



Repository of Genius.

FROM THE NATIONAL INTELLIGENCER.

THE CLOSING YEAR.

DECEMBER 31ST, 1812. HARK! Hark! I hear the pealing bell! It is the year's departing knell! It strikes upon my heart—mine ear, And fills me with a holy fear. Through the long vista of departing time, Excursive fancy takes her flight. Painting the chequer'd scene with tints sublime, Now veil'd in gloom—now beaming light. Alas! how many hearts have ceas'd to beat, Since the first sun rose on the year, How many throbs with life and heat, Who ere its close shall press Death's bier? E'en this strong frame the number may encase— For who can measure out his span! Soon may these active members rest in peace, And death destroy each promis'd plan. Shrink not, my soul, from this prophetic gloom, Nor fear to contemplate the silent Tomb. To transatlantic shores I turn, Conquest's bloody wreath to mourn: From Europe and from Asia's plains, Humanity has taken flight; There crime and desolation reigns, And pity weeps the bloody fight. Where Moscow, pride of cities, stood, Whose lofty Turrets mock'd the sky, Dark desolation pours its flood, And hostile Banners proudly fly; Striding o'er the blood-drench'd ground, Ambition waves his gory hand, Attendant Furies stalk around, And vengeance leads the fiercest band. The eosanguin'd triumph of one fatal day, Has swept ten thousand brighter hopes away; For oh! the Widow's tears, the Orphan's moans, The wounded soldier's deep & dying groans; Will they not chase the slumbers of the night, And banish ev'ry future fond delight? Alas! on cis-atlantic shores, Dark clouds the skies o'ercast For here, 't is here, the "battle hours"— Death rides upon the blast. Echo starts from dells profound, Silence wakes with wild affright: Hark! "the Drums' discordant sound" Rolling through the ear of night. Death, I see thy horrid train Plunge into the awful fight— Dreams of terror fill my brain, Dreadful Visions meet my sight! One beam alone illumines the clouded sky Where Victory's triumphant Banners fly: DEATH, HULL, and JONES in triumph meet! The pride and glory of COLUMBIA'S Meet! Ere Winter's stormy reign is o'er Or Spring's first flowrets blow, May PEACE with snow yet restore Pure Joy's extatic glow.

From the Knoxville Gazette.

TENNESSEE LAND TITLES, OR Reflections on a late Act of the General Assembly of Tennessee.

[Concluded from our last Register.] One more instance, only, of the unconstitutionality of this Law, I shall notice. We have heretofore seen, that the reservations of the cession act remain in full force, in the hands of North Carolina; an express condition on which she offered to cede them, never having been complied with. Now every one will admit, that the late law is entirely repugnant to, and an infringement of those reservations. Yet that very act (the cession act) is declared to be inviolate by the 32d section of the declaration of rights, in which it is said, "Nothing contained herein shall extend to affect claims of individuals, to any part of the soil, which is recognized to them by the cession act." Here we see that our own constitution recognizes the cession act, and declares the reservations of it inviolable. Can then, any law be passed which shall deprive the claimants under that act, of their property fairly and legally acquired? In whatever point of view we regard the late act of our Assembly; whether we consider the justice of its nature, or the constitutionality of its character, it appears to be the grossest Legislative blunder ever made. It is a solecism in law-making. It is a most absurd and ridiculous production. It is a hideous monster, produced from ignorance or something less excusable, and intended to devour, were it possible, the just rights, not only of individuals, but of a State. I appeal to all impartial men, whether the cession act, and its several reservations, ought not to be observed? Either to law, it must not necessarily be observed, especially since it is granted by the constitution of Tennessee itself; whether the act of Congress of 1806, could be considered as

an assent to the act of N. Carolina of 1803? Whether Tennessee had any right or claim to the soil South and West of the congressional reservation line, which therefore she could relinquish to the United States? And finally, whether our Assembly had any right, whether the constitution permitted it to pass such a law as the one we are considering? From the plain view of the case which we have taken, I think we may safely anticipate the judgment of all such men, on these points. If, to prove the justice, and fairness of the claims of N. Carolina, more arguments were necessary, many more might be adduced. In section 3, of article 3, of the constitution of the United States, it is declared that no new State shall be formed out of the Territories of any State, without the consent of the Legislature of the State concerned. Tennessee, then, never could have been formed, without a contract, for that purpose, being had with the State of N. Carolina, or her consent thereto. It follows, that whatever conditions she prescribed in the act by which she ceded the territories, which now compose Tennessee, are good, and valid, in law, to all intents and purposes. The conditions of the cession act are well known, and titles for lands in Tennessee, founded on those conditions, must have a preference to other titles. They stand on the surest foundation. They are guaranteed by the constitution of the United States, by the compact between the United States and N. Carolina, by the good faith and magnanimity of N. Carolina, and by the constitution of our own State. Can any act, can any unconstitutional act of our Assembly defeat them? That Assembly have no manner of right to interfere in the business: between Congress and North Carolina, the affair must be debated. The federal court must decide the dispute, and there can be no shadow of doubt, in my opinion, as to the manner in which it will decide it. Congress itself, omnipotent as it is, cannot infringe the just rights of N. Carolina. The second paragraph of section 3 of article 3rd of the Federal constitution, says, that nothing in that constitution shall be construed to prejudice any claim, of any particular State. As to the act of Congress of 1806, it may reasonably be questioned, whether Congress had any right to pass such an act? Whether the act was consistent with the claims of N. Carolina, reserved in the cession act? To those claims it did not appear to pay a just regard; and in fact, it seems to be a bungling and unjust act. It stipulated to give up to Tennessee all right of soil which the U. States had to a part of Tennessee; on condition that Tennessee surrendered to the United States her claim, to another part of her territory, to the soil of which she had no claim at all. If Tennessee had any claim to the right of soil South and West of the reservation line, she must have had the same claim to the soil North and East of that line. Why then should Congress cede to her that, to which, on these promises, she had the right before? The business seems to be a nullity. It presents a curious difficulty, and one which I think, Congress, in her act of 1806, would have done well to have considered. The fact is, Tennessee had no right to sovereignty of soil in any part of this State, any farther than respects the laying on of taxes. This is evident from that clause of the cession act which declares, that all the lands intended to be ceded by virtue of that act, should remain a common fund for the use and benefit of the United States, and should not be disposed of for any other purpose, the reservations excepted, &c. No legitimate titles could therefore be obtained to lands in Tennessee, but from North Carolina, or the United States; and as to those titles which have been procured from the State of Tennessee, since the act of North Carolina of 1803 was passed, and in consequence of the ratification by Tennessee, of that act, I am entirely of opinion, for reasons heretofore given, that when properly examined into, they will be found to be illegal titles. But we will return to the act of 1806.—Had that act been no more than an express and full assent of Congress to the act of N. Carolina; it would have settled the whole business; but, as before shewn, it was no such assent. It can, in no way, affect the claims of N. Carolina, founded on the reservations of the cession act.

It left those claims just as they were before, or as they would have been, had the act of 1803 never been passed. This, N. Carolina herself, has declared, by the act of her last Legislature, to which we alluded in the beginning of these remarks. Persons who have not attended to the subject may be curious to know why the legislature of N. Carolina required the assent of Congress to its act of 1803. For the satisfaction of such, I will just observe that such assent was made requisite by the 2d section of the 6th article of the articles of confederation, which declares that the consent of Congress shall be had to all compacts and agreements between one state and another, &c. Fellow Citizens of Tennessee, I have presumed thus to lay before you the reflections which the late act of our legislature, that I have considered, produced in my mind, and now, I appeal to every one of you whether the claims of N. Carolina, and those who claim under titles derived from her, are not just and legal? You will I am confident, agree with me, that they are. That guaranteed by the good faith of N. Carolina and by the constitution of our own state, they will remain inviolate, and be secure to the proprietors, any act of our legislature (who I think must have acted without properly deliberating on the subject) to the contrary notwithstanding. For my own part, I am no way interested in the decision of this matter. I claim no lands in Tennessee under titles from N. Carolina.—I am no author. I am no lawyer. I am no hired scribbler. I write from no motives of interest at all. As a free Citizen, I have taken the liberty of freely expressing my opinions on this subject. If there is any thing erroneous in them, it has proceeded from a defect of understanding, not from a corruption of heart. The dispute appears to be an important one: that it may be adjusted on the principles of equity is my wish. A. PALMER, Carter County, Nov. 12, 1812.

State Bank of North-Carolina. State Bank, Dec. 13, 1812. Purchasers of Stock in the State Bank are informed, that a Power of Attorney authorising a transfer of a share or shares held in the said Bank, must be witnessed either by the Cashier of the Principal Bank, or of one of its Branches, by a Notary Public, or by two Justices of the Peace; and if by the latter, their signatures must be certified by the Clerk of the county, with the county seal annexed. This regulation to commence on the first day of January next, of which all who may be concerned will take notice. W. H. HAYWOOD, Cashier.

Just received direct from New-York At the Store of the Subscribers, A Large and general ASSORTMENT of DRY GOODS; amongst which are, Superfine Broad Cloths Fine ditto Cassimeres, Coatings and Stockinets Rose & Dutch Blankets, Scarlet Cloaks Negro Cottons and Flannels Bombazines, Fancy Waistcoatings Jubilee Cord, Cambric, Gingham Mulmuls, Gingham, Calicos Robe Patterns, Long Shawls, Fancy Silks Ladies Silk and Cotton Hose Furniture Calicos Muslins, Cambrics and Dimities, and a great variety of Fancy Goods Also Shoes of all kinds Sugar, Molasses, Coffee, Tea Wine, Rum and London Brown Stout: All of which will be sold low for cash. JOHN & ROB. STUART. Raleigh, Dec. 17.

RALEIGH ACADEMY. THE Trustees of the above Institution respectfully inform the public, that the Exercises for the ensuing year will commence on Monday the 4th of January, under the superintendance of the Rev. WM. M'PHEETERS The Female Department will be under the direction of Miss BOSWORTH, from the State of New-York—a young Lady, who the Trustees are assured, is properly qualified for the undertaking, being well educated, and a perfect mistress of the polite and fashionable accomplishments of Drawing and every kind of ornamental Needle work. Both Mr. M'Pheeters and Miss Bosworth will be ably assisted in their several departments. The Preparatory School will be taught by Mr. EDMONDSON, a young Gentleman from Washington College, in Virginia, who is said to be well qualified for this department. A punctual attendance at the opening of the session is desirable, that the several classes may be formed to the greatest advantage. Dec. 16. WM. HILL, Sec.

MUSIC, DRAWING, &c. MRS. SAMBOURNE. HAVING signified to the Trustees of the Raleigh Academy, her intention of relinquishing her situation as Superintendent of the Female Department, as the conclusion of the present Session, wishes to inform her Friends and the Public, that she shall continue to reside in Raleigh, and, at the commencement of the ensuing year, will instruct a few Young Ladies in Music, Painting, Embroidery, &c. so that Students in the Academy, and others, will still have an opportunity of acquiring these polite accomplishments. 78 September 17.

Six Cents Reward. RUN away from the subscriber on the 19th day of NOVEMBER last, a bound Boy by the name of CORNELIUS HINE. All persons are forbidden from harboring said boy, and any person bringing said boy to the subscriber shall receive the above reward, but no thanks. PHILIP OCHTER, Rowan County, Dec. 13, 1812. 91-3.

A Caution. TWO Men from North-Carolina, calling themselves John Mathis and Lazarus Mathis, on the 19th inst. sold me a Mulatto Man Slave called DICK, for which I gave said John Mathis a Note for Six Hundred Dollars, attested Thomas Griffith, payable two years after date with interest. I have since got convinced that said Mathis had no right to said Negro—I therefore forewarn the citizens of North-Carolina not to trade for said Note, as I do not intend to pay it. ARTHUR FENNELL, Beauford District, S. Carolina, } November 25th, 1812. } 3t

State of North-Carolina, Mecklenburg County—Court of Pleas & Quarter Sessions, March Term, 1812. John Allen Orr or Nathan Franklin Orr } Original Attachment. IT appearing to the Court that the Defendant is not an inhabitant of the State aforesaid, It is therefore ordered, that publication be made three weeks successively in the Raleigh Register, that unless the defendant appear at the next Court to be held for said County on the 4th Monday in February next, and replevy the property, judgment will be entered against him by default.—A Copy, Test, 92 ISAAC ALEXANDER, C. M. J.

CHARLES PARISH, RETURNS his grateful acknowledgements to his friends and the public, for the liberal encouragement they have given him heretofore, in his line of business, and informs them that his large and commodious Three Story Brick Building, at the Sign of THE EAGLE, North of the State-House, is now in complete order to receive Boarders and Travellers—where he earnestly solicits a continuance of their patronage. He pledges himself that nothing on his part shall be wanting to render general satisfaction to all those who favor him with their custom. Honest and active servants alone will be engaged; and his Stables will perhaps be excelled by none. N. B. An ICE HOUSE and BATHING ROOMS will be constructed by the next Season.

TAVERN IN PITTSBORO. JOSEPH HARMAN returns his sincere thanks to his friends and the public, for the liberal patronage he has heretofore received in his line of Business, and informs them he is about removing to his old stand again, where he intends to keep a good supply as usual. Dec 16.

Coffee. J. GALES has several Barrels of good Coffee on hand, which, if applied for immediately, will be sold on low terms, either by the Barrel, or in parcels to suit private families; and, if required, a short credit will be given.

Land in Warren. I Will sell, or barter for Lands in West-Tennessee, the Tract of Land lying in Warren County, in the fork of Fishing Creek and Shocco, containing 432 acres, 100 of which are cleared, under good fences, and in good order for cropping. A further description of the Land is deemed unnecessary—suffice it to say, it is surpassed by none in the neighbourhood in the advantages of its situation and the fertility of its soil. The Dwelling House is 28 by 18 feet, and will have borne repairs sufficient to render a small family comfortable. There is a Granary, Smoke-house, Corn-crib, &c. Also, about 500 acres of unimproved Land, in the upper part of Halifax County, not very fertile, but the beauty and healthiness of its situation, and the excellent range which it would furnish, would make a pleasant Summer Retreat for any Gentleman living in the low Country. EDMUND JONES. Ransom's Bridge, Oct 9.

Twenty Thousand Dollars —CASH— Now afloat in the Potomac & Shenandoah Navigation Lottery. Second Class. 1 Prize of \$20,000 1 do. of 5,000 1 do. of 2,000 7 do. of 1,000 12 do. of 500 30 do. of 100 Besides the following Stationary Prizes: 1 Prize of \$15,000 1 do. of 10,000 1 do. of 5,000 1 do. of 2,000 8 do. of 1,000 8 do. of 500 10 do. of 100 Tickets each, in this class. Besides a vast number of small prizes, and nearly 1-2 Blankets to a Prize, Present price of Tickets Nine Dollars. TICKETS & SHARES sold by JOSEPH MILLIGAN, Bookseller, Georgetown, (Dist. Columb.) Who sold a great part of the Capital Prizes in the First Class. All orders for Tickets particularly attended to. Prize Tickets in this and other Lotteries taken in payment. All Lottery information gratis. Tickets may also be had of the managers. Nov. 28. Letters, post-paid, punctually attended to.

THE SUBSCRIBER. BEING desirous to remove into the County he now occupies in Germantown, he deems it unnecessary to give a particular description, as he supposes any person inclinable to purchase, will view the premises, suffice it to say, that the advantage which this convenient improvements, for a State or Territory, are equal, if not superior, to any in the place, and perhaps not surpassed by any in the upper country. Cash or Negroes will be expected in payment, and possession given whenever required. ANDREW BOWMAN, Stokes County, June

THE SUBSCRIBERS having qualified an Administrator and Administrator on the Estate of the late RICHARD TROTTER, to present all those having any claims on said estate to present them properly authenticated to the Administrator, at his store-house in Salisbury, where he is at all times prepared to liquidate the same. All those indebted to the said estate are requested to call and settle their respective accounts, and pay or renew their notes with satisfactory security, otherwise they will shortly be placed in the hands of an Officer for collection. JANE TROTTER, Adm'r, MOSES A. LOCKE, Adm'r Nov. 14, 1812. 4.39

For Sale, THE LAND Whereon I now live,—the former Residence of Green Duke, &c. LONG known for its healthiness and beauty of situation. This Tract of Land is supposed to contain 3600 acres; and situated within 7 miles of Warrenton—its convenience to which affords a ready Sale for all surplus produce. There is on the Tract a large quantity of excellent Wheat and Tobacco Land.—On Fishing Creek, which intersects this Land, there is a very valuable Saw and Grist Mill.—Convenient to the former there is a large quantity of excellent timber, and its convenience to Warrenton affords a ready sale for the Lumber. On the Mill Stream is at least 100 Acres of Bottom Land, a large proportion of which is finely adapted for meadows. 5000 dollars will be required in advance—payments for the balance will be made according to plan. Wheat will be put on, and the Plantation be delivered in complete order for the working of 15 or 20 hands. LEWIS P. DUKE, Warrenton, N. C. Oct. 29, 1812. 3-38

WILL BE SOLD, At the Court house in Onslow County, on the 2d Friday in January next, or so much thereof as will pay the Taxes due thereon for the year '810 and 1811, with the expenses of sale, &c. A Tract of LAND, lying on Quin's creek, in said county, containing 100 acres, adjoining the land of John Moffatt, the property of the heirs of Osborn Jeffreys, dec. JAS THOMPSON, Sheriff.

THE EDITORS OF The Raleigh Newspapers RETURN thanks to those of their Friends who, in conformity to the Notice which they published some time ago, have paid up their accounts to the close of the present year, and, unwilling to part with the few remaining Subscribers who have not found it convenient, or may not have had an opportunity to do so, they are respectfully informed that their papers will be continued until the first of April next; on which day, if their accounts shall not then have been paid, or settled by Note, their names will certainly be struck off from the Subscription lists of said papers, and their accounts put into a train for collection. JOSEPH GALES, JONES & HENDERSON, LUCAS & A. H. BOYLAN. December 31, 1812: No Subscriber is now received without the payment of half a year's subscription in advance.

THE IMPORTED HORSE STRAP, IS IN FINE ORDER. HE will stand the ensuing year at Mr. Prebet Collier's, 5 miles from Waynesboro' (on Neuse River) and will cover Mares on his usual accommodating terms. STRAP, for correctness of symmetry, great beauty, performance on the British turf, acknowledged superior racing blood, and as a Foal-getter, will, I presume, stand in the estimation of unbiased judges higher than any other Horse in America. Strap has not only come from the best racing stock in England, but of the most large and elegant. His sire, Benningbrough, is 5 feet 3 and a half inches high; Zachariah, full brother to Benningbrough, 5 feet 4 inches; King Fergus, their sire, 5 feet 4 inches, and his sire Eclipse, of such powers as to carry 168 lbs, on his back 4 miles & 350 yards in 8 minutes only running at his common rate, &c. Highflyer, the sire of Strap's dam, was not only a Horse of uncommon size, (between 5 feet 4 and 5 inches high) but was allowed to have been the best Horse ever in England. Strap's dam produced the Moorland Gelding, by Cavendish, Sir Bertrand, by Benningbrough, who was, in his blood and beauty, selected by an agent, to send to a Nobleman in Russia. She is the dam also of Weaver by Shuttle, who at 3 years old, won 6 times, running different courses, for large sums, and never was beat that year. Strap's dam is nearly full sister in blood to the dam of Joe and Jack Andrews, two of the most celebrated runners that have ever appeared on the British turf, &c. &c. Further particulars will be given in due time. HENRY COTTEN. Tarboro', N. C. Nov. 30, 1812.

The highest Price given at this Office FOR CLEAN LINEN OR COTTON RAGS.