

AND

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THE BRIEF REMARKER.

Under the full conviction that we cannot better employ our own time, or render more useful service to our readers, than by calling their attention to a volume of essays, under the title of the "Brief Remarker."

OF PROCRASTINATION.

The nation from which we derive our language has been distinguished, above perhaps all others, for steady persevering industry; and several English old sayings, or proverbs, correspond with this prominent feature of national character.

Whether it be owing to nature, or to education and habit, or from whatever cause else it may spring, there is, in this greedy country, a prevailing disposition to follow the last of these two opposite maxims; though we all are ready to admit the reasonableness of its contrast.

Few things are more ruinous, even to our secular affairs, than customary procrastination. It confuses and blights every kind of worldly business; for business not attended to in the proper time and season, is either not done at all, or done with more labor and difficulty, and to less purpose.

Some men are in the practice of letting their accounts lie unsettled for several years together. It is no matter forsooth; they are near neighbors and close friends, and can come to a reckoning at any time.

Some then neglect to make their Wills, though they know their estates would be inherited contrary to their own minds and to the rule of equity, if they chance to die intestate.

Some Farmers double their labour, and lose half their profits for want of doing things in the proper season. The fields are overgrown with bushes and thorns, all which a little seasonable labour might have prevented.

leaner in bulk, or inferior in quality, by reason that much of the labour that had been bestowed upon them was out of season. Nor is it uncommon to see farmers of this sort in a mighty hurry and bustle. They are behind their business and running to overtake it; which is the cause of their being so often in a greater hurry than their neighbors.

Many a one loses his custom as a mechanic, by not doing his work in season. It makes no odds, he thinks, whether the thing be done precisely at the time agreed upon—but so think not his customers.

What does not a merchant lose, in custom, in credit, and in cash, by neglecting his books, though it be only a few months, or a few weeks. How hard does he find it to set to rights, what might easily be kept right if he had done the work of each day within the day.

Honest Jonathan borrows a sum of money of his particular friend, on the express promise of scrupulous punctuality. He gets the money by the day; but being busy here and there, he delays to carry or send it. The money happens to be sorely wanted the very day it becomes due—and, with that particular friend, Jonathan's borrowing credit is utterly lost.

His reverence—a clergyman of no mean abilities, appears below himself in the pulpit, merely from his having got into the practice of delaying preparations for the Sabbath, to the very last of the week, when not unfrequently, company unexpectedly falls in, or he unexpectedly is called out: so that a considerable proportion of his sermons, composed in the hurry of his spirits, bear no great analogy to the "beaten oil" of the sanctuary.

Doctor—possesses undoubted skill in his profession, but loves talk better than practice. Called away in a case of pressing emergency, he sets out with speed; but meets an old acquaintance to whom he opens a budget of news and politics, which takes him up half an hour in the relation; and by the time he arrives, all is over. Half an hour sooner, and his patient might have been saved.

Violent pains and fevery chills seize us. If they go not off, we will send for the physician to-morrow. Ere to-morrow arrives, the distemper gains a firmness of fixtue that baffles the physician's skill.

Hark! The cry of fear and dismay.—The smallpox! Our children have caught the contagion; we meant to have them vaccinated, but put it off, and the time for it is now past.

One instance more, and a common one. "Not ready," says the sharp-eyed lawyer, when the court is in waiting, and the patience of the witnesses is tired with long attendance. And why not ready? Procrastination lies at the bottom. Here, however, the procrastination itself turns to good account. The case is laid over, and the fees augmented:—it is only the pig-ions that are plucked.

Law of the United States.

An act for the establishment of a territorial government in Florida.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all that territory ceded by Spain to the United States, known by the name of East and West Florida, shall constitute a territory of the United States under the name of the territory of Florida, the government whereof shall be organized and administered as follows:

Sec. 2. And be it further enacted, That the executive power shall be vested in a Governor, who shall reside in the said territory, and hold his office during the term of three years, unless sooner removed by the President of the United States. He shall be commander in chief of the militia of the said territory, and be, ex officio, superintendent of Indian affairs, and shall have power to grant pardons for offences against the said territory, and reprieves for those against the United States, until the decision of the President of the United States thereon shall be made known; and to appoint and commission all officers, civil, and of the militia, whose appointments are not herein otherwise provided for, and which shall be established by law: he shall take care that the laws be faithfully executed.

Sec. 3. And be it further enacted, That a Secretary of the territory shall also be appointed, who shall hold his office during the term of four years, unless sooner removed by the President of the United States, whose duty it shall be, under the direction of the Governor, to record and preserve all the papers and proceedings of the Executive, and all the acts of the Governor and Legislative Council, and transmit authentic copies of the proceedings of the Governor, in his Executive Department, every six months, to the President of the United States.

Sec. 4. And be it further enacted, That in case of the death, removal, resignation, or necessary absence of the Governor of the said territory, the Secretary thereof shall be, and he is hereby authorized and required, to execute all the powers, and

perform all the duties, of the Governor, during the vacancy occasioned by the removal, resignation, or necessary absence, of the said Governor.

Sec. 5. And be it further enacted, That the legislative power shall be vested in the Governor, and in thirteen of the most fit and discreet persons of the territory to be called the Legislative Council, who shall be appointed annually, by the President of the United States, by and with the advice & consent of the Senate, from among the citizens of the United States residing there. The Governor, by and with the advice and consent of the said Legislative Council, or a majority of them, shall have power to alter, modify, or repeal, the laws which may be in force at the commencement of this act. Their legislative powers shall also extend to all the rightful subjects of legislation; but no law shall be valid which is inconsistent with the constitution and laws of the United States, or which shall lay any person under restraint, burthen or disability, on account of his religious opinions, professions, or worship; in all which he shall be free to maintain his own, and not burthened with those of another. The Governor shall publish, throughout the said territory, all the laws which shall be made, and shall, on or before the first day of December in each year, report the same to the President of the United States, to be laid before Congress, which, if disapproved by Congress, shall thenceforth be of no force. The Governor and Legislative Council shall have no power over the primary disposal of the soil, nor to tax the lands of the United States, nor to interfere with the claims to lands within the said territory: the Legislative Council shall hold a session once in each year, commencing its first session on the second Monday of June next, at Pensacola, and continue in session not longer than two months; and thereafter on the first Monday in May in each and every year, but shall not continue longer in session than four weeks, to be held at such place in said territory as the Governor and Council shall direct: It shall be the duty of the Governor to obtain all the information in his power in relation to the customs, habits, and dispositions, of the inhabitants of the said territory, and communicate the same, from time to time, to the President of the United States.

Sec. 6. And be it further enacted, That the judicial power shall be vested in two superior courts, and in such inferior courts and justices of the peace, as the legislative council of the territory may, from time to time, establish. There shall be a superior court for that part of the territory known as East Florida, to consist of one judge; he shall hold a court on the first Mondays in January, April, July and October, in each year, at St. Augustine, and at such other times and places as the legislative council shall direct. There shall be a superior court for that part of the territory known as West-Florida, to consist of one judge; he shall hold a court at Pensacola on the first Mondays in January, April, July and October, in each year, and at such other times and places as the legislative council shall direct.—Within its limits, herein described, each court shall have jurisdiction in all criminal cases, and exclusive jurisdiction in all capital cases, and original jurisdiction in all civil cases of the value of one hundred dollars, arising under, and cognizable by the laws of the territory, now of force therein, or which may, at any time, be enacted by the legislative council thereof. Each judge shall appoint a clerk for his respective court, who shall reside, respectively, at St. Augustine and Pensacola, and they shall keep the records there. Each clerk shall receive for his services, in all cases arising under the territorial laws, such fees as may be established by the legislative council.

Sec. 7. And be it further enacted, That each of the said superior courts shall moreover have and exercise the same jurisdiction within its limits, in all cases arising under the laws and constitution of the United States, which, by an act to establish the judicial power of the United States, approved the twenty-fourth day of September, one thousand seven hundred and eighty-nine: and an act in addition to the act, entitled "An act to establish the judicial courts of the United States," approved the second day of March, one thousand seven hundred and ninety-three, was vested in the court of the Kentucky district. And writs of error and appeal from the decisions in the said superior courts, authorized by this section of this act, shall be made to the supreme court of the United States, in the same cases, and under the same regulations, as from the circuit courts of the United States.—The clerks, respectively, shall keep the records at the places where the courts are held, and shall receive, in all cases arising under the laws and constitution of the United States, the same fees which the clerk of the Kentucky district received for similar services, whilst that court exercised the powers of the circuit and district courts. There shall be appointed in the said territory, two persons learned in the law, to act as attorneys for the United States, as well as for the territory; one for that part of the territory known as East Florida, the other for that part of the territory known as West

Florida. To each of whom, in addition to his stated fees, shall be paid, annually, two hundred dollars, as a full compensation for all extra services.—There shall also be appointed two marshals, one for each of the said superior courts, who shall, each, perform the same duties, be subject to the same regulations, and penalties, and be entitled to the same fees, to which marshals in other districts are entitled for similar services; & shall, in addition, be paid the sum of two hundred dollars, annually, as a compensation for all extra services.

Sec. 8. And be it further enacted, That the governor, secretary, judges of the superior courts, district attorneys, marshals, and all general officers of the militia, shall be appointed by the President of the United States, by and with the advice and consent of the Senate. All judicial officers shall hold their offices for the term of four years, and no longer. The Governor, secretary, judges, members of the legislative council, justices of the peace, and all other officers, civil and of the militia, before they enter upon the offices, shall take an oath or affirmation to support the constitution of the United States, and for the faithful discharge of the duties of their office; the Governor, before the President of the United States, or before a Judge of the supreme or district court of the United States, or before such other person as the President of the United States shall authorize to administer the same; the secretary, judges, & members of the legislative council, before the governor; and all other officers, before such persons as the governor shall direct. The Governor shall receive an annual salary of two thousand five hundred dollars; the Secretary one thousand five hundred dollars; and the Judges, of one thousand five hundred dollars each, to be paid quarterly yearly, out of the Treasury of the United States. The Members of the Legislative Council shall receive three dollars each, per day, during their attendance in council, and three dollars for every twenty miles in going to and returning from any meeting of the legislative council, once in each session, and no more.—The members of the legislative council shall be privileged from arrest, except, in cases of treason, felony, and breach of the peace, during their going to, attendance at, and returning from, each session of said council.

Sec. 9. And be it further enacted, That the following acts, that is to say:

"An act for the punishment of certain crimes against the United States, approved April thirtieth, one thousand seven hundred and ninety, and all the acts in addition, or supplementary thereto, which are now in force."

"An act to provide for the punishment of crimes and offences committed within the Indian boundaries, approved March third, one thousand eight hundred and seventeen."

"An act in addition to the act for the punishment of certain crimes against the United States, & to repeal the acts therein mentioned, approved April twentieth, one thousand eight hundred and eighteen."

"An act for the punishment of crimes therein specified, approved January thirtieth, one thousand seven hundred and ninety-nine."

"An act respecting fugitives from justice, and persons escaping from the service of their masters, approved 12th of February, one thousand seven hundred and ninety-three."

"An act to prohibit the carrying on the slave trade from the United States to any foreign place or country, approved March twenty-second, one thousand seven hundred and ninety-nine."

"An act in addition to the act, entitled "An act to prohibit the carrying on the slave trade from the United States to any foreign place or country, approved May 16th, one thousand eight hundred."

"The act to prohibit the importation of slaves into any port or place within the jurisdiction of the United States, from and after the first day of January, in the year of our Lord one thousand eight hundred and eight, approved March second, one thousand eight hundred and seven."

"An act to prevent settlements being made on lands ceded to the United States, until authorized by law, approved March third one thousand eight hundred and seven."

"An act in addition to "An act to prohibit the importation of slaves into any port or place within the jurisdiction of the United States, from and after the first day of January, in the year of our Lord one thousand eight hundred and eight, and to repeal certain parts of the same, approved April twentieth, one thousand eight hundred and eighteen."

"An act in addition to the acts prohibiting the slave trade, approved March third, one thousand eight hundred and nineteen."

"An act to establish the post office of the United States."

"An act further to alter and establish certain post roads, and for the more secure carriage of the mail of the United States."

"An act for the more general promulgation of the laws of the United States."

"An act in addition to an act, entitled "An act for the more general promulgation of the laws of the United States."

"An act to provide for the publication of the laws of the United States, and for other purposes."

"An act to promote the progress of useful arts, and to repeal the act heretofore made for that purpose."

"An act to extend the privilege of obtaining patents for useful discoveries and inventions to certain persons therein mentioned, and to enlarge and define the penalties for violating the rights of patentees."

"An act for the encouragement of learning, by securing the copies of maps, charts, and books, to the authors and proprietors of such copies, during the time therein mentioned."

"The act supplementary thereto, and for extending the benefits thereof to the arts of designing, engraving, and etching historical and other prints."

"An act to prescribe the mode in which the public acts, records, and judicial proceedings, in each state, shall be authenticated, so as to take effect in any other state."

"An act supplementary to the act, entitled "An act to prescribe the mode in which the public acts, records, and judicial proceedings, in each state, shall be acknowledged, so as to take effect in any other state."

"An act for establishing trading houses with the Indian tribes, and the several acts continuing the same."

"An act making provision relative to rations for Indians, and their visits to the seat of government."

"And the laws of the United States relating to the revenue and its collection, subject to the modification stipulated by the fifteenth article of the treaty of the twenty-second February, one thousand eight hundred and nine, in favor of Spanish vessels and their cargoes, and all other public laws of the United States which are not repugnant to the provisions of this act, shall extend to, and have full force & effect in, the territory aforesaid."

Sec. 10. And be it further enacted, That, to the end that the inhabitants may be protected in their liberty, property, and the exercise of their religion, no law shall ever be valid which shall impair, or in any way restrain, the freedom of religious opinions, professions, or worship. They shall be entitled to the benefit of the writ of habeas corpus. They shall be bailiable, in all cases, except for capital offences, where the proof is evident or the presumption great. All fines shall be moderate and proportioned to the offence; and excessive bail shall not be required, nor cruel or unusual punishments inflicted. No ex post facto law, or law impairing the obligation of contracts, shall ever be passed; nor shall private property be taken for public uses without just compensation.

Sec. 11. And be it further enacted, That all free male white persons, who are householders, and who shall have resided one year, at least, in the said territory, shall be qualified to act as grand and petit jurors, in the courts of the said territory; and they shall, until the legislature thereof shall otherwise direct, be selected in such manner as the judges of the said courts shall respectively prescribe, so as to be most conducive to an impartial trial, and to be least burthensome to the inhabitants of the said territory.

Sec. 12. And be it further enacted, That it shall not be lawful for any person or persons to import, or bring into the said territory, from any port or place without the limits of the United States, or cause, or procure to be so imported or brought, or knowingly to aid or assist in so importing or bringing, any slave or slaves: And every person, so offending, and being thereof convicted before any court within the said territory, having competent jurisdiction, shall forfeit and pay, for each and every slave so imported or brought, the sum of three hundred dollars, one moiety for the use of the United States, and the other moiety for the use of the person or persons who shall sue for the same; and every slave so imported or brought, shall thereupon become entitled to, and receive, his or her freedom.

Sec. 13. And be it further enacted, That the laws in force in the said territory, at the commencement of this act, and not inconsistent with the provisions thereof, shall continue in force until altered, modified, or repealed, by the legislature.

Sec. 14. And be it further enacted, That the citizens of the said territory shall be entitled to one delegate to Congress, for the said territory, who shall possess the same powers heretofore granted to the delegates from the several territories of the United States. The said delegate shall be elected by such description of persons, at such times, and under such regulations, as the governor and legislative council may, from time to time, ordain and direct.

Approved—March 30, 1822.

INTERNAL IMPROVEMENTS.

The Board for internal improvements for this State, will meet, agreeably to adjournment, at the Executive Office in Raleigh, on Monday the 17th of June next; of which all persons concerned will take notice. J. GALES, Secy.

May, 1822.