

# RALEIGH REGISTER,



## AND North-Carolina State Gazette.

Ours are the plans of fair and diligent Peace,  
Unsway'd by party rage, to live like Brothers.

THURSDAY, FEBRUARY 1, 1810.

No. 541

### Internal Improvement.

#### LUMBER RIVER NAVIGATION LOTTERY,

Authorised by an Act of the Legislature of North Carolina, entitled "An Act to regulate the Navigation of Lumber River, from the mouth of the same to the S. Carolina line."

ONE THOUSAND DOLLARS

Prize of \$2 for the sale of two dollars!

#### SCHEME.

100 Tickets, at \$2 per Ticket, is \$14,000.

1 P. of \$1000 is \$1000
1 do. of 500 500
2 do. of 200 400
5 do. of 100 300
1 do. of 50 100
50 do. of 20 1000
50 do. of 10 5000
100 do. of 5 5000

Prizes to 400 Blanks 14,000

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

Prize of 100 miles about the middle of Cape Fear and Border River.

### FEMALE EDUCATION, WARRENTON.

AGREEABLY to the Rules of this Establishment, an Examination of the Pupils was held on the 7th and 8th inst. in the presence of a respectable Audience. In order that the progress of the Pupils might be impartially investigated, Mr. Nicholson, late Principal of the Academy in this place, a Gentleman of distinguished literary reputation, and totally unconnected with the School, was selected to preside. Some others residing at a distance, who had obligingly promised their aid, were prevented from attending by the inclemency of the weather.

The first day was spent in Examination of the lower Classes in Spelling and Reading, and of those further advanced in English Grammar and Parsing. On the second day, the higher Classes read set or pieces in blank verse, and were afterwards examined on the History of England, Geography and the Use of the Globes. Each Class exhibited specimens of their Writing. The Composition of three Young Ladies, Miss Seay, Miss Winslow and Miss C. Mordecai, were read, and the Exercises of the day terminated by a handsome and impressive Address to the Young Ladies, by Mr. William Rudin, in behalf of himself and the Company.

Many of the Young Ladies appeared on dresses worked by themselves, and other Specimens of Needlework were likewise displayed. On Saturday, the Company attended a Musical Performance by the Pupils of Mr. Alexander C. Miller, which, I am authorized to say, gave very general satisfaction. Some of the Specimens of their progress in Drawing and Painting were likewise exhibited and met with an approbation from the Company.

Encouraged by the success which has attended the endeavours of the Trustees and their Assistants, J. Mordecai informs the Public, that the School will re-commence on the 8th of January, under the same superintendance as heretofore. The Musical, Drawing and Painting Departments continuing under the direction of Mr. Alexander C. Miller, whose capacity in those Branches is too well known to require any comment.

To those who have been pleased to encourage this Institution, the tenders his grateful acknowledgments, with an assurance, that the unwearied care and exertion which have hitherto been bestowed, shall continue undiminished.

The many advantages resulting from their being early formed into classes, induce him to request those inclined to place their children in the hands of his direction, to let them attend as soon as possible after the re-commencement of the School.

Terms—For Board & Tuition in the various Branches (Music excepted) \$15 per annum. Each Young Lady must be furnished with a pair of Sheets, Counterpane, Blanket and Towels.

The following Testimonials are annexed for the satisfaction of such as may be inclined to encourage the Institution:

Being requested by Mr. Mordecai to attend at the Examination of the Young Ladies, who have been under his direction for the comparative time I attended at the time appointed, and either examined myself, or heard their Examinations in the strictest manner, the several Classes, in English Grammar, History, Geography and the Use of the Globes, &c. to which I am indebted for the opportunity of seeing their progress, I find to my satisfaction, that they have improved in the least, but on the contrary, the great exertions seem to have resulted in a more perfect manner than I could have expected.

The progress of the different branches of Science to which they have been introduced, and their exertions to have been crowned with the most successful results. I think I am indebted to the merits of Mr. Mordecai and his Assistants, who I never fail to commend, for the manner in which they have conducted the instruction to their Pupils, in the most judicious and easy manner, and in justice to the Trustees and Pupils, I may say, that I never in my life attended an Examination which gave me so much satisfaction.

SAMUEL NICHOLSON  
Warrenton, Dec. 31, 1809.

The undersigned, who were present during the last Examination of Mr. Mordecai's Pupils, with pleasure declare, that their performance exceeded their most sanguine expectations. The readiness and correctness of the answers given by those engaged in the different Classes of Grammar, History and Geography, to the several questions put to them, through a long and close application, evinced very considerable application on their part, as well as great assiduity and attention on the part of their teachers.

ROBERT COCHRAN, *Warrenton*  
ELIAS G. BLAKE, *Petterboro*  
WILL HUNT, *Warrenton*  
JNO HARRIS, *N. Hampton*  
GEO NICHOLSON, *Warrenton*  
JOHN HALL,  
KEMPLE LUMER, }  
WM RUFEN, } *Warrenton*  
TH B. GLOSTER }  
*Warrenton, Dec. 3, 1809* 56-3

NOTICE.

WHEREAS, I bought a Stud Horse of Thomas Bob, acting as Attorney at Law for William Thompson and Wm White, of Virginia, for which I gave my Note for \$300, due November 1, 1809, and half of the price of the last Season, also another Note for \$50, due November 1st, 1810—I now warn all persons from trading for either of the above Notes, &c. as I am determined not to pay them, the horse having proved unsound and unclean.

ROBT. CAMPBELL.  
Lincoln County, N. C. Dec. 22, 1809.

### General Assembly.

#### EQUITY BILL.

The Bill for establishing a Court of Equity, distinct from our Courts of Justice, being on its second reading in the House of Commons, and the Yeas and Nays being called for on its passage:

Mr. A HENDERS ON said he would submit to the consideration of the House a few reasons which would induce him to vote in favor of the bill; and he hoped gentlemen would look into the bill itself, and satisfy themselves of its merits; and if they should be convinced that the situation of the country imperiously demands a law of this kind, he hoped that no unreasonable jealousies or prepossessions would prevent them from voting in favor of a measure which they could not but believe would be a public benefit.

The idea of a Court of Equity, Mr. H. said, was coeval with the Government. The framers of our Constitution have decreed that there shall be a Court of Equity; and therefore did they do this? Because such a Court was familiar to them—This Government, when a colony, had a Court of Equity, sometimes held by the Judges and sometimes by the Governor & Council. They knew that unless a Court of Equity was established, many litigated cases could not be decided. In obedience to what he would call an injunction of the people, in 1782, your Legislature, said he, established an Equity Jurisdiction in your Superior Courts. For what purpose was this Court established? Was it merely to give the Judges jurisdiction over this branch of law? It was not merely for the name of the thing, but that every man who had an equitable cause might have it decided. But he would enquire whether the injunction of the Constitution and the intention of the Legislature had been carried into effect?—No, painful to relate, not thirty arguments had been decided since the institution of the Courts in 1782. Causes are still pending which were instituted at that time. The law giving the Courts this jurisdiction continued for a considerable time; when it was found impossible to try the suits which had been instituted. At length the Legislature directed that the three last days of each term of the Superior Courts should be exclusively appropriated to Equity business. Did this prove a remedy for the evil? No. The Judges who had sat ten days on the Bench, and the Council, Jurors and Suitors, who had attended the Court during that time, were too much fatigued to enter upon the Equity docket, which sometimes contained a hundred causes. The bills could be scarcely read over, much less tried. All that could be done was to hear the bills and their answers. In 1806, we radically changed our Judiciary system. Since that time, in the district in which he practised, not one original Equity cause had been tried, and the business had been constantly accumulating. In the old district towns, he believed he might safely say that there were 50 Equity causes in each—This makes 400 causes, which remain in your old district towns, and the persons concerned in these suits are as completely excluded from having justice done them as though there was no law in existence giving our Courts Equity Jurisdiction. Every gentleman knows there is no possibility of trying these causes. The law business of our Courts generally from Monday till Saturday. In many cases injunctions could not be had, but the Judges have taken them with them home—Indeed some of the parties in these suits are so tired out in attending upon them, that they have literally abandoned them, until some change in the system shall take place.

It may be supposed by some gentlemen, said Mr. H. that though the Courts of the old district towns may be thus crowded with suits, the courts

of the other counties may not be so, and that the suits pending there may be tried under the present establishment. But if they will consider that suits in Equity are growing much more intricate than other suits; and that in a great part of the State, the Superior Courts are already full of business; that supposing the Judge to get thro' the docket by Thursday, he then takes up the Equity business—It is necessary the parties in Equity suits should have counsel, who must have some time to prepare their arguments and authorities. But suppose the parties should be prepared with counsel, who have their papers in order to proceed to trial, if you had the greatest Chancellor on earth, he could never thus go into the trial of an Equity cause, unless the business was properly prepared by the Clerk; and it is a notorious fact that a most all the present Clerks & Masters in Equity are totally unacquainted with their business; nor does this arise from a want of talents: no man will apply his talents to accomplish any purpose for which he has no prospect of being paid, which is the case with these gentlemen, under the present system.

But if it were possible to prepare the business properly how can it be expected that a Judge who is riding from Court to Court, on his circuit for ten weeks together, after he has been busy engaged with the ordinary business of a Court for four or five days, can turn round and investigate intricate Equity suits? Or can it be expected that Counsel will be prepared to argue such cases, in a situation where they cannot get books, or if they had them, they would have no opportunity of making themselves master of the subject.

But it may be said, that in some counties there are but few Chancery suits, and but little of other business to prevent them from being tried. It ought to be recollected, said Mr. H. that there is a vast responsibility attached to your Judges in the decision of these suits. One of them is about to pronounce upon a suit upon which perhaps depends the property of a number of orphans. On such an important case, he will not be willing to decide unless he be as sure as deliberation, investigation, argument and authorities can make him. Without these, he will be fearful of doing wrong, and will come to no decision. The Judge who next attends the Court, will probably avoid a decision for the same reason, and thus the decision will be continually protracted.

To acquire a perfect knowledge of Chancery business requires great study and application. Though the studies of Law and Equity are intimately connected, a person may be well acquainted with common Law, and yet a Chancellor. Not only a long study of law but of Chancery knowledge is requisite to form a good Chancellor. This cannot be expected from a man who has to ride ten weeks at a time, to attend the ordinary business of the Courts. We have not now, said Mr. H. any great Chancellors; not but cause our Judges and Lawyers are deficient in talents as such, but because they are not particularly called to this kind of knowledge. Nor shall we have any such until a Chancery Court is opened, and then Gentlemen will find it their interest to make themselves masters of it.

It appears, then, that without a Court of this kind, the Chancery business throughout the State cannot be tried. It does not require argument to prove this. A bare statement of facts is sufficient. Every man who knows any thing about Chancery business, knows that it is at present in vain to seek for redress. There are 5 or 600 men in this State, who are concerned in suits which have been pending for 20 years; and shall we continue to turn a deaf ear to the complaints of these men? For no gentleman can say that the cases of this description now in the Morgan and Salisbury districts could be determined in ten or in twenty years under the present establishment. And are we willing that these persons shall continue to be told, "Go home, as heretofore, there is no possibility of trying your suits?"

Mr. H. mentioned several cases in which advantage was taken of the dilatory and uncertain issue of suits in Chancery. Compromises were, he said,

sometimes made upon very disadvantageous terms rather than wait the issue of a protracted and uncertain suit.

Mr. H. said he saw no remedy for this evil. No alternative, but either to feel the people who have suits of this kind, or just cause to commend them, we will grant you no redress, or pass a bill like the one now before us. I am sure, said he, if the members of this house generally were as well acquainted with the situation of the people of this county in this respect as I am, there would not be a dissenting voice on the passage of this bill. But the difficulty, rises from the situation of those persons not being sufficiently known.

And here, Mr. H. said, he would make these observations, were it not expressly to dispel the fears and apprehensions which he understood were entertained by some gentlemen, who had insinuated that some of the advocates of this bill had an eye to an appointment under it. He believed the suspicion entirely unfounded. For himself, he would assign two reasons why he would not consent of the office. One was a consciousness of his inability to fulfil the great and important duties invested in a Chancellor; the other was, he held it wrong in principle for a person to assist in creating an office for himself. All fears on this head might therefore be done away. Gentlemen would have an opportunity of making their own choice. If they be inclined to make a party question of it, they can do so. If the person chosen, be competent, a man of talents, learning and integrity, he should be satisfied. All he wanted was, that the people in the situation which had been stated, might have justice done them.

Mr. H. concluded with sincerely hoping the bill would pass, because he believed the situation of the country imperiously called for it. As to the expense necessary for carrying such a law into effect, it ought to form no objection, in granting the contemplated relief.

After a few observations from Mr. McGimpsey, in favor of the bill, in which he stated the situation of suits of this kind in the part of the country which he was best acquainted with, in any which had been standing 20 or 30 years; and stating, that in respect to the expense, it would not be nearly equal to that which was experienced by the continued disappointments of suitors; and mentioning some suits which had been abandoned rather than suffer the repeated disappointments which had been so long continued, and which had no prospect of an end, the bill was negatived 60 to 42.

Six Thousand Dollars,  
MAY BE HAD FOR SIX DOLLARS.

TICKETS in the CAPE FEAR Lottery for sale at the Treasurer's and Comptroller's Offices and all the Printing Offices in Raleigh, and at nearly all the Post Offices and other public places in the State. From the number of Tickets already sold, there is but little doubt the drawing will commence on the 1st of April next.  
H. BRANSON,  
Fayetteville, Jan. 23, 1810. 40

MARSHAL'S SALE.

BY virtue of an execution issuing from the Circuit Court of the United States, held at the City of Raleigh, on the 12th day of November last, for the district of North Carolina, WILL BE EXPOSED FOR SALE (for cash, in silver or gold coin of the United States) at the Court-House of Franklin County, on the 13th day of March next, FIFTY LOTS, lying in Leasburg, whereon William Hayward lives. Also SEVEN NEGROES, taken to satisfy a judgment obtained in said Court by the Trustees of Jacob Mordecai vs. said Wm. Hayward and others.

BEVERLY DANIEL,  
Marshal for the District of North Carolina.  
January 9, 1810. 39

State of N. Carolina, Anson County.

Superior Court of Law, September Term, 1809.

Elizabeth Jennings & others,

The Administrators, Heirs & Legatees of  
Butwell Lamer, decd.

Petition for a division of real & personal Estate.  
IT appearing to the Court, that William Lamer, one of the Administrators, James Lamer, son of Sampson Lamer, Thomas Lamer, and Thomas Clinton, and Catharine his wife, are not residents in this State: It is therefore ordered, that publication be made six weeks in the Raleigh Register, that the said William Lamer, James Lamer, Thomas Lamer, and Thomas Clinton and Catharine his wife appear at the next Superior Court of Law, to be held for the county of Anson, at the courthouse in Wadesborough, on the second Monday of March next, and answer, plead or demur, the petition will be taken pro confesso, and heard & exparte as to them.

JOSEPH PICKETT, CLK.