

"Ours are the plans of fair, delightful peace,  
"Unwarped by party rage, to live like brothers."

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THURSDAY, NOVEMBER 11, 1830.

NO. 1,423.

Execution—Such a multitude never before assembled in this City, as were gathered together on Friday last, to witness the Execution of *Elijah W. Kimbrough* and negro *Carey*. During the morning, every avenue leading to town, was literally blocked up with human beings of both sexes and of all colors, and ages. As the hour of noon approached, the crowd became stationary near the Jail, where they encountered, for about two hours the fervor of a meridian sun, waiting with intense anxiety to catch the first glimpse of the unfortunate pair who were about to make earthly atonement for the violation of the laws of God and man. It was arranged, that the prisoners should be brought from the Jail, at 12 o'clock, but when the Sheriff went to *Kimbrough's* apartment for the purpose of conducting him out, he found the door secured on the inside, in such a manner as to prevent his entrance. After using persuasive language for some time without effect, force was resorted to; but when the prisoner saw that resistance would be ineffectual, he came to a parley, and removed his barricado. It was found that he had placed his bedstead, endwise between the door and the wall of the prison, and had firmly wedged it in. He gave no reason for this conduct but that he wished to sleep—the general belief however, is, that he intended, if possible, to prevent an entrance until the hour specified for his execution had elapsed! Ever since the apprehension of *Kimbrough*, his deportment has been singularly composed. It is true he has occasionally wept much, when visited by the Clergy, but during his whole trial, and when the Jury returned their verdict, his face retained its wonted color and its rather mild expression. We are told however, that when his door was opened by the Sheriff, he was pale as a sheet, and subsequently before leaving the Jail, he exhibited the greatest prostration and want of self-possession. At length a few minutes after 1 o'clock, the prisoners made their appearance, preceded by the Officers of justice, and the indifference and carelessness which had previously pervaded the crowd, was succeeded by evidences of anxiety and concern. *Kimbrough* was habited in a long white shroud which entirely concealed his person. His countenance was of an ashy hue and his step was far from firm. *Carey* had on a similar garment, except that it was black. His countenance expressed less emotion and his movements were more free and elastic. They were received at the Jail door by the City Guards who had been ordered out on the melancholy occasion, who opening to the right and left admitted them, and then closed again, forming an oblong square. In this order they proceeded to the place of execution, followed by the immense multitude, which we have heard variously estimated from three to six thousand persons. The Prisoners were also accompanied by the Rev. Mr. HUNT of the Presbyterian, and the Rev. Mr. PENN of the Methodist Church, who attended by request, though it is due to the Clergy of every denomination to state, that they have been most assiduous in ministering to their spiritual wants. On arriving at the gallows, Mr. HUNT, at the request of the prisoners, ascended the platform and addressed the spectators in an animated, feeling & appropriate manner. His exhortation was listened to with marked earnestness, and we trust was received with benefit and advantage. A fervent prayer was also offered up to the throne of Grace, in which both prisoners seemed to unite with apparent sincerity. During these religious exercises, *Kimbrough* continued to weep bitterly; *Carey* appeared rather more composed. Before Mr. HUNT left the platform, he stated that both criminals had desired him to reiterate to the world, their innocence of the crimes for which they suffered. About ten minutes before 3 o'clock, *MR. HINTON*, who had delayed the last act of the tragedy to the remotest point, commenced preparations for it. The gallows had been arranged with a drop, for the purpose of terminating as speedily as possible the sufferings of the victims. When called to ascend the scaffold, both criminals mounted with but little assistance. *Kimbrough* having recovered in some degree his composure or rather insensibility, but the negro exhibiting great agitation. While the Sheriff was pinioning their hands and adjusting the fatal rope, both prisoners gazed on the assembled thousands from the awful height, and none would have imagined from *Kimbrough's* countenance, that he was in momentary expectation of a violent death. Strange, that in the very jaws of the monster, the man can so support himself! *Kim-*

*brough* did not utter a word after reaching the drop, but *Carey* was engaged in audible aspirations to heaven, to the very last. The caps were at length drawn over their eyes, to conceal their faces when the agony of death should convulse their features—the rope which sustained the drop was severed, and, in an instant, the wretched men were immersed in darkness as respects the things of this world! *Kimbrough* being the heavier man of the two, had his neck broken by the fall, and died without the slightest struggle.—*Carey* was not dead for ten minutes, as was evident from the contraction of his chest and the quivering of his extremities! We feel it our duty to state the humiliating fact, that a large proportion of the crowd assembled on this occasion were females. We should be far from giving additional publicity to the fact, were it not for the purpose of raising our feeble voice against the manifestation of such a lamentably bad taste. If our criminals must be executed in public—the impolicy of which however, we have long maintained, and the demoralizing tendency of which was fully demonstrated by the scenes of drunkenness which were witnessed here on Friday—if they must suffer publicly we say, and if they are to be followed to the gallows by crowds of men; it is to be sincerely hoped that our respect for the purity and refinement of the females of the country may not hereafter be lessened by their appearance on such occasions. We cannot close this account, already sufficiently long, without a few additional remarks naturally suggested by the disparity of the offences for which these unfortunate men suffered. *Kimbrough* was convicted of a crime, the greatest which can be committed. It was murder and under circumstances almost unparalleled for their barbarity and atrocity. Perhaps his was a case in which the law justly awarded death as the proper punishment. But in the case of *Carey*, admitting the full extent of his guilt, what was his crime? He broke into a kitchen or out-house where no person slept, and robbed it of articles, worth perhaps five dollars! And yet the criminal law of this State so blends all distinctions of guilt, as to inflict the same punishment on him as upon *Kimbrough*, who was convicted of the murder of his step-father. Now we presume all will agree, that to prevent the perpetration of crimes, it is necessary to punish offenders; but few will be found, we think, to coincide in opinion with *Draco*, who gave as a reason for his sanguinary course, that small crimes deserved death, and he could find no severer punishment for the greatest.—We lay it down as a general proposition, that all punishments (except perhaps in a very few cases,) ought to be moderate and corrective, not cruel and exterminating—they ought to be merciful not rigorous, proportionate to the crime not excessive, and should tend to the reformation of the delinquent, not to his destruction. We yet hope that our Legislature will, at no distant day, take measures for the establishment of a Penitentiary, and experience will prove here, as it has done elsewhere, that the certainty of punishment, more effectually deters from the perpetration of crime, than the severity of it; for it is the nature of mankind, to be terrified at the approach of the smallest inevitable evil, whilst hope has the power of dispelling the apprehension of the greater.)

The New-York Elections commenced on the first instant and lasted three days. We have received no returns. Mr. FORSYTH has been elected a Senator in the Congress of the United States from Georgia, for six years, from and after the 4th March 1831. The vote stood thus: Forsyth 139, Dr. Fort 47 and 18 scattering. The final returns are not received from Ohio or South Carolina. Cherokee Gold Mines.—It has been heretofore stated that the Commander of the United States Troops had ordered the Cherokees to desist from digging for Gold on their lands. After holding a consultation on the subject, the Chiefs have

come, to the following conclusions, and have communicated their determination to the Commanding Officer: "That they are labouring, on their own lands in an honest way, for the support of their families; and cannot believe that the arms of Government will be employed against them. They respect the Government and its Officer; but so firmly are they convinced of their rights and privileges, that they are still disposed to continue their mining operations. They do not invite difficulties and suffering, but are perfectly resigned to such fate as the consequence of their honest labour on their own lands may consign them to."

Large Pumpkin.—Mr. William Whitfield, one of the most enterprising and systematic Farmers in Wake county, presented us on Friday last, with a Pumpkin weighing 86 pounds and measuring in circumference, five feet two inches. Beat this who can!

Liberal Donation.—The Cincinnati American states, that Mr. Arthur Tappan, Merchant of New-York, has presented Twenty thousand dollars to the Lane Seminary, a Presbyterian Institution in that City. This is one of the most liberal donations we recollect to have heard of in the United States.

Census of Davidson County.—We learn from Mr. Zebulon Hunt, who has visited this City to make his return to the Marshall, that the total population of Davidson county, is 13,321. When the last census was taken, Davidson was attached to Rowan county.

Superior Court.—The Fall Term of the Superior Court for this county was held last week—the Hon. JOS. J. DANIEL presiding. *Cordy Drew* was tried on an indictment for murder, which has been some time pending before the Court, was convicted of Manslaughter and branded in the hand. *Whitmel Cotten* was tried on a charge of murder and acquitted. *Edward Eaton* was found guilty of Blasphemy.—A motion in arrest of Judgment was sustained by his Honor, and the Attorney General appealed to the Supreme Court. Several indictments for misdemeanors were disposed of, and the civil docket being taken up, such suits as were ready for trial were determined.

Halifax Advocate.

Newbern, Oct. 30. The Fall Term of our Superior Court, commenced its session on Monday last, his Honor Judge DONNELL, presiding.—Tuesday was occupied with the trial of John Donum, a slave indicted with others for a conspiracy to kill Wm. Duncan, under the act of Assembly which makes it a capital felony for any number of slaves to plot and conspire the death of any person. This case was submitted to the Jury without arguments after a very short absence, they returned a verdict of not guilty. On Wednesday, Tom, the property of Mr. Foscue, was arraigned and tried for the same offence, this case occupied the whole day, and the Jury, after an absence of two or three hours, at about ten o'clock at night, returned a verdict of guilty. Solicitor Miller for the prosecution, Mr. Gaston for the defendant. We understand that in this case there will be a motion made in arrest, on the ground that the act of Assembly under which the criminal was indicted only contemplated a conspiracy to kill, in furtherance of some general insurrectionary movement, and not through mere private pique and personal grudge. The whole week will be occupied with the State Docket to the entire exclusion of civil business.

At the commencement of the week, his Honor the Judge was invited to attend a meeting of the bar, convened for the purpose of framing a petition to our next legislature, craving additional time for the transaction of our Superior Court business, whenever circumstances may require it. Of the expediency and extreme necessity of this procedure there cannot be a doubt.—Spectator.

Elizabeth City, Oct. 30. Melancholy Accident.—A. Mr. Wm. Newbold, a respectable citizen of this county, was riding the road to his gig a few days since, the horse took fright and ran away. Not being able to stop him, he sprang from the gig and fell, which injured him so seriously as to cause his death in a few hours. The horse ran about three miles we understand, and also fell dead.—Star.

Counterfeit Note.—We were shown, yesterday, a Five dollar Note of the Bank of the U. S. payable at the office at New York, which is a counterfeit, but so well executed, as to deceive even good judges.

It is believed that a large number of these Notes have been put into circulation by the accomplices of the men lately convicted before the Circuit Court of the U. S. of passing them in Philadelphia. N. C. Journal.

The Secretary of War and his family returned to this city on Saturday evening last, from his visit to Tennessee. Nat. Int.

We regret to learn that John Bailey has declined being a candidate for re-election to the House of Representatives from the Norfolk District in Massachusetts. Henry A. S. Dearborn, the reform Collector of the port of Boston, has been nominated as a candidate to succeed him. & we have no doubt will be elected. His education and pursuits in life qualify him to make a very useful practical legislator.—Jb.

The Courier and Enquirer admits the defeat of the Jackson party in Ohio, and affects to be highly gratified at the result, because it will encourage the Clay party to keep up their opposition, & thereby strengthen the Jackson party by uniting it more firmly together—tolerable good logic—ply it is the result of necessity. New-Jersey Eagle.

New-York, Nov. 2. The packet ship Corinthian brings information that the Dutch troops which entered Brussels on the 26th of September proceeded to commit the greatest excesses, whereupon the citizens and burgher guard rose against them, and after a contest of six days, in which a great number of lives were lost on both sides, expelled them from the city. A provisional government had been established, and the breach between Belgium and Holland now seems irreparable. Should Prussia interfere, as is apprehended, to subdue the Belgians, it would be impossible we think, for the government of France to restrain that nation from an immediate co-operation with them.

The conduct of the populace at Brussels is directed by experienced officers. At their head in the capacity of Commander in Chief, is Juan Van Halen, a Spaniard of Belgic origin, whose sufferings from the Inquisition in Spain, have rendered his name familiar in Europe. The French House of Deputies concurred on the 27th in the report of their committee, impeaching M. de Polignac of high treason, by a vote of 224 to 47. The case of M. de Peyronnet was next to be considered.

Commotions have also taken place at Louvain, Ostend, Ghent, Bruges and Tournay. At Louvain, the citizens drove off the Dutch troops in confusion. At Ostend, when the soldiers were ordered to fire on the insurgents, they fired in the air. At Ghent, Bruges and Tournay, the people are in arms, but no fighting had yet taken place. Disturbances at Berlin have taken place, of a more serious character than the Government paper is allowed to publish. A letter from thence states, that a meeting was held of more than twenty thousand persons who loudly called for the Constitution promised in 1814. The armed force received orders to fire upon the crowd; the troops of the line refused it is said, to act against their fellow citizens, but the Royal Guards executed the order; 60 individuals were killed or wounded. The crowd, in dispersing, loudly demanded the Constitution.

The packet ship Britannia brings one day's later news. It states that accounts from Rotterdam, say that the Dutch troops retiring from Brussels to Antwerp for reinforcements, had been fallen upon by the people and massacred; and that if the Army were thence what it is, it could not withstand the whole population in a state of revolt.

Married. In Hillsborough, on Wednesday evening week, by the Rev. Dr. Caldwell, Mr. William R. D. Lindsley to Miss Lydia Hogg. DIED. In Wake Forest, on the 1st inst. of pulmonary consumption, Mrs. Mary Barham, widow of the late John Barham, dec. Mrs. Barham had long made a profession of that religion which alone soothes the sorrows of life and extracts the sting of death. During her confinement, which lasted for four or five weeks, she discovered all that patience and resignation which the religion of our blessed Saviour is calculated to inspire.—She was quite sensible of her approaching dissolution, and retained the full exercise of mental powers even to the last. She died in the 74th year of her age, and had been a worthy member of the Christian church for about thirty years.—Communicated.

University of North-Carolina. THE Annual Meeting of the Trustees of the University of North-Carolina will be held at the Executive Office in this City, on Monday, the 22d day of Nov. inst. By appointment of the President, CHAS. MANLY, Secy. Raleigh, 5th Nov. 1830.

POSTSCRIPT

BOARDING. MRS. DELIA HAYWOOD will be prepared to accommodate 10 or 12 Members of the ensuing Legislature with Board. October 29. 25th

MISS E. GEDDY, IS prepared to accommodate a few Members of the approaching Legislature with Board. They can have rooms in her house, or she will procure other convenient lodging rooms for such as may prefer it. Early application is desired. October 19.

Boarding for Members. THE MISSES PULLIAM respectfully inform the Members of the approaching General Assembly, that they will be prepared to accommodate 10 or 12 of them, with Board. Raleigh, Oct. 13. 20th

MRS. JOHN HAYWOOD IS prepared to accommodate twenty-five or thirty Members of the Legislature. She assures all those who may honor her with their patronage, that no exertions shall be spared to make them comfortable. Mrs. H. has a number of detached rooms, besides those in the main building. N. B. The favor of early applications is requested. Sept. 18, 1830. Mrs. H. continues to receive Travellers and Boarders by the Week, Month or Year.

Benjamin S. King IS prepared to accommodate with board, from twenty-five to thirty Members, of the approaching General Assembly. As heretofore, his charge will be moderate. Raleigh, Oct. 17, 1830. 21

Boarding. J. GRANT, having taken possession of the Academy Buildings, (which will have undergone by the meeting of the Legislature, extensive repairs,) will be prepared to accommodate 15 or 20 members of the Assembly, as boarders during the Session. The location is such as to put it in the power of boarders, to be as public, or private as they may choose; being but a short distance from the Capitol and the business part of the City, and yet almost as retired as in the country. Raleigh Oct. 17, 1830. 21-

THE MEMBERS of the next Legislature are hereby informed, that the Subscriber has prepared a number of comfortable Rooms for their accommodation. Early application is desirable. JOHN DUNN. Oct. 22, 1830. 23-

Boarding for Members, &c. At the Sign of the CROSS KEYS. At that well known Stand formerly occupied by WILLIE JONES, Esq. THE Subscriber respectfully informs his friends and the public in general, that he is well prepared to accommodate 30 or 35 Members of the Legislature, with Board, on as reasonable terms as any other respectable Boarding House in Raleigh. He assures all those who may honor him with their patronage, that no exertion shall be spared to make them comfortable. He is prepared to accommodate Travellers, being well provided with good Beds and Stables, well furnished with good Provisions and attended by good Ostlers. He still continues to take Boarders by the week, month or year. ROBERT PERRY. Raleigh, October 27, 1830. 25 3w

MY LIVERY STABLES ARE OPEN, and offer great convenience to the Members of the Legislature and other visitors to Raleigh, who prefer having their Horses kept in the City. Good Provisions and trusty Ostlers are provided. The price will be as usual, quite moderate. WILLIAM SMITH. October 27. 24

To the Patrons of the Register and the Public.—After an experiment of seven years duration, we find that the population of North-Carolina is not sufficiently dense to support a semi-weekly Newspaper. We commenced the publication of the Register twice a week, with an insufficient number of Subscribers to warrant the increased expense attending it, confidently trusting that it would secure for itself additional patronage. Having been disappointed in this expectation, and having no reason, from the inconvenient arrangement of the Mails, to calculate on any material augmentation to our list of semi-weekly Subscribers, we have determined to discontinue that paper on the 15th November next, which day will complete the seventh year of its publication. After that period, the Register will be published every THURSDAY morning, and in order that we may be enabled to give to our readers, a full detail of Foreign & Domestic Intelligence; a clear and satisfactory account of the proceedings of Congress, and of our own Legislature; a faithful record of passing events, as well as an agreeable variety of Literary and Miscellaneous Articles, we shall publish our Paper on a large Imperial sheet with an elegant new Type, procured for the purpose. We cherish the hope that the exertions thus made to improve the oldest and one of the most widely circulating Papers in the State, will not only merit the continuance of its present numerous Subscribers but be the means of adding to their number.

The WEEKLY REGISTER will, after the above date, be forwarded to the late Subscribers of the Semi-weekly paper.

Bible Society of N. Carolina. Raleigh, Nov. 4, 1830. THE annual Discourse in behalf of this Society will be preached by the Rev. M. OSBORN, of Newbern, on Sunday the 12th of December, at the Presbyterian Church in this City. The annual meeting of the Society for the appointment of Officers, and for the transaction of such business as shall come before it, will be held in the Senate Chamber of the Capitol, on the following evening at seven o'clock, when the attendance of the Members, and others who feel an interest in the Bible cause is requested. 26 J. GALES, Secy.

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