

NORTH CAROLINA SPECTATOR

AND WESTERN ADVERTISER.

VOLUME I.

RUTHERFORDTON, SATURDAY EVENING, JANUARY 15, 1831.

NUMBER 48.

PUBLISHED EVERY FRIDAY MORNING, BY
ROSWELL ELMER, JR.

Terms of subscription. Two dollars and fifty cents, per annum, if paid in advance; or three dollars, if paid within the year;—but if delayed after the close of the year, twenty-five cents will be added.

No paper will be discontinued until particularly ordered and all arrears paid, or at the discretion of the publisher.

Advertisements inserted on the usual terms.—All persons advertising will please note the number of times they wish to have them inserted, or they will be continued and taxed accordingly.

COPARTNERSHIP.

THE undersigned have this day entered into copartnership in the TAILORING BUSINESS.

They respectfully inform their friends and the citizens of this and the adjoining counties, that they will be always ready to execute any order in their line of business, at the shortest notice, and on the most reasonable terms. They deem it unnecessary to speak of their ability. They shatter themselves, however, that by their long practice—the facilities they have of obtaining the latest fashions, and their constant exertions to please, that they will receive a due share of the public patronage.

They will occupy, as a shop, a room over Twitty & Miller's Store.

VALENTINE MOONEY,
JAMES V. JAY.

Rutherfordton, Jan. 6, 1831.

LIST OF LETTERS.

Remaining in the Post-Office at Rutherfordton, on the 1st of Jan. 1831; and if not taken out in three months, they will be sent to the General Post-Office, as dead letters.

- Allen James
- Bennett John
- Blanton Jeremiah
- Blackwell James
- Claiborne D. Philip
- Carson M. D. Joseph
- Crow James
- Carson John Gen.
- Carter William
- Collins John
- Clark Moss
- Dews Thomas
- Devenport John
- Dickey Anthony
- Davis Sarah
- Dean Catharine
- Franklin George
- Fisher Jacob
- Fortenberry James &
- John Baber
- Edwards C. M.
- Goode Martha
- Guffey John
- Gilkey Jane
- Hill Priscilla
- Hills Robert
- Harry H. John
- Harrison Rebecca
- Huggins P. Polly
- Jolly James & Wm.
- Jenkins Jesse
- Johnson Lewis & others
- King Noah
- Lyles James
- Love D. Messrs.
- Ledbetter Barzilla
- 47 3v
- GEORGE WALYON, P. M.
- Rutherfordton, Jan. 1, 1831.

NOTICE.

ON the 2nd Monday of February at 12 o'clock a meeting will be held at the Court House in Rutherfordton, to organize a Sunday School Union for this county. The immense benefits derived from those Schools elsewhere, in advancing the intelligence and improving the moral character of the rising generation, must be known to all, and the advantages to be derived from such an association consist in the increased facility of procuring and distributing information of the best modes of conducting such schools, and books adapted to their use—in systematic efforts to establish schools in destitute places—in giving aid to the feeble and stimulating all by visitations from committees of the society. For lack of those advantages many attempts to establish schools have proved ineffectual, and schools established have been less useful than they might have been—those engaged in the schools started in this county, although greatly encouraged by the success of their labors, have deeply felt the necessity of such a Union. At their request this notice is given—and all who have the future welfare of this community or the cause of religion at heart, of whatever denomination, are most cordially invited to attend the meeting, take an interest in the management of the Society and unite their efforts in this work of Benevolence.

By order of the Rutherford Sunday School Society.

W. H. WALTON, Secretary.

Rutherfordton, July 3, 1831.

N. B. Should the Court Room be occupied the meeting may be held in the Secretary's room, where the Sunday School library, may be seen, and gentlemen will be enabled by inspection to appreciate the value of the books prepared for the use of those schools, adapted to the understandings of all ages usually attending, and which are loaned to the children during the week as rewards of diligence.

NOTICE TO GOLD MINERS.

THE subscriber having made several important improvements on the rocker and rifle principles and constructed a machine called PALMER'S IMPROVED ROCKER, for washing and cleansing gold from the earth, &c. connected with it, by means of metal sives, &c.; by which the process of collecting gold is greatly facilitated, as this new machine may be placed in such a situation, in the pits that those engaged in digging can throw the grit at once into the machine without any further labor, and its location be changed to suit the convenience of those employed,—and at the same time, from its formation, secure the gold collected by a lock and key, from pillage. A part of said machine may be attached with great advantage to machinery now in use. The subscriber intends to apply to the Patent Office, immediately, for a patent on his improvements—and, hereby forewarns all persons from using or making the whole or any part of a machine upon his plan and invention; as the patent law will be enforced against such as infringe on his right and improvement.

GREENE B. PALMER.

Brindletown, Burke, Nov. 30, 1830. 42 4wp

FOR SALE AT THIS OFFICE,
SUPERFINE Letter Paper, Writing Paper
and a general assortment of Blanks.

PLEASANT RETREAT ACADEMY. LINCOLNTON, N. C.

THE Trustees of this Academy take pleasure in announcing to the public, that the exercises of this institution have closed for the present year, under the tuition of Mr. Benjamin B. Dye, with much satisfaction to all concerned; and that they will be again resumed, under his care, on the first Monday in January next. Mr. DYE, since his residence at this place, having devoted his whole attention to teaching, we believe no one has ever surpassed him in regular attendance, and that few if any, are better qualified to teach all the branches of Literature, which are usually taught in such Institutions. This Academy is situated in one of the most healthy villages in the western part of North Carolina, where boarding can be obtained in good and respectable families, either in town or in the adjoining country, on moderate terms.

The prices of tuition, per session, will be as follows, viz:—
Reading, Writing and Arithmetic, \$5.00;
English Grammar, and Geography, \$7.50;
Latin & Greek languages & Sciences, \$10.00;
By order of the Board of Trustees.

JAMES P. HENDERSON, Secretary.
December 6, 1830. 45 6w.

State of North Carolina, Rutherford County.

Superior Court of Law, October Term, 1830.

James J. Hoyt, John Ward
and William Ward } Petition and sci. fa.
vs. }
Michael Hawkins. } Vacate Grant.

IT appearing to the satisfaction of the Court, that Waitman Disheroon one of the defendants, resides beyond the limits of the State: It is therefore Ordered by Court, that publication be made six weeks in the North Carolina Spectator and Western Advertiser, that unless the said defendant appear at the next term of said Superior Court, to be holden in Rutherfordton, on the third Monday after the fourth Monday in March next, that Judgment will be taken pro confesso against him.

Copy Teste. JAMES MORRIS, Clk.
Nov. 18, 1830. 42 6w pr. adv. \$2.50

State of North Carolina, Rutherford County.

Superior Court of Law, October Term, 1830.

James J. Hoyt, John Ward
and William Ward, } Petition and sci. fa.
vs. }
George Russel and } Vacate Grant,
John Whitesides.

IT appearing to the satisfaction of the Court, that George Russel one of the defendants, resides beyond the limits of the State: It is therefore Ordered by Court, that publication be made six weeks in the North Carolina Spectator and Western Advertiser, that unless the said defendant appear at the next Term of said Court, to be holden in Rutherfordton, on the 3d Monday after the 4th Monday in March next, that Judgment will be taken pro confesso against him.

Copy Teste. JAMES MORRIS, Clk.
Nov. 18, 1830. 42 6w pr. adv. \$2.50.

State of North Carolina, Buncombe County.

Superior Court of Law—October Term, 1830.

John Roberts } Petition for Divorce.
vs. }
Agnes Roberts.

IT appearing to the satisfaction of the Court, that the defendant, Agnes Roberts, is not an inhabitant of this State: It is ordered that publication be made for three months in the Raleigh Star and Western Advertiser, that the said Agnes Roberts appear at the next Superior Court of Law to be held for the county of Buncombe, at the Court House in Asheville, on the 2d Monday after the 4th Monday in March next, then and there to answer, plead or demur to the petition filed against her by John Roberts, or the same will be taken pro confesso, and heard ex parte.

Witness Joshua Roberts, Clerk of said Court, at Office, the 2nd Monday after the 4th Monday in September, 1830.

J. ROBERTS, Clerk.
43 3m Pr. adv. \$4.50.

State of North Carolina, Buncombe County.

Superior Court of Law—October Term, 1830.

Alexander Henry } Petition for divorce.
vs. }
Happy Henry.

IT appearing to the satisfaction of the Court, that the defendant is not an inhabitant of this State, it is ordered that publication be made for three months in the Raleigh Star, and North Carolina Spectator, that the defendant, Happy Henry, appear at the next Superior Court of Law, to be held for the county of Buncombe, at the Court House in Asheville, on the 2d Monday after the 4th Monday in March next, then and there to plead, answer or demur to the petition filed against her by Alexander Henry, or the same will be taken pro confesso and heard ex parte.

Witness Joshua Roberts, Clerk of said Court, at Office, the 2nd Monday after the 4th Monday in September, 1830.

J. ROBERTS, Clerk.
43 3m Pr. adv. \$4.50.

State of North Carolina, Buncombe County.

Superior Court of Law, October Term, 1830.

Sarah Wicaser, } Petition for Divorce.
vs. }
George Wicaser.

IT appearing to the satisfaction of the Court, that the defendant is not an inhabitant of this State: It is Ordered, that publication be made for three months in the Raleigh Register, and North Carolina Spectator, that the defendant George Wicaser, appear at the next Superior Court of Law to be held for the county of Buncombe, at the Court House in Asheville, on the 2nd Monday after the 4th Monday in March next, then and there to plead, answer or demur to the petition filed against him by Sarah Wicaser, or the same will be taken pro confesso, and heard ex parte.

Witness Joshua Roberts, Clerk of said Court, at Office, the 2nd Monday after the 4th Monday in September, 1830.

J. ROBERTS, Clerk.
42 3m Pr. adv. \$4.50.

NOTICE.

THE several kinds of grass seeds purchased at the North, by and for the use of the members of the Rutherford Agricultural Society, have been received and are ready for delivery to those interested. By order of the Corresponding Secretary.
January, 7, 1831.

INFORMATION.

A LETTER was received something since, at the Post Office in this town, directed to Mr. Ezekiel Ambrose. Mr. Ambrose having left the county—the letter was not taken out of the Office, and was consequently sent to the General Post Office as a dead letter. The head of that Department has examined and sent back said letter, with instructions to the Post Master to take measures to deliver the letter to the person to whom it is addressed and obtain his receipt; as it was written by Mr. Harvey and Mrs. Johanna Mathews, and originally mailed at Boston Mass., & although the letter is without an inclosure, yet as it is from Mrs. Mathews it is supposed to be very interesting to Mr. Ambrose. Mr. A. at the present time, is supposed to be engaged in the gold mines of Mecklenburg, Cabarrus or Davidson counties in this state, and is hereby requested to come forward and take out said letter and pay necessary charges, or it will be returned to the General Post Office after ten days.

GEO. WALTON, P. M.
Rutherfordton, Dec. 30, 1830. 36 tr

NOTICE.

THE Subscriber, having been appointed Agent and Attorney for the purpose of closing the business of Maj. B. F. Patton, formerly Merchant in Asheville, respectfully requests all persons indebted to him, to come immediately and make payment by cash; or otherwise their notes and accounts will be put in suit, without discrimination.

RICH. E. FOLEY, C. L.
Asheville Dec. 8, 1830. 41 4w.

NOTICE.

HEREBY forewarn all persons from trading for one PROMISSORY NOTE, executed by Thomas Grant to David Wright, on the 28th of November, 1828, for \$30, due the 28th of November, 1831; as I have not received a title for certain Land, in consideration of which it was given; which Note I protest and will not pay—unless compelled by Law and Equity.

THOMAS GRANT.
Rutherfordton, Dec. 10, 1830. 44 1v.

SPECULATION LANDS.

THE subscriber hereby gives notice, that he is duly appointed the Agent of Isaac Bronson & Gould Hoyt, Esquires, of the city of New York, the present proprietors of the lands formerly owned by Trench Cox, Esq. in the counties of Rutherford and Buncombe, called Speculation Lands, with power to sell and lease the same and to settle and compromise all questions in relation thereto; the Injunction issued at the suit of the representatives of James Thomson, deceased, having been dissolved at the last Court of Equity in this County; as will be seen by the Degree of the Court herewith published.—he is now ready to make any contracts in relation to said lands he may think proper, and he invites all persons who have claims to parcels thereof to call upon him and purchase the land or make an amicable settlement in relation thereto, which the subscriber is willing to do, on fair terms, moderate prices and reasonable credits. While he is thus anxious, as far as possible, to settle all controversies in relation to these lands without recourse to legal measures, and does not desire to take the benefit of improvements made by innocent or ignorant persons, he feels bound to notify all interested that if not so settled he shall be obliged, as such agent, to institute suits against every one who shall be found holding a patent or occupying any part thereof, to which his principals have title; and he suggests to them the policy of settling their claims without costs, which may be done, in many instances for less than the cost of defending a litigated suit, rather than suffer their passions or prejudices to lead them to be embroiled in law suits which must eventually in the loss of their improvements and involve them in heavy bills of cost; for whatever interested and prejudiced men may say to the contrary, as these lands were entered by citizens of this State and patented according to the existing law, thirty-five years since, and were sold to those under whom the present proprietors claim, for their fair value, and the taxes on them have been regularly paid—they have an all legal and equitable title to them as any other title whatever, which cannot fail to be sustained by the same wholesome laws which protect the rights and property of all the citizens of this State.

JOSHUA FERMAN.
Rutherfordton, Nov. 4, 1830. 38 1f

State of North Carolina, Rutherford County.

In Equity—Fall Term, A. D. 1830.

James Thomson's Executors, &c. }
vs. }
Arthur Bronson and others.

THIS case coming on to be heard upon the Bill, the answer of Joshua Forman, agent for the defendants, the exhibits thereto attached; and the exceptions to the said answer filed.—After solemn argument of counsel, it is ordered, adjudged and decreed by the Court, that the said exceptions be overruled, and that the Injunction, obtained upon the said Bill be dissolved—the costs thereon to await a future hearing.

The foregoing is truly extracted from the decree made in the above entitled cause, at October Court, 1830, by

T. F. BIRCHETT, C. & M.

PAPER FOR SALE.

THE undersigned, Paper Manufacturers, at the Houlston Paper Mills, can at all times furnish any quantity of

Imperial, } PRINTING
Super-Royal, } PAPER;
and Medium }
Fools Cap, }
Letter and } PAPER;
Wrapping }
PASTE-BOARDS, &c. &c.

which they will forward on to any of the Southern States, on as reasonable terms for Cash as can be procured from the North.

Orders addressed to Marshall's Ferry, Granter County, Tennessee—will be promptly attended to.

SHIELDS, JOHNSTON & RICE.
Marshall's Ferry, Ten. Nov. 16, 30. 41 1A

CARRIAGE MAKING.

THE subscriber respectfully informs the public, that he still continues to carry on the above business, in Lincolnton, N. C.; and that he will in a good style and on the shortest notice, attend to all orders for work, of the following kinds:

Gigs; Carryalls;
Yankee Wagons;
Family Carriages; and Stages.

ISAAC ERWIN.
Lincolnton, October 8, 1830. 35 6w

CONGRESS.

TWENTY-FIRST CONGRESS.....SECOND SESSION.

SENATE.

Friday, Dec. 17.—A petition was presented by Mr. Sanford from the Chamber of Commerce of the City of New York praying for a reduction of duties on silks imported from beyond the Cape of Good Hope. Mr. Hendricks, from the committee on Indian Affairs reported a bill providing for carrying into effect certain Indian treaties. After a short time spent in the consideration of Executive business the Senate adjourned until Monday.

Monday, Dec. 20.—Several bills of a private nature passed their second and third readings. After spending some time in the consideration of executive business, at twelve o'clock the Senate having organized itself into a High Court of Impeachment for the trial of Judge Peck, of Missouri, and Judge Peck with his Counsel, Messrs. Wirt and Meredith, and the Managers on the part of the House of Representatives, Messrs. Buchanan, Spencer, New York, being present, the trial proceeded, Mr. McDuffie for the United States, opened the case against the respondent and continued his argument until after three o'clock, when the Court adjourned.

Tuesday, Dec. 21.—The President pro tem. communicated a memorial from sundry inhabitants of Butler county, Pa. praying that the transmission on Sunday of the United States' mail, may be prohibited by law. The Senate having organized itself into a High Court of Impeachment, the trial of Judge Peck was proceeded with. Mr. McDuffie concluded his argument on the part of the House of Representatives; after which and the production of some documentary evidence, the Court adjourned.

Wednesday Dec. 22. The bill for carrying into effect certain Indian treaties, was read the third time and ordered to be engrossed. After twelve o'clock High Court of Impeachment for trial of Judge Peck, met according to adjournment upon the arrival of the members of the House of Representatives. The examination proceeded with. Mr. McDuffie testified; and at 3 o'clock the examination had been completed, and the Senate adjourned.

Thursday Dec. 23. The bill for carrying into effect sundry clerks in the United States, and for the increase of compensation, acting as a High Court of Impeachment, for the trial of Judge Peck, was examined by Mr. Lawless, was concluded by the counsel for the respondent. It is presumed that Mr. L. will be further examined to-morrow, by the managers.

Tues. Dec. 28. Various petitions and resolutions were presented, reports made from Committees, and the transaction of Executive business in secret session, resolved itself into a high Court of Impeachment, and the trial of Judge Peck was continued. After receiving the testimony of Henry L. Gayer, Esq. the Rev. Mr. Herrill, and Arthur L. Maginnis, Esq. witnesses summoned on the part of the House of Representatives, and the cross examination of those gentlemen by the managers of the impeachment, and the counsel for the respondent, the Court, at a late hour, adjourned until 12 o'clock to-morrow.

Wednesday, Dec. 29. Mr. Dickerson, in pursuance of notice given, asked leave, and introduced a joint resolution, providing for an amendment to the Constitution, so that no person who shall have twice been elected to the office of President of the United States, shall again be eligible to that office. In the Senate, sitting as a High Court of Impeachment for the trial of Judge Peck, the testimony on the part of the United States was concluded; Charles S. Hemstead, Edward Charles, and Wharton Rector, having been examined, and testimony of a documentary nature having been submitted by the managers. The Court then adjourned over to Monday next, at the request of Mr. Meredith, made in consequence of the absence of Mr. Wirt, who was suddenly called home by the sickness of one of his family.

HOUSE OF REPRESENTATIVES.

Friday, Dec. 17. The bill to establish certain post offices and to discontinue others, was taken up. A long and animated discussion ensued upon it; but before the question was taken upon concurring in the amendments proposed in the Committee of the Whole, the House adjourned.

Monday, Dec. 20. The House, after some preliminary arrangements, proceeded in a body to the Senate Chamber for the purpose of prosecuting the impeachment of Judge Peck. Mr. McDuffie

opened the case, and addressed the High Court until three o'clock; when, having taken a review of eight of the eighteen specifications contained in the article, written by Mr. Lawless, an adjournment of the Court took place.

Tuesday, Dec. 21. After the reception of petitions and the presentation of a number of resolutions, among which was one offered by Mr. Wickliffe, directing the Committee on the Judiciary to inquire into the expediency of abolishing imprisonment for debt by virtue of process from Courts of the United States, the House resolved itself into a Committee of the whole, Mr. Cambreleng in the chair, and proceeded at the assigned hour to the Chamber of the Senate, for the purpose of proceeding with the impeachment of Judge Peck. Mr. McDuffie resumed and concluded his remarks; and after various documentary evidence had been submitted, the Court adjourned and the members returned to their Hall. Mr. Cambreleng reported progress; and the House adjourned.

Wednesday Dec. 22. Mr. Hoffman, from the Committee on Naval Affairs, reported a bill to authorize the construction of three schooners for the naval service of the United States. It was read twice, and referred to a Committee of the Whole on the state of the Union. Mr. McDuffie, from the Select Committee to whom had been referred that part of the President's message which related to the question of the re-eligibility of the President for office, presented a report upon the subject. It was read a first and second time, and ordered to be printed. Mr. Dwight offered a resolution that the House meet at 11 o'clock, and attend the Senate at 12 during the trial of the impeachment of Judge Peck. Mr. White, of New York, called for the yeas and nays on the question, which were ordered—a sufficient number rising to sustain the call. Mr. Pettis, Mr. Dwight, Mr. Clay, Mr. Doddridge addressed the House on the subject, the latter gentleman moving as an amendment to the resolution, the resolution submitted by Mr. Hoffman on the preceding day, to the effect that the House should attend day by day during the trial. Mr. Hoffman supported the necessity of the attendance of the House; and after some remarks from Mr. Strong, the amendment of Mr. Doddridge was negatived. Mr. Drayton moved a further amendment that the managers only should be required to attend. This was also negatived; and the question was taken on the passage of the resolution by yeas and nays, and lost by a vote of 87 to 84. The remainder of the session was devoted to the orders of the day; and about 3 o'clock the House adjourned.

Mon. Dec. 27. After the usual presentation of petitions and resolutions, the resolution submitted on a former day, by Mr. Taylor, respecting the printing of the indices to the Journals of Congress, was, upon the motion of Mr. Polk, indefinitely postponed. The motion of Mr. Johns, to rescind the resolution that the House attend the Senate chamber, during the trial of Judge Peck, was then taken up; and Mr. Irwin of Ohio, moved that its consideration be deferred until Monday next. On motion, however, of Mr. Sterigere, the resolution was laid upon the table, by a vote of ayes, 76, noes 79. The House then resolved itself into a Committee of the Whole, Mr. Cambreleng in the Chair, and proceeded to the Senate chamber, to prosecute the impeachment. At half past three o'clock, they returned and reported; and the House adjourned.

Tues. Dec. 28. Numerous petitions, reports, and resolutions were submitted. Mr. Buchanan, from the Committee on the Judiciary, reported a bill further to define the duties of Attorney General of the United States, and the Solicitor of the Treasury. It was read twice, and referred to a Committee of the Whole on the state of the Union. Mr. Cambreleng, from the Committee on Commerce, reported a bill to alter certain duties on foreign merchandise, imported into various ports in the western waters; which was similarly disposed of. Mr. Wickliffe, from the Committee on Public Lands, gave notice that he should, on Monday, move that the House go into a Committee of the Whole on the bill to graduate the price of the public lands. Mr. Taylor presented a new resolution for printing of the indices to the Journals of the proceedings of the House of Representatives, commencing with the 18th Congress, and continued to the present time. Mr. Polk moved its indefinite postponement. Mr. Cambreleng suggested its reference to the Committee on the Library. Mr. Polk acquiescing in the proposition, it was, after some discussion, so referred. The House received a message from the Senate, that they had resolved themselves into a High Court of Impeachment, on

Monday, Dec. 20. The House, after some preliminary arrangements, proceeded in a body to the Senate Chamber for the purpose of prosecuting the impeachment of Judge Peck. Mr. McDuffie