

RALEIGH REGISTER,

AND NORTH-CAROLINA STATE GAZETTE.

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

Vol. I.

Friday, February 20, 1824.

No 28.

THE REGISTER

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ADVERTISEMENTS

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in the same proportion.... COMMUNICATIONS
thanking received.... LETTERS to the Editors
must be post-paid.

IN SENATE OF THE UNITED STATES.

JANUARY 29th, 1823.

The following amendment to the
Constitution of the United States, being
under consideration—

"No person, having been twice elected
President of the United States, shall again be
eligible to that office."

Mr. DICKERSON observed, that the amend-
ment now proposed, he had the honor to offer
to the Senate, near the close of the last
session, in connection with another pro-
posed amendment, as it respected the choice
of Electors of President and Vice-President
of the United States. It has been deemed
more correct to separate these propositions,
that each may be discussed on its own merits.
At the last session, the amendment
now under consideration underwent some
discussion, and appeared to meet with no op-
position, from any quarter, although, for want
of time, no decision was had upon it. And
the committee of seven, to which it was late-
ly submitted, were unanimously in favor of
its adoption. It must appear strange, that
the principle of this amendment was not ad-
opted in the original Constitution. That it
was not, is owing to circumstances which
it would be difficult, and perhaps not very im-
portant, to explain.

In the Federal Convention, there was prob-
ably no question of more intrinsic difficulty,
than that of giving to the Chief Executive,
that exact degree of power which the interest
and safety of the country might require,
without infringing upon the rigid principles
of republican government. On this subject,
the opinions of gentlemen were at opposite
points. Some were for an Executive during
good behaviour, or for life, with extensive
powers, that would have made our govern-
ment an elective monarchy. Others were
for restricting his powers, according to the
maxims of Roman jealousy. The course ad-
opted was an intermediate one.

No adequate limitation being fixed, as to
the time or extent of the authority of the Su-
preme Executive, the natural tendency of
our system is to increase and perpetuate pow-
er, in that branch of our government. That
this result has not been practically felt, is not
to be attributed to our Constitution, but to
the virtues of the illustrious statesmen who
have presided over the councils of this nation.
We should always be fearful of introducing
new principles into our Constitution; but
there is nothing new in the amendment now
proposed. It is as old, at least as the Con-
stitution itself. Mr. Randolph, of Virginia,
in the Convention, proposed, that no person
should be elected President of the United
States a second time. The term of service
therein contemplated, was seven years. This
proposition was adopted—eight states voting
for it, one against it, and one divided. The
proposition of Mr. Patterson, of New-Jersey,
contained a similar provision.

On the 6th of August, 1787, a Committee
of the Convention reported a draft of a Con-
stitution, containing this provision. This
draft was re-committed, and, in a month af-
terwards, reported as an amended draft; but
this important provision, for some mysterious
cause, had disappeared—and is no more to
be found in the journals of the Convention.

A proposition had been submitted by a
Delegate from New-York, that must have
created a great sensation in the Convention.
It was, that the Senate and Chief Executive
should be elected to serve during good behav-
ior, that is, for life. The Chief Execu-
tive to be vested with extensive powers—so
as to make him an elective monarch. It is to
be presumed that this plan met with but little
countenance in the Convention, but the Dele-
gate from New-York would not have made
his proposition, without an assurance of some
support. It probably served to defeat the
views of those who were anxious to limit the
term of service of the Chief Executive.
The plan adopted avoided both extremes—
leaving one party to hope that, by some fu-
ture amendment, the principle they advo-
cated might be adopted. The other to hope
that our system of government, from its nat-
ural tendency, would in time become in sub-
stance, if not in form, an elective monarchy.

On the ratification of the constitution by
the States, several of them proposed amend-
ments. Virginia proposed that no person
should be capable of serving as President of
the United States, more than eight years in
sixteen. North-Carolina proposed the same.
New-York proposed that no person should be
eligible a third time as President of the U.
States; which is precisely what is now pro-
posed.

The illustrious example of Washington,
Jefferson, and Madison, of retiring to the
walks of private life, after filling, for eight
years, the most important office within the
gift of the people, has acquired, in some de-
gree, the force of law; and this is strengthened
by the weight of public opinion. But

On the 17th July, 1787, on a motion to
strike out the words seven years, (the term
of service proposed for the Chief Executive)
and insert during good behaviour, it was de-
cided in the negative: New-Jersey, Pennsyl-
vania, Delaware, and Virginia, voting in favor
of it; and Massachusetts, Connecticut, Mar-
yland, North and South-Carolina, and Geor-
gia against it.—Journals of Convention, p. 185.

neither example, nor public opinion, can re-
strain ambition, when combined with power.
They are not law but may point out most
distinctly what the law should be. And they
do, in the most impressive manner, admonish
us, while the danger is yet remote, to adopt
the proposed amendment, as a permanent
part of our constitution.

In many of the States, their Executives can
serve but for limited periods. And this re-
gulation has been found sound in principle
and safe in practice. The State Executives,
thus limited, possess but little power; yet the
President of the United States, with his im-
mense patronage, is not restrained by this
salutary limitation. In some parts of our con-
stitution, we may see traces of the jealous
maxims of the ancient Republics; but in the
election and power of our Chief Magistrate,
where the application of such maxims was
most wanted, we perceive nothing of the kind.

A candidate for the Presidency must be a
native citizen, or a citizen at the adoption of
the Constitution; must be thirty-five years
old, and a resident within the United States
fourteen years previously to the election.
No further considerations are required.

A General at the head of our armies, may
be a candidate for the Presidency, and no
doubt will be so, at some future period, when
our army, from its numbers, shall be danger-
ous to our liberties.

In Rome, during the time of the republic,
two consuls were elected, each a check upon
the other. They were chosen for a single
year. No one could be elected before the
age of forty-two. But a law, to which Rome
was indebted for ages for her liberty, was
this, that no one could sue for the consul-
ship unless personally present, and in a pri-
vate capacity.

Pompey suffered a law to pass, by which
Julius Cæsar was permitted to sue for the
consulship while absent, and at the head of a
victorious and powerful army, and Cicero
lent the aid of his eloquence in favor of this
measure. Pompey soon discovered his error,
and endeavored to counteract the effects
of his rashness. Cicero was too late. He was
overwhelmed by the liberties of Rome for
ever lost.

This period of the Roman history furnishes
us with the most instructive lessons, and
none more so than the profound dissimulation
of Octavianus Cæsar, in his insidious and suc-
cessful march to monarchy. When he had
subdued all his enemies, and had under his
command an army that could instantly crush
any resistance to his power, he professed a
willingness to relinquish his authority, and
restore the ancient republic; and the honest
Agrippa, to whom he was more indebted for
success than to any other man, advised him
to do so. But he listened with more com-
placency to the advice of his friend Macæ-
nas, who persuaded him that he ought to
consult the advantage of the country, rather
than his own repose, and that he could not
lay down his power with safety to the coun-
try or to himself.

In the Senate, he absolutely offered to re-
sign his authority, modestly alleging that
to govern such an empire was a task to which
the gods alone were equal.—The Senate, as
he knew they would do, besought him not
to relinquish the administration. He yielded
to their solicitation, and consented to be con-
sidered as prince of the Senate for ten years,
and to administer the affairs of the govern-
ment with them for that period, by which
time it was presumed, peace and prosperity
would be restored to the commonwealth;
and this ridiculous farce of relinquishing his
power was acted over and over, at the expira-
tion of every ten years, during his long
reign, and he was persuaded to retain his au-
thority by Senators who held their lives and
fortunes at his will and pleasure. Even
the detested and gloomy tyrant Tiberius
made a show of resigning his power, but the
Senate intreated him in the most humble
manner to accept the administration of the
government, and not to reject a task to which
he alone was equal. Tiberius, overcome by
the importunities of all around him, yielded
to their entreaties, and condescended to take
on him the labor of the government, purely
to satisfy their wishes and not his own; ad-
ding, that he would keep it only till they
should think fit to give repose to his age.—
He was then 56 years old. He soon found
an infamous retreat in the Island of Capræ;
but he never resigned his power but with his
breath. Modern history would furnish us
with lessons equally impressive, were it ne-
cessary to cite them.

Although there seems to be no opposition
to this resolution, yet, by some, it may be
thought unnecessary, that the principle it
contains is so firmly established, as not to need
the aid of a constitutional provision. The il-
lustrous example of Washington, Jefferson,
and Madison, has acquired the moral, but not
the absolute force of law—a force that will
yield to the first pressure of ambition and pow-
er. Our Presidents have retired from power
after holding their important offices for eight
years. Their characters afford the most posi-
tive assurance that in this they were govern-
ed by patriotic motives—motives which
would have produced the same determina-
tions at much earlier periods of their lives
under similar circumstances. It is, however,
a fact, that no one of them has retired before
the age of 64 or 65. Ambition it is hoped
begins to subside at this period, and the ap-
proach of the infirmities of old age, admonish
us to retire from the bustle and care of pub-
lic life. But suppose a young, ardent, ambi-
tious man, to be elected President at the
age of 36—his eight years would expire at
the age of 44—precisely at that period of life
when he could be most useful to his country
and to his friends—would he willingly fol-
low the example of our illustrious chief Mag-
istrates? If he did, it would probably be by re-
tiring, not at the expiration of 8 years, ser-
vice, but on his reaching the age of 65 years.
He would be easily persuaded by his friends,
that the good of his country absolutely re-
quired that he should remain in office, and
he possessed talents to make the most of his

patronage and power, he would secure his
re-election as often as he should think prop-
er. And this rule once broken, although
consecrated by the example of Washington,
Jefferson, and Madison, would never after
have the least effect.

Original Letter from Doct. Samuel Johnson.

(Not published in his Works.)

MARCH 17, 1752, O. S.

DEAR SIR,—Notwithstanding the
warnings of philosophers, and the daily
examples of losses and misfortunes,
which life forces upon us, such is the
absorption of our thoughts in the busi-
ness of the present day—such the re-
signation of our reason to empty hopes
of future felicity, or such our unwill-
ingness to foresee what we dread, that
every calamity comes suddenly upon us,
and not only presses as a burden,
but crushes as a blow.

There are evils which happen out of
the common course of nature, against
which it is no reproach not to be pro-
vided. A flash of lightning intercepts
the traveller on his way. The con-
cussion of an earthquake heaps the ru-
in of cities upon their inhabitants. But
other miseries time brings, though sil-
ently, yet visibly forward, by its own
lapse, which approaches unseemly, be-
cause we turn our eyes away, and they
seize us unresisted, because we would
not arm ourselves against them, by set-
ting them before us.

That it is in vain to shrink from what
cannot be avoided, and to hide that
from ourselves which must sometimes
be found, is a truth which we all
know, but which all neglect, and per-
haps none more than the speculative
reasoner, whose thoughts are always
from home, whose eye wanders over
life, whose fancy dances after meteors
of happiness kindled by itself, and who
examines every thing rather than his
own state.

Nothing is more evident, than that
the decays of age must terminate in
death. Yet there is no man (says Tully)
who does not believe that he may
yet live another year, and there is none
who does not upon the same principle,
hope another year for his parent or his
friend; but the fallacy will be in time
detected; the last year, the last day
will come: it has come and is past—
"The life which made my own life pleas-
ant, is at an end, and the gates of
death are shut upon my prospects."

The loss of a friend, on whom the
heart was fixed, and to whom every wish
and endeavour tended, is a state of deso-
lation in which the mind looks abroad
impatient of itself, and finds nothing
but emptiness and horror.—The blame-
less life, the artless tenderness, the na-
tive simplicity, the modest resignation,
the patient sickness and the quiet
death are remembered only to add val-
ue to the loss—to aggravate regret for
what cannot be amended—to deepen
sorrow for what cannot be recall-
ed.

These are the calamities by which
Providence gradually disengages us from
the love of life. Other evils fortitude
may repel, or hope may mitigate; but
irreparable privation leaves nothing to
exercise resolution, or flatter expecta-
tion. The dead cannot return, and
nothing is left us but languish and grief.
Yet such is the course of nature, that
whoever lives long must outlive those
whom he loves and honors.—Such is the
condition of our present existence, that
life must one time lose its associations,
and every inhabitant of the earth must
walk downward to the grave alone and
unregarded, without any partner of his
joy or grief, without any interested wit-
ness of his misfortunes or success.—
Misfortunes indeed he may yet feel,
for where is the bottom of the misery of
man! but what is success to him who
has none to enjoy it? Happiness is not
found in self contemplation; it is per-
ceived only when it is reflected from
another.

We know little of the state of de-
parted souls, because such knowledge is
not necessary to a good life. Reason
deserts us at the brink of the grave,
and gives no farther intelligence. Re-
velation is not wholly silent. "There
is joy among the angels in heaven over
one sinner that repenteth." And surely
the joy is not incommunicable to souls
disentangled from the body, and made
like angels.

Let hope, therefore, dictate what re-
velation does not confute—that the
union of souls may still remain; and
that we, who are struggling with sin,
sorrow, and infirmities, may have our
part in the attention and kindness of
those who have finished their course,
and are now receiving their reward.

These are the great occasions which
force the mind to take refuge in relig-
ion. When we have no help in our-
selves, what can remain but that we
look up to a higher and greater power?
And to what hope may we not raise our
eyes and hearts, when we consider that
the GREATEST POWER IS THE BEST?

Surely there is no man who, thus af-
flicted, does not seek succor in the gos-
pel, which has brought life and immor-
tality to the light! The precepts of
Epicurus, which teach us to endure
what the laws of the universe make ne-
cessary, may silence, but not content us.
The dictates of Zeno, who com-
mands us to look with indifference on
abstract things, may dispose us to con-
ceal our sorrow, but cannot assuage it.
Real alleviation of the loss of friends,
and rational tranquility in the pros-
pect of our own dissolution, can be re-
ceived only from the promise of him in
whose hands are life and death, and
from the assurances of another and bet-
ter state, in which all tears will be wip-
ed from our eyes, and the whole soul
shall be filled with joy. Philosophy
may enforce stubbornness, but religion
only can give patience.

SAM. JOHNSON.

Stray.

State of North-Carolina—Montgomery
County.

TAKEN UP on the 16th day of November
1823, by Elijah Hinson, living on the
road leading from Salisbury to Allenton,
about eight miles from the latter place, one
Sorrel Mare with all four feet white near to
the knee, and a white nose, also her under
lip is white, her near eye inclining to be a
glass-eye; somewhat marked with the gear,
and a spot on her back just behind the wea-
rs that is mixed with white hairs. Sup-
posed to be four or five years old next spring,
four feet seven inches and a half high. Ap-
praised to forty dollars.

RICHARD STOKER, Ranger.
January 8. 18 w3t

Taken up

AND committed to the Jail of this county,
on the 23d instant, a Negro Man named
JACOB, between 25 and 30 years old, stout
built, dark complexioned; says he belongs to
John Foster of the High Hills of Santee, S.
Carolina. The owner is requested to come
forward, prove property, pay charges, and
take him away.
S. GEREN, Jailor.
Greensboro', N. C. Nov. 29. 7 law3m

Notice.

STRAY Gelding, taken up by Sam'l Mitch-
ell on the waters of South Hyco, about
two miles west of Simeon Cochran's store, on
the 19th of January last. The Gelding is a
bay with black legs, six years old this spring,
about five feet high, the horse works well,
and is a natural trotter, no other particular
mark, valued to sixty dollars.

WILLIAM LEA,
Ranger of Caswell County.
February 5. 26-3t.

Taken Up

AND committed to the Jail in Bertie Coun-
ty, North-Carolina, on the 4th instant,
Negro Fellow, who calls himself DICK, ab-
out 24 years of age. He says that he be-
longs to William Miller, living near Lanca-
ster, South-Carolina. He is rather above the
common size, well made, and says he was
born in Africa.

The owner is requested to come forward,
prove property, pay charges and take him
away, or he will be dealt with as the law di-
rects.

WILL. KEITH, Jailor.
Windsor, N. C. January 5. 19 8t

Sheriff's Sale.

WILL be sold on Monday 1st March en-
suing, at the Court-House in Eliza-
beth-City, and county of Pasquotank, the
following tracts of land or so much thereof
as will satisfy the tax due thereon for the
year 1822 and cost of advertising and as-
sessing, and which tracts of land were given
in agreeable to law in such cases made and
provided.

13 acres land said to be owned by John
Grays heirs adjoining the lands of James
Smith and others.

76 acres land said to be owned by Horns
heirs adjoining the land of Nathan Overton,
et al.

One half acre lot in Elizabeth-City, said
to be owned by Thos Harris, dec'd or some
one unknown to me, adjoining the lot of
Grandy's heirs in said town.

WM. GREGORY, Sh'ff.
8-lafMar.

Dec. 1, 1823.

State of North-Carolina,
Wilkes County.

Court of Pleas and Quarter Sessions, Februa-
ry Sessions, 1824.

William Bailly, }
vs. } Original attachment, sum-
Bailly Johnson. } moned Walter R. Lenoir
and Samuel F. Patterson,
Garnishees.

IT appearing to the satisfaction of the
Court, that the Defendant is not an in-
habitant of this State; it is therefore ordered,
that publication be made for three months
successively in the Raleigh Register, printed
in Raleigh, that the Defendant appear at our
next Court of Pleas and Quarter Sessions, to
be held for the County of Wilkes, at the
Court-house in Wilkesborough, on the first
Monday in May next, then and here to plead,
or Judgment will be taken according to the
Plaintiff's demand.

Test, ROBT. MARTIN, CPl.

Dr. Bosworth
HAVING settled himself in Smithfield,
offers his Professional Services to the
citizens of Johnston county.
Feb. 16. 27 6w

Bank Shares.

CASH will be given for Five Shares of the
Capital Stock of the State Bank of this
State, if offered immediately.
Enquire at the Office of the Register.
Feb. 15. 27t

A Runaway.

TAKEN up and committed to the Jail of
Moore county, on the 1st inst. a Negro
Man, who, when first imprisoned, stated that
he belonged to James Harris of Mecklenburg
county, and that his name was JACK; but
now says that his name is GEORGE, and that
he belongs to Abraham M'Kee of Cabarrus
county. Said Negro is dark complexioned and
has a scar over his right eye; he is suppos-
ed to be about 27 years of age; 5 feet 11 in-
ches high. The owner of said negro is re-
quested to apply for him, pay charges and
take him away; otherwise he will be dis-
charged as he law directs.

DANIEL McNEILL, Sheriff
of Moore county;
January 14. 19 t

State of North-Carolina

County of Randolph.

Priscilla Cox, }
vs. } Petition for sale of
real estate...

Brooks Lewis & others, }
vs. } In Equity.

IT appearing to the Court, that Brooks
Lewis, David Lewis, and John Johnston
& Eleanor his wife are not inhabitants of this
State: Ordered that publication be made in
the Raleigh Register for three weeks for the
said defendants to appear at our next Court
of Equity to be held for the county of Ran-
dolph, on the first Monday after the 4th Mon-
day of March next, and plead, answer or de-
mur to the said petition, otherwise the same
will be taken pro confesso as to them and
heard ex parte.

153t A copy. B ELLIOTT, C. M. E.

State of North-Carolina

RUTHERFORD COUNTY.

Court of Equity—Fall Term, 1823.

William Blanton }
vs. } Original bill of Injunction

Augustus Sackett, }
vs. } In Equity.

IT appearing to the satisfaction of the Court
that Augustus Sackett is not an inhabitant
of this State; it is therefore ordered that pub-
lication be made for three months successively
in the Raleigh Register, that unless the
said Augustus Sackett appears at the next
Court of Equity, to be held for the county of
Rutherford, at the Court-house in Ruther-
fordton, on the third Monday after the fourth
Monday in March next, and plead, answer or
demur, the bill will be taken pro confesso
and heard ex parte.

Test, T. F. BIRCHETT, C. & M.
Pr. adv. \$5-25 2-25w

State of North-Carolina

RUTHERFORD COUNTY.

Court of Equity—Fall Term, 1823

Walter B. Rutherford }
vs. } Original bill of In-

Augustus Sackett, }
vs. } junction.

IT appearing to the satisfaction of the Court
that Augustus Sackett is not an inhabitant
of this State; it is therefore ordered that pub-
lication be made for three months succes-
sively in the Raleigh Register, that unless the
said Augustus Sackett appears at the next
Court of Equity to be held for the county of
Rutherford, at the Court-house in Ruther-
fordton, on the third Monday after the fourth
Monday in March next, and plead, answer or
demur, the bill will be taken pro confesso,
and heard ex parte.

Test, T. F. BIRCHETT, G. & M.

State of North-Carolina;

MONTGOMERY COUNTY.

In Equity—Fall Term, 1823.

Titus Bunnell }
vs. } Writ of Injunction.

Edmund Langdon, }
vs. } In Equity.

IT appearing to the satisfaction of the
Court that the defendant Edmund Lang-
don is not a resident of this state; it is there-
fore ordered by the court that publication be
made in the Raleigh Register for four weeks,
that the defendant Edmund Langdon appear
at the next term of this court to be holden
on the first Monday in March next, at the
Court-House in Lawrenceville, in the coun-
ty of Montgomery and put in his plea
answer or demurrer, or the bill will be taken pro
confesso, and the Injunction made perpetu-
al.

A true copy from the Journal.
JNO. E. CHRISTIAN C. M.

State of North-Carolina,

Hertford County.

Court of Pleas and Quarter Sessions,

August Term, 1823.

Morris Hatchell }
vs. } Levied on Albridgton

Albridgton Brown }
vs. } Brown's house & lot in
the town of Murfrees-

boro' adjoining the lot
of Dr. Wilson & others.

IT appearing to the satisfaction of the
Court, that the defendant in this case is
not an inhabitant of this State, it is ordered
that publication be made in the Raleigh Re-
gister for three months, that unless the De-
fendant appear the next Term of this Court,
to be held for the county of Hertford, at the
Court-house in Winton, on the first Mon-
day in November next, reply the property
so attached, or plead to issue, that judgment
shall be entered against him, and execution
awarded.

Witness: L. M. COWLEY, Clk.