REPORT OF THE nuittee on the Penitentiary.

The Committee on so much of the Got mor's Message as relates to a Penitentiry, respectfully submit the following Re

The subject of the penitentiary system not a new one in North Carolina. as been frequently and earnestly agitated and discussed amongst the people, and in the Legislature. The current of public nion has seemed to run in its favor; but your committee are not advised that it has ever been presented in so distinct and tangible a form, as to elicit a clear tendencies. manifestation of the public will, either for or against its adoption. Nor have they the means of knowing what that will pov is in relation to this subject. It is much to be regretted, that this most important lestion has never been presented, so disnnected from all subjects involving lo cal and political excitement, and accompanied with such explanations touching ts probable cost-its annual expense and production-its effects upon the progress of crime and the reformation of criminals, as might enable the public to arrive at clear understanding of its merits, and a definite conclusion as to the expediency of its adoption in this State. It will be the parpose of your committee to furnish such details and statistics, gleaned from the scanty stock of materials within their reach, as may contribute in some degree to the general information. Without going into an elaborate argument, a few observations on the general question of expediency, may not be deemed inappropri-

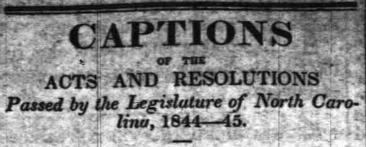
The experience of other States, both foreign and domestic, which have given the penitentiary system a thorough trial, furnish sufficient data for arriving at a safe conclusion as to its beneficial operation, Its history in our own country has been most favorable to the American penitentiary system. It is conclusively shown to have checked, if it has not materially diminished, the commission of crime-even

this subject in its most unfavorable aspect, port. as to the question of economy, and grant- There are various subjects involved in charge to the State of \$10,000 (which sum of the five penitentiaries above enumerated) we will now enquire whether this would not be the cheaper plan of punishment, to say nothing of its reformatory

From the few and imperfect returns made to the Executive department, under the Act of 1838 '39, the committee have been able to collate some facts which may be useful in this connexion, as enabling them to arrive at conclusions, not altogecounties show that the number of proseoutions for the year prior to June 1st, 1840, for crimes and misdemeanors, was one thousand three hundred and fifty-eight .-Of this number, seventy-nine were crimes convictions, twenty-one acquittals, and twenty-two not tried. (We will here remark, en passant, that these returns also show, that in these thirty-five counties. there were two hundred and forty-nine lunatics and idnots.) Taking it for granted that the remaining thirty-five counties would have furnished an equal calendar of crime, we have for that year, two thousand seven hundred and sixteen prosecutions—one hundred and fifty-eight of which would be included in a penitentiary code. Of this number, sixty-four were convictions, forty-two were acquittals, and forty-four untried. From our own observation of criminal trials, may we not conclude that of these forty-four acquittals. many escaped conviction on account of charged with the commission of peniten. lie opinion. tiary offences. Assuming, then, that a

ard some safe analogical deductions. But whilst the penitentiaries above enumera-ted have been profitable, those at Phila-it not be forgotten, that this additional tax elphia, Pittsburg, Baltimore, Whshing- of three and eight cents, is less than is anton City, and in Michigan, have not paid nually paid by our citizens to defray State expenses-the deficiences ranging from prosecutions, &c., under the existing laws, \$3,700 to \$18,378, annually. Viewing and shown by a preceding part of this re-

ing that a penitentiary would be an annual the consideration of the Penitentiary system not now necessary to be adverted to. is much above the average annual charge and which will more appropriately become questions of discussion, inquiry and adjustment, when it shall be decided that we will build a penitentiary. The question now arises, how and by whom is this decision to be made? We answer by the People themselves, by a direct vote.-Your committee do not feel themselves warranted, under the present and prospective embarrassments in the finances of the State, in recommending that a tax be laid by the present General Assembly for the ther conjectural. Returns from thirty-five erection of a penitentiary, in the absence of an unequivocal and decisive expression of the public will on the subject. Your committee are not insensible of the claims which propositions for other public institutions of perhaps equal importance, have of various grades from petit larceny to upon the favorable consideration of the murder, of which there were thirty-two people and of the Legislature. The deaf and dumb-the blind and the insane, have claims upon the public sympathy and the legislative bounty. Their misfortunestheir sufferings, and their helpless condition appeal to us through urgent impulses of humanity, and the sternest teachings of public duty. Almost every civilized community has responded to these appeals in the establishment of suitable institutions and asylums. The happy results of these State charities have more than realized expectation, Hundreds have been rescued from the sufferings and horrors of insanity, and restored to reason and to soci-Deaf and dumb mutes have been ety. elevated from the mere animal existence of the brute to the sentient and moral condition of intelligent man. To the blind the severity of the punishment and human- those whose organs of sight are closed ashow that in ten counties, the sums paid has been given that intellectual vision, for the prosecution of insolvent criminals that light of the mind, which enables them and their maintenance in jail, for the year to be freed from continual dependence-1839, amounted to the sum \$4,110 97. to be useful in society-and to find sources which is an average for each county, of of enjoyment and happiness in stores of \$411 10. We may assume that half of intellectual acquirements. The committhis sum was incurred in the prosecution tee, therefore, would not invoke exclusive of State prison offences, and that is a fair attention to the special subject committed average for each county. From these data to their inquiry, excluding or postponing then we have the sum of \$15,000 00 an- all others, alike entitled to public considnually expended in the State of North eration, but are still deeply impressed with Carolina, for the prosecution and main- its great importance, and the propriety tenance, in jail, of insolvent criminals, and necessity of some expression of pub-The Committee have annexed to this penitentiary would be a public charge of Report, and ask that they may be taken \$10,000 00 annually (which it probably as part of it, two tables, which may serve would not be,) it would be a saving of for reference and comparison : One markexpense in the administration of the crim- ed A, exhibiting the number of convictions for the crimes annexed, in each year, du-As to the cost of construction, the com- ring 14 years as taken from the Register, mittee do not possess sufficient informa- of the Auburn Prison, N. Y. The other, tion to enable them to make any estimate marked B, exhibiting the "Progress of which they can confidently recommend as Crime" in the various States included



PUBLIC ACTS.

1. To amend the sections of the Revised Statutes concerning Clerks and Registers .---Makes it the duty of the county solicitor, at, or | for trial at the appearance term.

shortly before the session of each county court, to examine the officers, (in the presence of the officers) of the registers and clerks of the county in favor of every house-keeper, for debts con and superior courts, to ascertain and report tracted after 1st July next, necessary farming whether all the instruments ordered have been tools for one laborer; one bed, bedstead duly recorded, and whether the several dockets and covering for every two members of the famhave been written out and kept up; but county court may make an order dispensing with such examination. Report concerning superior court to be made to attorney general or solicitor .---Delinquents may be indicted and fined or removed at the discretion of the court. County court shall allow solicitor compensation for his services. Upon the death, resignation, or removal of any of the officers aforesaid, if it shall be found that any of their dutics remain unper-

formed, the court shall appoint some person to do it, and sue for the amount paid for the same on the official bond of the delinquent : and such officers may be indicted for breach of duty as now provided by law.

2. Granting to the Superior courts of the counties of Yancy, Buncombe, Henderson, Haywood, Macon and Cherokee original and conclusive jurisdiction in all cases, where the intervention of a jury may be necessary. [From any after the first day of March, county courts clerks of each county court to deliver over a next. transcript and papers of all suits pending in such court, and deliver to clerk of superior court by last of March, who shall docket them, under the penalty of \$100.

3. Concerning the admissibility of evidence against the sureties of officers and others. [Provides that in actions on official bonds, any receipt or acknowledgement, or any thing admissible against any officer, shall also be admissible and competent against his sureties : that all sheriffs, coroners or constables admitted and sworn into office by the county court, shall be deemed rightfully in office, until, by judicial senity of the jury? These returns further gainst the ordinary modes of instruction- tence, removed ; and their bonds shall be valid, purposes shall be void, unless made in writing. notwithstanding any defect in their election. 4. To amend the 9th section of the Revised ers. Statutes, concerning the Comptroller. [Provides Lemuel D. Kirby, and Presly Stanback com- for and against a Penitentiary : and that the for the publication of the Comptroller's Report, in the year when the Legislature does not meet, in pamphlet form; and that it shall be publish. ed in only two newspapers in Raleigh, instead of five newspapers of the State as heretofore. 5. To cede to the United States a certain tract of land lying on the island of Portsmouth, Carteret county, for the purpose of erecting a marine hospital thereon. 6. More effectually to suppress the offence of trading with slaves. [Provides that it shall be lawful in the same bill of indictment, in different courts, to charge any defendant with trading with slaves, receiving stolen goods knowing then to be stolen, and petit larceny. 7. To amend the 5th section of the 19th chapter of Revised Statutes. [Provides that on the the death of any clerk of the county court, in | shall die intestate having given any child more vacation leaving no lawful deputy, it shall be than his distributive share of the personal esthe duty of the sheriff to summon the magis- tate, the excess shall be charged to him in the trates to meet and appoint a clerk. 8. Concerning jury trials. [Provides that shall have given one more than his distributive " in all such trials, the parties or their counsel have a right, and shall be allowed to argue to the jury their whole case, as well of law as of 9. To provide for a vacancy in the office of county surveyor. [Authorises the county courts] to appoint special surveyors, when there is a vacancy, to survey any lands that may be entered

elendant has not p lieves the de can be reached by fi. fa. or has which cannot thus be reached. ently conceals his property, money or effects or is about to remove from the State. That no court shall permit an issue of fraud to be made up, under the act for the relief of honest debtors, unless the plaintiff shall make an affidavit suggesting fraud and stating particulars; and that plaintiff may proceed, in the first instance, against bail, by sci. fa., which shall not stand

21. In favor of poor debtors. [In addition to what is now exempt from execution, exemp ily; two months provision for the family, four hogs and all necessary household and kitchen furniture, not to exceed fifty dollars in value :---That on application of a debtor for the benefit of this act, the justice to appoint three freehold. ers to lay off his portion : That all deeds of trust or otherwise of the property exempt from execution, shall be null and void.

22. Assenting to the purchase by the United States, of certain land in the town of Wilmington, and ceding the jurisdiction of North Carolina over the same under certain limitations and which to erect a custom house.

1838, entitled an act supplemental to an act cil, who shall convey the same to purchasen passed in the year 1834, to lay off and estab. with the original franchises, upon the securit lish a road from Morganton to the Tennessee provided ; or, if at any time, the road shall a line. [Appoints James A. Rush, Alfred Keath, to pay expenses and repairs, shall disconti and Thomas Baker, commissioners to lay off the same and sell the perishable property. And that part of the road lying between Burnsville the Governor and Council may open book of these counties not to summons any jury ; and the Indian Grave Gap, by the first of June subscription : and if \$400,000 are subscribe

24. Concerning the Superior Courts of Cleaveland county. [Clerks prohibited from issuing certificate to Judge until 4 o'clock on Thursday evening of court week,

25. To amend an act of 1842 '43, to punish the default of returning officers in the election of President and Vice President of the United States. Makes the offence cognizable in the county where the defaulting officer resides. 26. Amending the 8th section of the 50th chapter of the Revised Statutes entitled an act concerning frauds and fraudulent conveyances. Provides that contracts for leases for mining

27. For opening the Peedee and Yadkin riv. that at the next election for memb missioners to inspect the Peedee and Yadkin Governor shall obtain information on the sub. from South Carolina to the Rowan and Davidson ject, and publish the same previous to the elec. line; to lay off 100 feet in the main channels of tion. said rivers for the passage of fish ; and may employ hands to remove any dams, (except mill dams,) weirs, &c., that may obstruct, and 100 feet on mill dams shall be marked and kept open. 28. Relating to the Buncombe Turnpike Road n Buncombe & Henderson counties. [Changes the fine on hands failing to work on said road n those counties to 50 cents.

iff shall make affidavit in wn. | cents, barouche 371 cts., 2 wheel pleasa riage, 25 cents, 4 horse wagon 50 cents, 2 to

horse or foot passenger 62. 40. To authorise the foreclosure of the age of the Raleigh and Gaston Rail Road. Preamble recites the provision of the art 838, authorising the Treasurer to en bonds for \$500,000, and taking a mortgage the same on the road ; also the provisions act of 1840, for endorsing \$300,000, takin dividual bonds and mortgage, and author inquiry into the insolvency of said com declares that the company has been ascention to be insolvent ; and proceeds, therefore, to provide that the Governor shall cause the forer sure of the said mortgages, in Wake Superior Court, at its term in April, 1845, with power 1 he court to adjourn the cause, if not heard, that term, to the earliest day practicable, and from time to time until it shall be decided as the Governor shall designate the Judge w shall hold such adjourned court : and whenthe court shall render a decree, it shall appoint a public Treasurer commissioner to sell the m atter sixty days' notice, and the Governorism thorised to bid on behalf of the State, a summ exceeding \$300,000 and the interest unpaid the company on the bonds of 1840 '41 ; and purchased for the State, the Governor, Treas rer and Comptroller shall be a board to appoint conditions therein contained. [Cedes land on officers to manage the same, until the Statestal dispose thereof, which is directed to be done a 23. Supplemental to an act passed in the year | early as practicable, by the Governor and Com and secured by lien and personal security, to be paid in one and two years, the subscribers, a

> 41. To amend the 58th section of the Rei ed Statutes, entitled courts, county and supe or. [Provides that after 1st June next, no ci rocess shall be served on any person attent ing divine worship during the time of such wa ship; nor any precept tried at such place du ing such time, under penalty of five dollars. .42. To prevent the levying of execution upon growing crops, until said crops are man red. [Makes it unlawful to levy executions on any growing crops.

company, shall take the road.

45. Concerning a penitentiary. [Provide [Appoints B. W. Simmons, Eben Hearn, sembly, the vote of the people shall be take

amidst a population unparalleled for its rapid increase and heterogeneous character. By abrogating the barbarous punishments imposed by feudal times-which have not been touched by the meliolating influences of a more civilized age-we should but conform to, and sanction those just and benevolent considerations which look more to the prevention than the punishment of crime-more to the reformation than the punishment of criminalswhich seek to temper justice with humanity, and to compel even the hardened culprit to regard the dispenser of justice more as a merciful judge, than a ruthless and savage avenger. The punishments of whipping, cropping and branding, sanctioned by our laws, are considered as not only impolitic, in view of their effects upon the prevention of crime and the reformation of offenders, but as uncongenial to the spirit of the age, and revolting to humanity. What probability-what lope is there, that the man who has become the victim of such torturing punishment, publicly inflicted in the presence of crowds usually attracted by such revolting exhilitions, ever will or can, rise above that condition of deep and irretrievable degradation into which he is sunk by so infamous a punishment? He knows that the brand of Cain is upon him-he bears upon his person the indelible and damning proof of his infamy. He is forced out of the circle of the reclaiming influences of personal pride, and the hope of future respectability. An impassable barrier separates him from all respectable association, and feeling that all is lost, he either sinks into the loath some imbecility of drunkenness or into a new career of crime.-Whatever palliation or excuse he might find in the sudden impulses of a hasty temper-in the ungovernable exasperation for great personal injury or insult—or in the rightful sufferings of penury and wantno matter how much the better impulses of his nature, and the pride of a once honest name, might stimulate him to regain a respectable position in society, he is yet crushed beneath the consciousness, that there are no oblivious waters in public sentiment that can wash out the scars of his lascerated flesh-no pancea in public sympathy that can heal the wounds of his mutilated person. These unhappy consequences do not so frequently or so necessarily result from the milder-better graduated, and less infamous punishments of a penitentiary code. Solitary confinement induces a communion with conscience: active employment gives a healthy action and beneficial direction to the mind. The convict is cut off from the temptations and opportunities of evil associations : he ac-quires a habit of sober industry during a lengthened confinement : he finds in a profitable trade an additional security against the temptations which might otherwise assail him upon his discharge, to seek the means of living by his wits, by theft, robbery or murder ; and not unfrequently, a conviction of the very practical truth, that "bonesty is the best policy," is fastened upon his conscience and his judgment. On the score of economy, your commitee believe the argument is in favor of a enitentiary. In the States of New Hamphire, Massachusetts, Vermont, and New Jersey, where penitentiaries are established, the earnings of the convicts exceed the expenses. In Connecticut, the aggregate period, they amounted to \$96,847 \$2. In Ohio, for the years 1837, 1833, 1839, to 559,252 65. In Louisiana, for the years 1837 '38 to \$16,714 94. The profits of the Anburn penitentiary for the years 1838 '30, were \$3,490 25 ; and of the Sing Sing State Prison, N. Y., for the years 1587, '38, '39, were \$39,007 90. In Ten-messee, for 1836 '37, the profits were \$14. 430 41. It is to be regretted that we have no statistical reports from the Georgia penitentiary, from which, as from those of

nal law. being correct. It necessarily depends up- therein. discipline. The buildings and ground of tion of the subject. the Maine Penitentiary cost \$30,000 00, while the Auburn cost over \$600,000 00 -the number of cells not known.

The cost of the Cherry Hill Penitentiaat Philadelphia, was \$1,648 00 pr cell. Pittsburg. do 978 00 Charlestown, Mass. do 286 00 Sing Sing, N. Y. do 200 00 Weathersfield, Conn. do 150 00 " Baltimore, Md. do 146 00 " From these facts we may conclude with

some certainty that the cost of such a building in this State would not exceed \$500 per cell, and would probably fall much short of it. But we will put it down convictions for State Prison offences, annually, to be about sixty-four. The number of prisoners, in the year 1839, in the Ohio penitentiary, was 485-in Baltimore, 328-in Kentucky, 157-in Washington City, 62-in Tennessee, in 1837, was 122 -No statistical information on the various matters considered in this report, of a later date than 1839, are within the reach of this committee. May we not assume, then, as a basis of calculation, that a building with two hundred cells would be suf- AND VARIOUS OTHER LIQUORS & WI NS, ficiently extensive for this State. Two such as French brandy, Holland gin, Jamaica rum ; Mahundred cells at \$500 per cell, fixes the cost of this work at \$100,000. The question now comes up, of the ways and means. How shall the funds be raised? We answer, by direct taxation .-This is the source, and the only source from which they can come, without interfering with the arrangement of, and diverting from the great and patriotic purposes, our Common School Fund. Your Committee would most earnestly protest against such appropriation of that fund. Can this sum of one hundred thousand dollars be raised by taxation without distressing the people? We think so. The time necessary for arranging the plan and constructing all necessary buildings, would probably be four years. This sum, therefore, could be collected in four annual instalments, that is to say, \$25,000 per year. By the Comptroller's and Treasurer's Re-

profits for twelve years, up to 1839, were 63,920 12. In Kentucky, to the same period, they amounted to \$96,847 32. In Ohio, for the years 1837, 1833 1930

on the extent of the work, and is usually That the views of the Committee, as set estimated by the cell. Penitentiaries built forth in this Report, may be carried out, I fact.' upon the Auburn system are generally am instructed to report the accompanying preferred for their cheapness, as well as bill and recommend its passage, and ask their internal arrangement and superior to be discharged from further considera-

> H. B. ELLIOTT, Ch'n. Penitentiary Com.



deira, Port, Teneriffe, Claret, Champaigne, Muscat Malaga and domestic wines. Also, some splendid

Porter, Scotch Ale and Albany Ale.

10. To annex a portion of Rutherford county to the county of McDowell.

11. To extend the time for registering grants, mesne conveyances, powers of attorney; bills of sale, and deeds of gift. [Extends the time to two years; but not extend to mortgages, deeds of trust, or swamp lands. 12. To cede a portion of Rutherford county

to the county of Henderson.

13. To extend the provisions of the act of 1830-'31, for the relief of such persons as may have suffered from the burning of the records. of Hertford county, and the provisions of the act in addition thereto, passed 1831-'32, to the counties of Montgomery and Stanly.

14. To protect the public bridges in Tyrrell, Washington and Onslow counties. [Imposes a fine of fifty dollars for injuring said bridges by running any vessel, boat or raft against them. 15. To amend the act of 1825, to keep open the French Broad River, in the county of Bunfor the passage of fish.

Rail Road Company to issue bonds to the a. mount of one hundred thousand dollars, to redeem a like amount of bonds issued under the act for the relief of the Wilmington and Raleigh Rail Road Company. [Provides that the company may issue the said amount of bonds, made payable to the Public Treasurer, who shall endorse the same, signed by the President under the seal of the company, in sums not less than

29. Ceding a portion of Rutherford county to the county of Cleaveland.

30. To amend the Revised Statutes, entitled an act concerning legacies, filial portions and distributive shares and the Revised Statute descents. [Provides that when any person shall division of the real estate; and the same, if he

share of the real estate. 31. To allow the Justices of the Peace of Hyde county, to lay a tax for the purpose of purchasing the Matamuskeet and Rosebay Turnpike. [This shall be done at the next term, and

when so purchased, court shall keep open said road and Canal as public highways. 32. More effectually to secure the debts due for Cherokee lands, and to facilitate the collection of the same. [Provides that the Governor

shall appoint a commissioner, who, with the agent, shall be a board (to be paid \$2 a day for their services) to examine the bonds to ascertain the solvency or insolvency of the principals, and make out and report to the Governor separate lists of each class, with the names of the obli-

gors and their sureties, amounts paid, due, &c. That the Governor shall cancel or surrender bonds in which the principals are certified to be insolvent, where their sureties are purchasers, provided they shall surrender, within 3 months, the lands and improvements to the State, in a written conveyance, duly proved before a Judge or court, with all claim for any moneys paid and on failure to do so, the Governor shall bring suit on their bonds. That payment on the sol-

vent bonds may be made as follows : One-twentieth part on the 1st Dec. 1845, and one-twentieth of the principal and interest due on the 1st combe, and the Tennessee River, in Haywood, Dec. 1845, with all accruing interest, shall be

paid on the 25th Dec. in each and every year 16. To authorise the Wilmington and Raleigh thereafter ; and on failure thereof, the Governor may direct suit, as he may when any shall be. come doubtful.

> 33. To attach that part of Carteret county known as Ocracoke to Hyde county.

34. To secure the citizens of this State the right of fishing in the navigable waters of the State. [Provides that no person shall fish with seins, &c, in these waters nor assist nor be interested in fishing until they shall have resided 1000 doilars, at 6 per cent. interest, to be paid in this State 12 months, provided that nothing semi-annually on the first Mondays in January in this act shall extend to any one who acquire a fishery by purchase or inheritance, or who is bired by any one who has a lawful right. Penalty one hundred dollars. 35. To amend the 123d chapter of the act of the Revised Statutes, concerning wrecks and wrecked property. [Provides that the county of Carteret shall be divided into five and New Hanover into two wreck districts ; that no pilot shall be commissioner of wrecks, that the two persons to adjust reward of salvors disagreeing may select another ; that commissioners alone shall sell wrecked property, for which they shall receive five per cent. and shall not be entitled to salvage; and that the county court of Hyde may lay off that county into districts. 38. Concerning the Superior Courts of Currituck and Person counties. [Prohibits the clerks from issuing certificates to the Judges until 4 o'clock Thursday of court week. 87. Supplemental to an act of 1838, entitled an act supplemental to an act of 1834 to lay off and establish a road from Morganton to the Ten. nessee line. 38. To estend the time for perfecting titles to lands heretofore entered. [Persons having entered land and paid the purchase money since Jan. 1840, may have until Jan. 1, 1847, to perfect title by grant ; and those who have not paid, may have till Jan. 1847 to pay and perfect title ; provided it shall not affect the title of others, nor extend to swamp land. 38. To authorise the Portsmouth and Roan-oke Rail Road Company to charge tolls on their 6w37-Printers fee \$5 50

(Concluded next week.)



MISS EMMA J. BAKER WOULD give notice that it is her intention to me open her Music School upon reduced terms, og the first Monday, in January, 1845.

Her terms will be \$10 per Quarter for Tuition upon the Piano, and \$8 per Quarter for the Guitar-lowe t is believed, than it is taught any where in the Sme. Hours of attendance will be arranged to suit the conmience of the pupils. Salisbury, Dec. 10th, 1844-33tf



ISS Mary P. Mitchell and Miss CARO. LINE M. HOOD, wish respectfully to announce to the public their intention of opening

A FEMALE SCHOOL in Salisbury, N. C., commencing on the first Monday

January 1845. Their scholastic year will be divided into three quarters of three months each ; the vacation to include the months of July, August and September.

TERMS.

	r branei	168.	6.1211-24
Including the higher Latin per quarter,			
French per quarter,	100	100.000	and the second sec
Drawing and paintin	ng per	quarter.	
Music on Piano,		11	
	**	4. 10	A PARTY A
Gunar.	1.17 6	and the product of the second	
" Guitar, Embroidery.			
Embroidery, Worsted Flowers,		" 4	

Potice.

QY authority of a Deed conveying title, executed by D Frederick Mowery, bearing date of Registration the first day of February, 1843, the undersigned Truster. will offer at public sale at the Courthouse in Salisbury on Monday the third day of February next, being a first day of the County Court, a TRACT OF LAND. ing on Crane creek, adjoining the town lands of Salisbury Wm. H. Horah, B. Fraley and others, containing 299 Acres, more or less, for the purpose of fulfilling in rust. Terms of sale declared at the time. The Inst tee will execute and deliver a title to the land with such warranty as the Trust will enable him to give, upon the payment of the purchase money

SAM'L. SILLIMAN. Trustee. December 20th 1844-34:6t

A Small, but Valuable, Farm for sale

FETHE Subscriber offers for sale the Plantation upon which he now lives, known by the name of the White-House, six miles East of Salisbury, lying on the Yadkin rate, near the Trading Ford, containing 175 Acres-in greater part of which is under fence. There is on it a

FINE DWELLING HOUSErge, well arranged, comfortable, and well finished-to gether with all the necessary out-houses for a farm. It will be sold privately, if application be made soon; or at public auction at the Courthouse in Salisbury, ca the Tuesday of February Court, on a credit of 12 months J. M. LOVE January 4th, 1845-37tf

HOUSE & LOT FOR SALE

BESIDES

a great variety of other articles in my line of business too tedious to mention ; and which I will sell as low as they can be sold for cash, or on credit to punctual dealers. All the above fine articles will be found at the Salisbury Confectionary and Bakery, opposite J. & W. Murphy's store, or at the Salisbury Grocery and Confectionary. F. R. ROUECHE. Salisbury, Dec. 21, 1844 . tf6&26

TO BUILDERS.

THE undersigned will attend at St. John's Church six miles and a half east of Concord, Cabarrus co., on the second Saturday of January next, and every succeeding Saturday, for the purpose of receiving proposals and making contracts, (until the contract is closed,) for building a Church 75 by 50 feet in the clear, the wall to be of brick with a rock foundation, one story high, with an end gallery. We believe the brick can be made at the place. The making of the brick and putting up the wall will be in one contract, or the whole together as may suit. Terms cash JOHN H. BOST,

C. MELCHOR, D. D. RIDENOUR, JOHN FISHER, GEORGE CLINE, Building Committee of the Lutheran Church of St. John Cabarrus county, N. C. Dec. 22, 1844-1f35

RUNAWAY NEGROES.

TAKEN up and committed to the Jail of Rowan county, on the 7th day of January, two negro men, Prince and June. Prince is a-bout 30 years of age, 5 feet 5 inches high. June about 35 years old, 5 feet high, and my they belong to the D. A. Murphy, of Lexington District, South Caro-na. The owner is requested to come forward, prove

John D. A. Murphy, of Lexingto line. The owner is requested to property, my charges and take the

and July-principal to be paid, 50,000 dollars 1st Jan. 1848, and remainder 1st Jan. 1849. \$50,000 of these bonds to be delivered over to the company when it shall pay to the Treasurer the \$50,000 due on the 1st Jan. 1845, of

former bonds, and same when the \$50,000 due in '46 shall be paid; and company shall furnish to Treasurer the names of persons to whom sold, and he shall also be informed to whom transferred from time to time. Provides further for taking a mortgage on the road and its receipts for the indemnity of the State : and for sequestration of receipts and appointing a receiver for the State, on failure to pay interest and principal, the mortgage may be foreclosed, and road sold.

17. Extending the jurisdiction of justices of the peace over judgments, and amendatory of the 6th section of the Revised Statutes entitled "justices of the peace," and the 40th section of the Revised Statutes, entitled "courts, county and superior." [Gives jurisdiction over all sums due by judgment rendered by a single magistrate, not exceeding \$100, though interest and cost may go over that amount. Courts shall dismiss sufts brought on such judgments rendered for a less sum.

18. Concerning the Superior Court of Curriluck county.

19. To alter the times of holding the county courts of Beaufort. [After March next, to be held on the 3rd Monday's in May, August, No-vember and February. 20. More effectually to prevent the imprison-

20. More effectually to prevent the imprison-ment of honest debtors: [Provides that here-fier no cupius ad satisfaciendum shall issue, ridge over Ronno "Here Shipmate try this!" received 15 boxes. "Bees Wing." Tobacco-superior article. The choice of the Army an

HE subscriber will sell at public sale on Monnay of February Court, the house and lot, one square south east of the Court house. There is on the premises a GOOD DWELLING HOUSE, Blacksmith shop with three forges ; a Carriage shop, and all necessary out-buildings. At the same time will be sold two sets of BACKSMITH TOOLS. The above property will be sold on a credit of six and twelve months, bond and approved security required of the purchaser. JOHN I. SHAVER.

Jan 11, 1845

State of North Carolina, DAVIE COUNTY.

Court of Pleas and Quarter Sessions-Nov. Term, 1844 Mildred Renshaw, widow of James Renshaw, ps. Anis Renshaw, Wm Hendrex and wife Mary, Denton Hendres and wife Sarah Ann, Rebecca Renshaw, Elizabeth Resshaw and John Renshaw.

Petition for Dower.

TT appearing to the satisfaction of the Court, that Ar-ther Renshaw, is not an inhabitant of this State: It is ordered, that publication be made six successive weeks in the Carolina Watchman, that the said defendant in this case, he can be a successive weeks in the said defendant in the case, he and appear at the next term of this court, to held at the court-house in Mocksville, on the 4th month of February next, and plead, or judgment will we take pro confesso. Witness, John Clement, clerk of our said court, at office, the 4th monday of November, 1844, and 68th of American Independence. JOHN CLEMENT, Clk.