning his seat in the Senate of the United States. Appended to the Address, as published in the Washington Union, are voluminous extracts from various high authorities, quoted by Mr. H., to sustain his views of the Tariff, which we are compelled to omit. Mr. Haywood takes the true ground on the tariff, and argues the point as a patriot and statesman should; the more the pity that he should have lacked the firmness and independence necessary to maintain his dignified attitude in the hour of trial; for while we give full credit to his declaration, that his conscience revolved at voting for the obnoxious evil, we hold him bound to have voted against it. He owed it to his conscience, (which admits no compromise,) his duty to his country, and his independence as a Senator, to oppose the bill, which conscience and patriotism had condemned. Neutrality in his case, was a mere attempt to compromise with his conscience and duty. Perhaps a more powerful agent might be named—his party. But such attempts to "dodge

the question" are always unfortunate. His party have just cause to be offended with him, because he kept his opposition to the bill a secret from them until the last moment. They will never be reconciled to him again, notwithstanding he has honored them with exclusive attention in his Address. How much higher would he now stand in his own estimation, and in that of all honorable and independent minds, if he had early proclaimed that he could not vote for, but would vote against the bill, in the shape in which it passed. In so doing, he would have compromised no principle or dogma of his party. He was not instructed; and he knew, that to vote against the bill, would have been in accordance with the most recent demonstration of public sentiment that had been given in his own State. Thus, then, he stands politically:—denounced by his own party for being too independent; and hopeless of the countenance of the Whigs for not being independent enough.

MR. HAYWOOD'S ADDRESS. We commence to-day the publication of Mr. Haywood's Address to the People of North Carolina. The peculiar position in which Mr. H. has placed himself towards his party, and the bitter denunciations which have been heaped upon him by the Locooco Press, because he resigned his seat in the Senate of the United States rather than swallow the bitter pill which his party had prepared for him, by voting for what he terms "The Experimental Tariff bill," will no doubt cause this Address to be read with interest—if for nothing else, to gratify the curiosity which has been excited to know upon what grounds Mr. H. would base his vindication of the course he pursued. We have no wish to interfere between Mr. H. and his party, but, with the Baltimore Patriot, we will say, "that with every disposition to look favorably upon the course of Mr. Haywood, and acquitting him, at once, of all improper motives, we think he fell short of his duty in abandoning his place in the Senate, under the circumstances. The example is an evil one, and if allowed to pass into a precedent, would lead to serious and disorganizing results. His reasons for determining to vote against the bill are conclusive, according to the theory of the Constitution which he holds, and we contend that it was his duty to have retained his seat in the Senate and cast his vote against it. In not doing this, for fear of an "open rupture" with his party friends, he fell far short, as we believe, of his duty, and has exposed himself to just censure. We say this, because we would not have it inferred from our silence, that such an abandonment, in a great crisis, of a high office, the duties of which are to be as fearlessly as conscientiously discharged, can be, in our judgment, justified or excused. That Mr. Haywood has been badly treated by his party friends, is very manifest from his address; and, with the remark that, we should have liked it much better, if there had been a more independent and less deprecating spirit running through it, we direct the attention of our readers to it."

DIRECT TAXES—THE TARIFF. The Washington correspondent of the New York Commercial Advertiser states that Senator Lewis of Alabama, who is still in Washington, waiting for cool weather before he ventures to the South, makes no secret of his anxiety about the continued expense of the Mexican war, and the danger of a resort to direct taxation at the next session. That this will be the result, unless the tariff be materially modified, we do not doubt. And, by the way, the correspondent of the N. Y. Herald says that this is to be done. He writes: "I am glad to be able to inform you that the most obnoxious features of the new Tariff—the those especially affecting injuriously the coal and iron interest—will be essentially modified at the next session of Congress. This you may consider a settled thing. Mr. Secretary Walker is favorable to it, and most of the Southern men have promised cheerfully to acquiesce in the change." If this be true, it shows that the "architects of ruin" are already alarmed at the probable effect of their own "great" measure. Our impression is, however, that declarations of this sort are to be deceptively thrown out, like the Kane letter and the speeches of Buchanan and Dallas, again to deceive the people of Pennsylvania, on the eve as they are of an important election. Will they consent again to be bamboozled?—Richmond Whig.

MURDER AND ROBBERY. A most diabolical and brutal murder was committed in Leaksville, Rockingham County, N. C. on Tuesday night last, upon the body of a young man named Lewis, a clerk in Mr. BULLARD'S Store. The young man, as we learn, returned from the country (whether he had been to see a sick relation,) about 11 o'clock Tuesday night. And having undressed himself for bed, when about to lay down, a noise without the window attracted his attention—he was going to it to see the cause of alarm, he was shot down by some one outside the window—receiving the contents of the gun in his face and head, which must have caused instantaneous death. The Store was then entered and the cash drawer rifled of its contents, amount about \$10. The prime object of the murderer seems to have been to enter the safe that contained some 3 or \$4,000—but it seems he did not succeed in entering it, the key to which, it appears the clerk had in one of his pockets. It may be thought that the report of the gun excited surprise in the town, but it did not, inasmuch as a grog shop stood hard-by, where it was common to fire off guns at any time in the night. Three or four men have been arrested on suspicion, the circumstantial evidence against one of whom, we learn, tends to convict him.—This man (whose name we disremember) is represented to have loaded his gun with slugs early that evening, and the next morning the gun was found empty, and the slugs lodged in the head of young Lewis, whose dead body was not observed by any one but the murderer or murderers, until Wednesday morning. This man cannot account for the empty gun, although we believe it is in evidence that he was seen after twilight bearing a fowling-piece. The wretch that did the bloody deed is an incarnate devil who should be ferreted out and hung as high as Haman. Milton Chronicle.

SOMETHING FOR OLD BACHELORS.—"The three most beautiful words in the English language are Mother, Home and Heaven." The above we cut from an exchange paper. A young married man at our elbow, says that all the beauty and happiness connected with the above three words, are associated with the single word WIFE.

NORTH CAROLINA. The elections that have just taken place in this good old State, are cheering to the friends of the Whig cause. A canvass, warm, animated and highly excited, has wound up in the complete and overwhelming triumph of a Whig Governor and a Whig Legislature. This is absolutely almost unkind in the people of North Carolina. Theirs was one of the first elections after the full development of the democratic policy by the government; hers was the first responsive voice in answer to the fiddle-faddle of the Congress that has just adjourned. We repeat it, there was a seeming cruelty in this whiggish hard-heartedness of her citizens. Here is a Southern State, for whose especial interest the democracy have pretendedly labored through seven long months of legislative toil, spurning all the proffered benefits of her friends and rebuking their time-serving policy in a voice that will not be misunderstood. It is pretended that the wild and reckless legislation of Congress has had in view the promotion of Southern policy, and that the interests of this section are identified with the success of the democratic party. Old North Carolina can be imposed upon by no such stuff. Her people, cool and self-collected amid the angry excitements of the day, have looked steadily on the progress of the measures of the dominant party, and in the exercise of a decisive and dispassionate judgment have condemned them one and all.

In North Carolina, Gov. GRAHAM, the Whig candidate, is re-elected by a very largely increased majority of the popular vote, while both branches of the legislature are of the same political faith, insuring the election this fall of two Whig Senators to the Congress of the United States. This is indeed a proud and glorious triumph—McKay, the father of the new-fangled Tariff, was a representative from that State. We should like to know how this poor sort of party feels under this withering rebuke! But what cares he! His masters at Washington bid him do the deed, and his constituents at home may help themselves. They have helped themselves nobly.—The trick was tried and a daring effort made to bamboozle and mislead them. The cry was raised that the State was betrayed, and maledictions loud and deep were heaped upon the head of one of her distinguished sons, for refusing to aid in the immolation of his country, but all to no purpose; the people had looked with fearful anxiety at the conduct of their rulers, and seeing at their doors the intended ruin, rose as a strong man armed, and resisted the enemy. "Tis enough—Georgia may not follow to the extent this glorious example of her Southern sister, but she has thousands of sons now preparing to make the effort in the fall elections. The country everywhere is waking up to the dangers that surround it. Here in our own beloved State the popular bosom is heaving with deep and intense anxiety, indicating a restless and fearful insecurity, and foreboding the certain defeat of every craven wretch that has deserted his country at the behest and bidding of party. The signs are every where propitious, the forces are rallying to the field, and the first Monday in October, if every man does his duty, will be as proud a day in Georgia as the Whig party has ever witnessed. Columbus (Geo.) Enquirer.

JUSTICE TO THE OLD NORTH STATE. From the Albany American Citizen. THE OLD NORTH STATE.—The Whig gain in thirty-two counties in North Carolina is 2,142 over the last Presidential election. Mr. Graham the present excellent Whig Governor, will be re-elected by nearly double his former majority. Yet he is no demagogue; no time-server; he never bawled for the whole of Oregon, nor advised the Whigs in Congress to advocate a war with England about a worthless strip of land on the Pacific. No! The Whigs of North Carolina are made of different stuff. They never bowed the knee to Baal, and never will. Consequently, they enjoy the confidence of honest men—consequently they are successful. They are not noted for State printers, State barbers, or small potato aspirants for the Presidency. Their leaders are men of profound talents and lofty characters. Such Statesmen, for instance, as Gaston, Badger, Dudley, Morehead, Mangum, and Graham. The Old North State may be poor, but she is honest. Her sons have never been corrupted by regencies at her capital, of either party. They are in many respects a primitive people, and we doubt much whether they are any the worse for it. At any rate, they are a reliable people. The Whigs of that State have always done their duty when called upon by their brethren of the Union. They gave the vote of the State for Harrison in 1840, and to Clay in 1844; and they stand ready to give it to any sound Whig statesman in 1848. Prosperity and health to the Whigs of North Carolina!

"THE OLD NORTH STATE FOREVER." The cheering news from honest old North Carolina, the most steadfast and conservative of all the Southern States, cannot fail to gladden the heart of every Whig in the Union. This election is, in many respects, important. It was to be determined whether the people of North Carolina were willing to acquiesce in the pernicious policy which the dominant party was prosecuting at Washington. It is too usual at ordinary State elections, unattended with the interest and excitement of the Presidential canvass, for the Whigs at least to give way to inactive apathy, and to permit their adversaries to gain an uncontested victory. But the Whigs of North Carolina have shown a vigor and spirit, and they have roused themselves to exertion, and have uttered a potent rebuke to the rulers that misgovern the country. They have spoken out, at a period of general political quiet, in determined condemnation of the measures which the Congress just expired has adopted.—Rich. Comp.

A friend writes us from Lumberton, that on the 12th inst., Mr. James Flowers, a very respectable, worthy, honest citizen, was brutally murdered by the hand of a worthless wretch, in the name of Jack (alias) John Shepard, who is now in jail, to await his trial. A Coroner's inquest was held over the body yesterday morning. After examining the witness, the jury returned their verdict, that the deceased James Flowers came to his death by a wound inflicted in the breast, by the hand of Jack (alias) John Shepard.—North Carolinian.

The Washington Union laments over the defeat of the "two million appropriation bill," but exults in the triumph of many of the destructive measures recommended by the President. "New-fangled while Rome was burning." Boston Journal. HE HAS HIS REWARD!—The Portsmouth Journal, announcing the appointment of Henry Hubbard, of New Hampshire, as Receiver of the public moneys at Boston, reminds its readers that Mr. Hubbard nominated James K. Polk at the Baltimore Convention, and this is the quid pro quo.

LATE AND IMPORTANT FROM MEXICO. Revolution in favor of Santa Anna—Santa Anna gone to Mexico—Reinforcement of the Army of the North. By the ship Adelaide, Capt. Adams, which arrived at New York, on Thursday evening from Havana, advices from Vera Cruz to July 31st, brought by the Steamer Dee, which arrived at Havana on the 7th inst., were received. The city of Vera Cruz, including the garrison of the Castle of San Juan d'Ulloa, has pronounced against the government of Paredes, and in favor of Santa Anna. This movement is made in concurrence with the revolution in the Department of Jalisco, (announced by former arrivals,) which, so far from being put down, has gained strength and consistency with every passing hour. A government force under General Alvaro, which was sent to suppress it, was cut to pieces, and the General killed. Two battalions of troops had left the Mexican capital for the North, prior to the 25th ult., and Paredes was intending to follow speedily, with the remainder of the army of reserve. The pronouncement at Vera Cruz and the arrival of Santa Anna, who must have reached that port about the 14th inst., probably prevented Paredes' departure, or induced his immediate return, and perhaps also the recall of the two battalions above mentioned. The prospect now is, that the Mexicans, for some time to come, will have a plenty to do in fighting each other, without bestowing any attention upon the American invaders.

Correspondence of the Richmond (Va.) Republican. SHROOD SPRINGS, N. C., Aug. 17, 1846. GENTLEMEN: To one who has all summer been "cribbed, cabin'd, and confined" within the narrow limits and heated walls of a populous city, like our Richmond, a change of air, of scene, &c., is most delightful, and the effect almost transporting. It has been my lot to pass a few days at this most charming and agreeable watering place, kept by Mr. Calvert, the enterprising and accomplished proprietor. He seems now to be answering the end of his creation—to be executing the design Providence had in view when he breathed the breath of life into his nostrils; and the owner and the owned seem to have been made for each other. So much for the proprietor; and now something of his arrangements.—The Springs are located about nine miles from the town of Warrenton, which latter place lies within three miles of Warrenton Depot, on the Raleigh and Gaston Rail Road. The arrangements are in every way well adapted to the accommodation of the visitors, being capable of containing 500 persons with ease and comfort, and having a long and beautiful row of snow white cabins, centered with a most spacious and elegant ball room, in the rear of which is the dining room, capable of seating from 300 to 400, fronted by a rich grove of luxuriant oaks, affording a delightful shade. The spring is admirably arranged, at a distance of about 200 yards from the hotel, which is, of course, frequented at all hours of the day by the visitors, who seem to drink the water (at first nauseous) with great gusto. It resembles, in smell and taste, the White Sulphur water of Old Virginia, and possesses, in a great degree, medicinal qualities almost identical with the Greenbrier Sulphur Water. 'Tis reached by a retired and shady walk, the Spring house being provided with seats all around, and situated in the lap of a quiet and secluded vale.

The band is excellent, and brings forcibly to my mind that of Ruffin—himself unexceeded.—When I say that Frank Johnston is its leader, the tale is told. There are now about 200 to 250 visitors, and hourly arrivals. To-morrow evening, a ball which has been expected some time, comes off, and a glorious time seems to be in anticipation. Little or no dancing has been done to day—the ladies reserving themselves for the morrow, and occupying their time in giving an air of grace to the grass—inserting their hoops and laying their traps. Expect to be verand gone to be caught in one I now see preparing—it certainly looks inviting. INCOG.

DAVIDSON COLLEGE COMMENCEMENT. The Seventh Annual Commencement of this Institution came to a close on Thursday last, 13th of August; surpassing in brilliancy and interest any thing of the kind we have ever had the pleasure of witnessing. The exercises commenced on Sunday preceding, with the delivery of the Valedictory Sermon, by the Rev. Samuel Williamson, President of the College, a production disclosing the fruits of a mastery and well cultivated mind. Exercise was resumed on Monday morning and continued until Tuesday evening with the examination of the Sophomore and Junior Classes. On Wednesday, during the forenoon and afternoon also, Valedictory Addresses were heard from the two Literary Societies, Euzemene and Philanthropic; and at candle-light speeches were heard from the representatives of the same. Thursday was Commencement Day. At an early hour, under the escort of a fine band of music, a procession was formed of the Students, Faculty and Alumni of the Institution, and proceeding to the Chapel, the meeting was opened with prayer by the Rev. George Howe, D. D.; after which the following order of exercises commenced from the members of the Graduating Class, viz: 1. W. J. Cooper, subject, Latin Valedictory, South Carolina. 2. P. J. Penick, Philosophical Oration, Va. 3. E. C. Alexander, Knowledge and its Influence, North Carolina. 4. A. J. McKnight, Spirit of Conquest, S. C. 5. William McNeill, Powers of Mind, N. C. 6. J. W. McRae, Free Institutions, Moral Course, N. C. 7. L. Z. Williamson, Duelling, S. C. 8. W. B. Henderson, Ideality, S. C. 9. W. H. Singletary, Henry VIII, S. C. 10. J. A. Williamson, Instability of Government, North Carolina. 11. J. L. Gaitner, Valedictory, N. C. After the degrees were conferred, the President proceeded to the delivery of his Baccalaureate Address to the members of the Graduating Class. The Annual Oration was delivered by Dr. Howe, of Columbia, S. C., whose noble bearing and portly demeanor, seemed to grasp the mind of his audience and carry them away in one effulgent blaze. A SPECTATOR. Mill Grove, N. C.

One Mr. Noyes is lecturing on courtship and marriage in Massachusetts! A very appropriate name he has for his business; for courtships are frequently ended by no, and marriage is the sure consequence of yes.

STATE OF NORTH CAROLINA. CHATHAM COUNTY—Court of Equity. Spring Term, 1846. Edwin P. Snipes, vs. William S. Snipes and others. Original Bill. It appearing to the satisfaction of the Court that Britton Snipes, Elizabeth Wilkinson, and the Heirs of Anne Sniford, are non residents of this State; it is therefore ordered by the Court, that publication be made in the Raleigh Register for six weeks, notifying the said Defendants to appear at the next Term of this Court, on the 2d Monday in September next, and plead answer or demur to the Plaintiff's Bill, otherwise judgment pro confesso will be entered against them. Witness, Joseph Ramsey, Clerk and Master of said Court at Office, the 3d Monday in March, 1846. J. OS. RAMSEY, C. M. E. Pr. Adv. \$5 62 1/2. 67—6w

State of North Carolina.—Buxcomb County. Superior Court of Law—Spring Term, 1846. Jason Walker, vs. Mary Ann Walker. Petition for Divorc. Upon the return of the Sheriff, that the Defendant cannot be found, and proclamation having been made at the door of the Court-house by the Sheriff under the order of the Court, for the defendant to appear and answer as commanded by the subpoena. Therefore, ordered by the Court, that publication be made in the Highland Messenger, at Asheville, and the Raleigh Register, at Raleigh, for three months, requiring of the Defendant to be and appear at the next Term of this Court to be held at the Court-house at Asheville, on the 2d Monday after the 4th Monday of September next, or that judgment will be taken pro confesso and the petition heard. Witness, J. H. Coleman, Clerk of said Court at Office, the 2d Monday after the 4th Monday of March, 1846. J. H. COLEMAN, Clk. June 5th. [Prs. fee \$6] 49—3m

District Court of the United States, for the District of North Carolina.—In Bankruptcy.—Notice is hereby given, that I shall proceed to sell, for Cash, at the Court House door, in Smithfield, on Tuesday, the 29th of September, 1846, at 2 o'clock, P. M., the following Lots or parcels of Land, lying in Smithfield, and known in the plan of said Town, as Numbers 85, 86, 87, 105, 106, and 107, and surrendered in Bankruptcy, December 18th, 1842, by Dr. H. C. EXTERS. Also, at the same time and place, such interest as A. W. Stevens, a Bankrupt, has in a suit now pending in the Superior Court of Johnston County, the Heirs of John Stevens, against the Minor Heirs of David Thompson, deceased, for Land. D. McPHERSON, Gen. Assignee, In Bankruptcy, for Johnston County. Smithfield, August 18, 1846. 67—3wip

NEW LAW BOOK FOR NORTH CAROLINA. CIVIL PRACTICE in the Court of Pleas and Quarter Sessions of North Carolina, in Ordinary Cases.—This Work on the Civil Practice of the State in the Court of Pleas and Quarter Sessions, is believed to be in every respect, worthy of the consideration of the Public. It comprises a variety of matter, greatly condensed and arranged; and is supported by nearly one Thousand choice and English and American Authorities. No person should be without this manual of Practice, who wishes to become acquainted with the common proceedings in our Civil Courts.—And the price of Four Dollars, at which the work is sold, puts it in the power of every one to purchase a volume. The above Work has just been received by H. D. TURNER, at the N. C. Book Store. Raleigh, August 18, 1846. 67—

Notice. CLERK AND MASTER'S OFFICE, Raleigh, Aug. 8, 1846. Charles Manly, vs. James J. B. White, and wife Rebecca. In Equity. The Plaintiff's Bill in the above entitled cause states in substance: That the Plaintiff, Charles Manly, has by purchase, become the owner in part and tenant in common, with the Defendants, James J. B. White and wife, of a certain Lot situate in Raleigh, and known and designated in the plan of said City, as Lot number Six. That the said Lot was formerly the property of Robert Williams, upon whose death, it passed to his five children, Lewis Williams, Lewis Williams, Rebecca married to James J. B. White, and Melinda married to Joseph L. Williams; and that the Plaintiff has purchased for a valuable consideration the shares of the said Lawrence, Lewis, and Jos. L. Williams and wife, and that the Defendants who are entitled to the remaining share, are residents of Mississippi. And the scope and prayer of the Bill, for certain reasons therein set forth, is for the sale of said Lot, that the proceeds of such sale may be divided between the parties entitled. And the Plaintiff having this day filed his said Bill in the Office of our said Court of Equity, and supported the same by his affidavit in writing, I, Perrin Busbee, Clerk and Master of said Court, do, at the desire of the Plaintiff, and according to the Act of Assembly in such case made, by this advertisement to be six weeks inserted in the Raleigh Register, hereby notify the said James J. B. White and his wife Rebecca, as well as all other persons non-resident of the State of North Carolina, who may have or claim any interest in the premises, to appear before the Judge of our said Court of Equity to be held at the Court House in Raleigh on the first Monday after the fourth Monday of September next, and to plead answer or demur to said Bill, otherwise, the same will be taken as confessed by them respectively and heard ex parte. Witness, the said P. Busbee, Clerk and Master in Equity for Wake, at Office in Raleigh. PERRIN BUSBEE, C. M. E. August 8, 1846. 65—6w

Sale of the Portsmouth and ROANOKE RAIL ROAD, BY PUBLIC AUCTION. The Stockholders of the Portsmouth and Roanoke Rail Road Company, having at a special meeting, convened in the Town of Portsmouth on the 10th day of April last, given their assent to a sale of the said Rail Road, according to the provisions of the Act directing the Board of Public Works to sell the Portsmouth and Roanoke Rail Road, and incorporating the Portsmouth and Roanoke Rail Road, by the name of the Seaboard and Portsmouth Rail Road, passed February 27th, 1846, a copy of which is hereto subjoined.—Public Notice is hereby given to all whom it may concern, that the President and Directors of the Board of Public Works will by their agent, proceed on FRIDAY, the 4th day of SEPTEMBER NEXT, at 12 o'clock, before the Court House of Norfolk county, in the Town of Portsmouth, to sell by public auction, on the terms, limitations, and provisions set forth in said act, "all the estate, property, and effects of every nature and kind whatsoever, and wheresoever situated or being, embraced by the mortgage, as created by the Portsmouth and Roanoke Rail Road Company, to the President and Directors of the Board of Public Works," particularly specified in the said act. Such title only will be conveyed to the purchaser as the Commonwealth has to the said road, property, &c. By order of the President and Directors of the Board of Public Works: J. BROWN, Jr., 3d Auditor. MEMO.—The portion of this road which lies in North Carolina is claimed adversely to the mortgages of the Board of Public Works by persons who pro-

posed to hold it under the laws of North Carolina. It is to be understood that the title to such portion is to be adjudicated according to the laws and by the Courts of that State, and must be taken at the purchaser's own hazard. J. B. Jr., 2d Aud. 2d Auditor's Office, July 30, 1846.

The following is a copy of the act referred to in the foregoing notice:— CHAF. 118.—An Act directing the Board of public works to sell the Portsmouth and Roanoke Rail Road, and incorporating the purchasers thereof by the name of the Seaboard and Portsmouth Rail Road. [Passed February 27, 1846.] 1. Be it enacted, That so soon as the Stockholders of the Portsmouth and Roanoke Rail Road Company, or a majority thereof, in any general meeting, or special meeting convened for such purpose, shall give their assent to a sale of the Portsmouth and Roanoke Rail Road, under the mortgages, and on the terms and conditions hereinafter set forth, the President and Directors of the Board of Public Works shall sell all the estate, property and effects, of every nature and kind whatsoever, and wheresoever situated or being, embraced by the mortgages created by the Portsmouth and Roanoke Rail Road Company to the President and Directors of the Board of public works aforesaid; the first dated the fourth day of May, eighteen hundred and thirty-eight, recorded in the clerk's office of Norfolk county court, and the second dated the fourteenth day of October, eighteen hundred and thirty-nine, recorded in the county court of Halifax, in the State of North Carolina, together with all the franchises, rights, privileges and immunities, belonging or appertaining to the Portsmouth and Roanoke Rail Road Company, as well in Virginia as in North Carolina, upon the following terms: the sale to be at public auction, before the Court-house of Norfolk county, in the town of Portsmouth, after six weeks notice of the time and place by advertisement in some newspaper published in this State, and the directors of the Board of Public Works may select the purchaser to give bonds with approved security to the President and Directors of the Board of Public Works, for the proceeds, payable in six equal annual instalments. The purchaser ipso facto by the purchase, shall become a body politic and corporate, by the name and style of "The Seaboard and Roanoke Rail Road Company," and shall hold, use, enjoy and employ the Road and all the other property and effects of every nature and kind, as aforesaid, of the said Portsmouth and Roanoke Rail Road Company, with all the franchises, rights, privileges and immunities granted and conferred in and under the said mortgages, and by the laws of the State of North Carolina, in as ample a manner as the Legislature of this State can transfer them, subject in all respects, and in every thing, to all the duties, regulations and penalties required, prescribed and enjoyed by any law or laws now in force respecting the present Company, and subject to the provisions of the act of the General Assembly, entitled "an act prescribing certain general regulations for the incorporation of Rail Road Companies," passed March eleven, eighteen hundred and thirty-seven. The said sale to be subject to all mortgages and deeds of trust executed by the Portsmouth and Roanoke Rail Road Company, and the claims of any other creditors legally entitled to priority over the mortgages aforesaid to the President and Directors of the Board of Public Works aforesaid.

2. That the net proceeds of said sale shall be applied, under the direction of the Superior Court of Chancery for the Richmond circuit, in the suit now pending in said Court between Francis E. Rives and the Board of Public Works and others, according to the legal priorities of the claims of the Board of Public Works under the said mortgages, and thirty-eight, eighteen hundred and thirty-eight, and the fourth, eighteen hundred and thirty-eight, and the fifth, and the claims of any other creditors of the Portsmouth and Roanoke Rail Road Company, who shall in said suit establish their right to a priority over the said claim of the Board of Public Works. And if any suit or suits in Chancery be now pending, or shall be hereafter brought in any of the other circuit Superior Courts of Law and Chancery, or in any of the County Courts of this Commonwealth, against the Portsmouth and Roanoke Rail Road Company, in which the President and Directors of the Board of Public Works are or may be a necessary party, the same shall be transferred by the Court in which such suit may be pending, to the Superior Court of Chancery for the Richmond Circuit, to be there proceeded to and decided: Provided however, That any party in any such suit or suits, who may think himself or themselves aggrieved by any decree of said Court, shall be entitled to apply for, and if proper, to obtain a supersedeas from the Court of appeals to such decree, precisely as in any other case decided by the said Circuit Superior Court of Chancery for the Richmond circuit.

3. The corporate existence of the Portsmouth and Roanoke Rail Road Company, notwithstanding any sale that may be made under this act, shall be continued so far as it may be necessary in its name to conduct, or to institute and carry on any suit or suits, to its or their final completion and satisfaction.

4. Be it further enacted, That the sale of said Road shall be made by the Board of Public Works in all respects, (not hereinbefore provided for, as provided in the general law passed the eighteenth day of March, eighteen hundred and forty-one; and the said Board shall bid for the road such price as they shall think the value thereof.

5. Be it further enacted, That if at the sale of said Portsmouth and Roanoke Rail Road, or at any time thereafter, the State of North Carolina, or any Company incorporated in said State for purposes of internal improvement, shall become the owner, either directly or by agent or otherwise, of the said Portsmouth and Roanoke Rail Road, hereby authorized to be sold, or of the said Seaboard and Roanoke Rail Road, the General Assembly of Virginia hereby reserves the right, by special act of Legislature or otherwise, to revoke all the powers, privileges and immunities to be conveyed by the sale of said Road, and to declare the same null and void.