

RALEIGH REGISTER,

AND NORTH-CAROLINA GAZETTE.

"OURS ARE THE PLANS OF FAIR DELIGHTFUL PEACE, UNWARD BY PARTY RAGE, TO LIVE LIKE BROTHERS."

VOL. XXXIV.

FRIDAY, JANUARY 11, 1833.

NO. 10.

THE REGISTER

IS PUBLISHED EVERY FRIDAY,

By Joseph Gales & Son,
Raleigh, North-Carolina.

TERMS.

THREE DOLLARS PER ANNUM; one half in advance. Those who do not, either at the time of subscribing, or subsequently, give notice of their wish to have the Paper discontinued at the expiration of their year, will be presumed as desiring its continuance until countermanded.

ADVERTISEMENTS,
Not exceeding sixteen lines, will be inserted *three times for a Dollar*; and twenty-five cents for each subsequent publication; those of greater length, in the same proportion. If the number of insertions be not marked on them, they will be continued until ordered out, and charged accordingly.

Captions of the

Laws passed by the Legislature of 1832.

PUBLIC ACTS.

1. An Act declaratory of the law now in force, giving to the County Courts of the several counties within this State the power to alter and fix separate places of election. [Declares that the County Courts, a majority of the acting Justices of the Peace being present, in the several counties in this State, has the power to alter, fix, establish, discontinue, or create new and separate Elections.]

2. To vest the right of electing the Clerks of the County and Superior Courts, in the several Counties within this State, in the free white men thereof. [Provides that the Sheriff and all other persons appointed to hold elections for members of the General Assembly, are required at the next annual election to open polls for County and Superior Court Clerks, and conduct the election of the same in like manner as for members of the General Assembly.—That the Clerks when so elected, shall give such bonds and take such oaths as are now prescribed by law, at the first Court for which they were appointed that shall happen in their county after their election, and shall continue in office for four years. No person shall be eligible for the appointment of Clerk of either Court unless he has attained the age of 21 years, and has resided within the county in which he may be elected 12 months immediately preceding the day of election.]

3. Vesting in the Courts of Pleas and Quarter Sessions of the several counties within this State, the right of establishing additional places of public Sale in their respective counties.

4. To provide for the registration of copies of Grants, where the originals have been lost or destroyed. [When registered in due form, shall have the same force and effect as the original Grants.]

5. Making an appropriation & appointing Commissioners for the rebuilding of the Capitol in the city of Raleigh. [Appropriates \$50,000 to build a Capitol on Union Square in the city of Raleigh, upon the plan of the former building, and appoints William Boylan, Duncan Cameron, Wm. S. Mohon, Henry Seawell and Romulus M. Saunders, Commissioners to contract for the same.]

6. Concerning Charities. [Provides that when any property, real or personal, has been granted for charitable purposes, it shall be the duty of the Trustee of such charity, to deliver in writing a full and particular account thereof to the Clerk of the County Court of the county where such charity is to take effect, at the first Court that shall happen in each year after the first day of January, and filed among the records of said Court by said Clerk.—It shall be the duty of the Chairman of such County Court, where such requisition has not been complied with, or where there has been mismanagement of the property through negligence or fraud, to give notice thereof to the Solicitor of such district, whose duty it shall be to file a Bill in Equity against such Grantee, Executor or Trustee, and compel him to render a full account of such charity; and the said Court may make such order or decree as may best secure the performance of the trust and effectuate the intention of the donor.]

7. To repeal an Act passed in the year 1830, entitled "An act to repeal part of the second section of an act passed in the year 1806, chap. 708, entitled "An act to revise the Militia Laws of this State." [Provides that persons conscientiously averse to bearing arms may be exempted from the performance of militia duty, by procuring a certificate from the clerk of their church that they are regular members thereof, and taking an oath or affirmation before the company court martial of the district to which they belong, that they are conscientiously averse to bearing arms—except in time of insurrection or invasion—then they shall furnish their quota of men, or pay an equivalent.]

8. To amend an act passed in the year 1831, entitled "An act to incorporate a company, entitled the Roanoke Inlet Company and for other purposes, and an act amendatory of the same, passed in the year 1828.

9. To prevent disputes in consequence of a late survey of the line dividing the counties of Anson and Mecklenburg.

10. Supplementary to an act passed in 1830, entitled "An act to enact, with sundry alterations and additions, an act, entitled "An act to incorporate the Petersburg Rail Road Company," passed by the Legislature of Virginia on the 10th day of February, 1830.

11. To establish the boundary line between the counties of Washington and Beaufort.

12. Amending the several Acts of Assembly incorporating the Roanoke and Cape-Fear Navigation Companies, and prescribing the mode of enforcing the collection of tolls.

13. To incorporate the North-Carolina Historical Society.

14. Fixing a uniform time of holding the Elections in the third Congressional District of North-Carolina, in all the counties therein. [Fixes the time on the last Thursday in July.]

15. Extending the time for paying in entry money, and obtaining Grants on all entries made in 1829 and 1830.—[Extends the same twelve months.]

16. To amend an act passed in 1831, to increase the liability of Sheriffs and to provide more effectually for the collection of taxes. [Allows Sheriffs to file returns of money received for taxes from merchants, retailers, &c. with the Clerks, during vacation.]

17. For the better organization of the Militia of this State. [Provides that all persons exempt from militia duty, shall be enrolled in their respective districts.]

18. To render the land of a deceased debtor liable for the costs, where the plea of fully administered, has been found in favor of his Executor or Administrator. [Provides that when an Executor or Administrator has been sued, and the plea of fully administered has been found in his favor, the land of the debtor shall be liable for all costs.]

19. For the better regulation of Volunteers. [Allows them to be organized when they have 44 men enrolled.]

20. To amend the Militia Laws. [Creates a new Division in the West, and points out the mode of electing General and Field Officers.]

21. To allow the taking of depositions in cases of removal. [Provides that commissions to take depositions may be issued from the Court from whence the cause is removed.]

22. Authorizing widows of persons dying intestate, to fill their petitions for a year's support, before letters of Administration are granted. [Petition to be filed as now prescribed in cases of application for support.]

23. Repealing part of an act passed at last session, to regulate retailers of spirituous liquors. [Repeals so much of the said act as authorizes the imprisonment of offenders.]

24. To amend the 10th section of the act of 1741, for the better observation of the Sabbath. [Provides that the bonds required by said section shall hereafter be made payable to the Governor.]

25. To prevent the unlawful transportation of slaves from this State. [Provides that the offence shall be punishable with death.]

26. To establish the Bank of North Carolina. [With a capital of two millions of dollars, one half to be taken by the State—the other half by individuals. The Principal Bank to be located at Raleigh, and to have such branches as may hereafter be agreed upon. An annual election of the President to be made by the Legislature.]

PRIVATE ACTS.

1. An Act to amend the law respecting the appointment of Sheriff, so far as relates to the county of Surry.

2. To amend an act, passed in the year 1829, entitled an act to authorize the forming a Fire Engine Company in Elizabeth City.

3. To vest in the County Courts of Macon, Burke and Rutherford counties, power to appoint places of public sale in said counties.

4. To amend an act, entitled "An act to appoint one additional place of sale in Hyde county," passed in the year 1831.

5. To incorporate the Gatesville Troopers.

6. To incorporate a Cavalry Company in the county of Hertford.

7. To incorporate the Franklin Guards.

8. To authorize Robert Henry to erect a Mill on Hominy Creek, in Buncombe county.

9. To establish a town on the lands of John D. Anis, in the county of Northampton, at the termination of the Petersburg Railroad on the Roanoke River.

10. To incorporate the Scotland Neck Guards.

11. To incorporate the Haywood Boating Company.

12. To compel the Register of Buncombe county to keep his office in Asheville.

13. To repeal an act, passed at the last session of the General Assembly, chapter 122, entitled, "An act to authorize the County Court of Guilford to appoint overseers and hands to clear out the channel of Reedy Fork of Haw River in Guilford county."

14. To restore to credit Thomas Daves of the county of Macon.

15. To repeal an act, passed in the year 1828, entitled "An act repealing the several acts establishing and regulating the Special Courts of Burke county."

16. Concerning the upper Regiment of Chatham county militia.

17. To incorporate the Anson Dragoons.

18. Providing compensation for Jurors in the county of Cabarrus.

19. To authorize David W. Borden, of Carteret county, to erect a Gate across the road leading from the Cross Roads on White Oak River to Borden's Ferry.

20. Amendatory of the act of 1831, entitled "An act to authorize the Governor to grant certain lands to the Trustees of Franklin Academy in the county of Macon."

21. To alter the time of electing, and renewing the bonds of certain officers in the county of Mecklenburg.

22. Amending the Patrol laws, so far as relates to the counties of Camden, Pasquotank, Chowan and Gates.

23. To authorize the altering & amending the State Road running through the county of Haywood.

24. To incorporate two Volunteer Companies in the county of Pasquotank.

25. To alter and amend an act, passed in the year 1829, entitled, "An act for the improvement of the road from the old Fort in Burke, to Asheville in Buncombe."

26. To incorporate the town of Rutherford, in the county of Rutherford.

27. To appoint an additional place of public sale in the county of Beaufort.

28. To provide for the more prompt administration of justice in the counties of Burke, Buncombe, Lincoln and Rutherford.

29. To prevent the felling of timber in, or otherwise obstructing the channel of either branch of the north-east branch of New River in Onslow county.

30. To incorporate the Donaldson Academy and Manual Labor School, in Fayetteville.

31. To abolish the Offices of County Trustee and Treasurer of Public Buildings in the county of Chatham.

32. To prevent the felling of timber in, or otherwise obstructing the navigation of Gushen, between Hurst's bridge and the North-East River.

33. To incorporate the town of Whitesville, in the county of Columbus.

34. To appoint Commissioners for the town of Haywood, in the county of Chatham, and for the better regulation of the same.

35. To incorporate the Experimental Rail-Road Company in the City of Raleigh.

36. More effectually to provide for the payment of Jurors in the county of Anson.

37. To incorporate a Cavalry Company in the county of Duplin.

38. For the better regulation of the town of Jameston, in the county of Martin.

39. To regulate the collection of State witness tickets, so far as respects the county of Guilford.

40. To repeal in part an act of the General Assembly, passed in the year 1826, entitled "An act to repeal an act of the General Assembly passed in the year 1820, entitled "An act directing the County Court to pay fees to certain officers therein named in certain cases;" so far as relates to the counties mentioned in this act.

41. To exempt the Militia residing on Knott's Island from attending at the Court House of Currituck, on general, regimental or battalion musters.

42. Exempting Powell's Point and Poplar branch companies of Militia, in Currituck county, from attending regimental musters at the Court House therein.

43. To prevent the felling timber in or otherwise obstructing the channel of Little River from Bumper's Fork to the County line, in Montgomery county.

44. To incorporate Northampton Troop of Cavalry.

45. To incorporate the Onslow Troopers, the Johnston Dragoons, and the Lenoir Troopers.

46. To incorporate Silver Run Academy, in the county of Cumberland.

47. Concerning the hands working on Roads in the county of Burke.

48. To prevent the felling of timber in, or otherwise obstructing the run of Bear Creek, in the counties of Lenoir and Wayne.

49. To incorporate the Trustees of the Rolesville Academy, in the county of Wake.

50. To authorize the County Court of Wake to lay a tax for building a substantial fire-proof Court House, or a substantial fire-proof Office for the safe-keeping of the public records of the county.

51. Authorizing the County Court of Gates to have the records of said county transcribed, and to make copies of such transcribed records evidence in all suits at Law and Equity in this State.

52. To establish Haywood Academy in the county of Chatham, and to incorporate the Trustees thereof.

53. To alter the line separating the north and south Regiments of the North-

Carolina Militia, in the county of Surry.

54. To incorporate an Academy upon the lands of Martin R. Garrett, in the county of Nash, by the name and title of Stony Hill Academy.

55. For the relief of Brittain Jones of Bertie county.

56. To amend an act passed in the year 1831, entitled "An Act to prevent fire-hunting of owl in Carteret county."

57. To remark and renew the dividing line between Richinowd and Robeson county.

58. To regulate the Courts of Pleas and Quarter Sessions of Davidson county.

59. To restore Joshua Pennel of Wilkes county to credit.

60. To establish Good Spring Grammar School in the county of Stokes, and to incorporate the Trustees thereof.

61. To amend an act passed in the year 1827, entitled, "An Act to keep open the Tockasey and Tennessee Rivers in Haywood county."

62. To create one additional wreck district in the county of Hyde, and for other purposes.

63. To alter the time of holding one of the terms of the County Court for the county of Davidson.

64. To incorporate the "La Fayette Hotel Company in the town of Fayetteville."

65. Reappointing Commissioners for the town of Waverly, in the county of Haywood.

66. Compensating Jurors of the original panel in the county of Beaufort.

67. To amend an act passed in 1820, to provide for the compensation of Jurors in Beaufort, Onslow, Hyde, Anson and Duplin.

68. To repeal part of an act passed in 1830, appointing Commissioners to superintend the building of a Court-house in Burke county.

69. To allow further time to open books for the purpose of receiving subscriptions for Stock in the Lake Drummond and Orapake Canal Company.

70. To incorporate the Leaksville Toll Bridge Company.

71. To alter the time of electing the County Trustee for Orange county.

72. To emancipate Horace, a slave.

73. To alter the name of Eliza Humphrey, and to legitimate her.

74. For the better regulation of the town of Statesville.

75. To fix the time of granting Orders for altering an, turning roads, and for laying off new ones in Richmond county.

76. To amend an act passed in 1826, to appoint Commissioners for the town of Kinston, in Lenoir county.

77. For the better regulation of hands working on public roads in Anson and Cumberland counties.

78. To alter the time of holding the elections in the town of Salisbury.

79. To authorize the making of a Turnpike road in Haywood county, and to incorporate a company for that purpose.

80. In relation to the Volunteer Companies attached to the second regiment of the Stokes militia.

81. To authorize the raising of \$2,000 by Lottery for the purpose of building a bridge across Neuse River, at Carter's landing, in Lenoir county.

82. To empower the County Court of Nash to borrow money for the purpose of defraying the expense of building a fire proof Court-house.

83. To establish the Barshavia Farmer's Academy in Stokes county, and to incorporate the Trustees thereof.

84. To incorporate the Cabarrus Artillery.

85. To authorize the issuing of a grant for land to Amis Curtis and others, for a Camp ground.

86. To regulate the County Court of Washington.

87. To provide for the final settlement of Executors and Administrators, also the annual settlement of Guardians, in the county of Anson.

88. To extend the provisions of an act passed in 1825, to amend an act passed in 1825, establishing and regulating a Turnpike Road in Haywood county called the Tennessee River Turnpike Road.

89. To authorize the completion of the Tennessee River Road in Macon county, and to incorporate a company for that purpose.

90. To regulate the County Courts of Hyde.

91. To incorporate the Trap Hill Riflemen, in the county of Wilkes.

92. To amend the laws relative to the County Courts of Iredell.

93. Directing the manner in which Constables shall hereafter be elected in the counties of Davidson, Chatham, Buncombe, Surry, Wayne, Hyde, Randolph and Onslow.

94. To incorporate the Williamston and Windsor Turnpike Company.

95. To incorporate the Person Artillery.

96. To repeal part of an act passed in 1824, authorizing the County Courts of Hyde and Tyrrell to issue licences to retail spirituous liquors by the small measure, at or near the Court-house.

97. Appointing lay days on Rocky River joining Anson and Montgomery counties.

98. To authorize the County Courts of Hertford and Gates to lay a tax to defray all the expenses incident to calling out the militia during the insurrection in Southampton county, Virginia.

99. To appoint additional Trustees of Rush Academy in the county of Hyde.

100. To alter the name of George W. Williams, of Anson county.

101. To repeal the provisions of an act passed at last session concerning those persons who are interested in the Beach and Marshy lands lying in Currituck county.

102. To divorce Polly Buckner from her husband Edward Buckner.

103. Appointing Commissioners to build a bridge across South Yadkin River, in Rowan county.

104. Abolishing the office of Treasurer of public buildings so far as relates to the county of Bladen.

105. For the better regulation of the County Courts of Halifax.

106. Concerning the inspection of Fire Wood in the town of Newbern.

107. To incorporate the Granville Dragoons.

108. To repeal the third section of an act passed in 1825, directing the manner in which licences shall hereafter be issued to retailers of spirituous liquors, so far as regards New-Hanover and Richmond counties.

109. Concerning the survey of lots in the town of Franklin, Macon county.

110. To extend the provisions of an act passed at last session, in relation to the burning of the records of Hertford county, to the county of Wake.

111. To repeal in part an act passed in 1827, appointing Commissioners to run and establish the boundary line between the counties of Bladen and Columbus, and for other purposes.

112. To incorporate the Macon county Agricultural Society.

113. To amend an act passed in 1824, for the better settlement of the finances of Robeson county.

114. To alter the name of, and to legitimate Sally Halliday, of Martin county.

115. To empower the Wayne county State Guards to form themselves into a squadron of light or horse artillery.

116. To incorporate the Robeson Light Dragoons.

117. To continue for a longer time the Neuse Navigation Company.

118. To alter the names of Richard Alderson and William White, of Beaufort county, and to entitle them to inherit.

119. Concerning the town of Rockford in Surry county.

120. To repeal an act passed in 1830, for the better regulation of the County Courts of Haywood.

121. To incorporate the Gatesville Academy.

122. To incorporate the Randolph Blues.

123. To incorporate the Blakely Blues.

124. To alter the time for the Sheriff of Wilkes to make his settlements with the County Court.

125. To incorporate the Trustees of the Waynesborough Academy in Wayne.

126. To amend an act passed in 1830, to establish the town of Gatesville.

127. For the better regulation of the County Courts of Duplin.

128. For the better organization of the Militia of Beaufort county.

129. To incorporate the Sunbury Academy in Gates county.

130. To authorize the removal of buildings on the public lands in the town of Franklin, Macon county.

131. Making compensation to the Secretary of State for services required of him by an act of the General Assembly of 1827, ch. 23.

132. To extend the provisions of an act passed in 1830, to repeal an act passed in 1825, concerning the public lands in Haywood county, so far as respects building on said land.

133. To empower the Commissioners of the town of Seracta in the county of Duplin, to sell the town commons.

134. Further to improve the Police of the town of Washington.

135. To incorporate Oak Grove Academy in Bertie county.

136. Incorporating the town of Carthage in Moore county.

137. Incorporating the Lafayette Artillery.

138. Reviving and continuing in force in the town of Washington, the provisions of an act of 1824, providing against the introduction of contagious diseases.

139. Enacting with sundry additions the act of Virginia incorporating the Portsmouth and Roanoke Rail-Road Company.

RESOLUTIONS.

1. Resolution authorizing and instructing the Committee of Finance to burn Treasury Notes in the office of the Public Treasurer.

2. Expressive of the feelings of the Legislature on the death of Charles Carroll of Carrollton.

3. Relating to the Clerks of Haywood and Macon counties.

4. In favor of William Heath.

5. In favor of Ephraim Christopher.

6. In favor of James Long, Sheriff of Perquimans county.

7. In favor of Daniel Graham, of Cumberland county.

8. In favor of William C. Butler and others.

9. In favor of William Ellison.

10. In favor of Charles Baldwin.

11. In favor of Joshua Williamson, Sheriff of Columbus county.

12. In favor of Mastin D. Crawford.

13. In favor of the Public Treasurer.

14. In favor of Abdell Darnall.

15. In favor of the Executor of Walter Davenport, of Lenoir county.

16. In favor of Joshua Robbins, of Randolph county.

17. In favor of Mary Edwards & others.

18. In favor of Frederick and Elias Liverman.

19. In favor of Joseph Welch.

20. In favor of Jonathan Williams.

21. In favor of Horace D. Bridges.

22. Concerning the fund belonging to the sisters of the late James N. Forsythe.

23. Instructing the Public Treasurer to settle conflicting claims with the Cape-Fear Bank.

24. Authorizing the Commissioners of the City of Raleigh to place their Engine-House on Union Square.

25. Directing the Attorney General to commence suit against delinquent subscribers of the several Navigation and Turnpike Companies.

26. Declaring the attachment of the Legislature to the Constitution of the United States, and denouncing the doctrine of Nullification.

27. In favor of Isaac Alexander.

28. In favor of Fielding Slaton, Sheriff of Rowan.

29. In favor of Elizabeth Forbis.

30. In favor of James Graham.

31. Authorizing the survey of Neuse River from Smithfield to some point near Raleigh.

32. In favor of John Lumsden.

33. Authorizing the purchase of a number of copies of the new Map of the State by John MacRae.

34. In favor of Benjamin Kilby, of Wilkes.

35. Directing the Adjutant General not to commence proceedings to enforce forfeitures against the delinquents mentioned in his Report.

36. Authorizing repairs of the Secretary's Office and Government House.

37. In favor of C. Webb, of Wilkes.

38. Providing for the sale of the residue of the old Capitol.

39. Directing the Public Treasurer to dispose of the suits now pending against the securities of the late Treasurer in such manner as he thinks proper.

40. In favor of Robert Stinson.

41. In favor of Daniel Harris.

42. In favor of Joseph Welch.

43. Resolution of thanks to Col. Isaac T. Avery, of Burke for a proposed donation of books to the State Library.

MR. SAWYER'S RESOLUTIONS.

The subjoined Resolutions were submitted by Mr. Sawyer, of Edenton, in the House of Commons, but were not discussed or acted on—

Resolved, That the several States composing the United States of America are not united on the principle of unlimited submission to the General Government; but that by compact, under the style and title of a Constitution for the United States, and of amendments thereto, they constitute a General Government for special purposes; delegated to that Government certain definite powers, reserving each State to itself the residuary mass of right to their own self-government; and that whenever the General Government assumes undelegated powers, its acts are unauthorized, void and of no force; that this Government, created by no compact, was not made the exclusive or final judge of the extent of the powers delegated to itself, since that would have made its discretion, and not the Constitution, the measure of its powers; but that, as in all other cases of compact among parties having no common Judge, each party has an equal right to judge for itself; as well of infractions as of the mode and measure of redress. That this State considers the Federal Union, upon the terms and for the purposes specified in the compact, as conducive to the liberty and happiness of the several States; that it does not unequivocally declare its attachment to the Union, and to the compact agreeably to its obvious and real intentions, and will be among the last to seek its dissolution. That if the Departments of the General Government be permitted to transgress the limits fixed by that compact, by a total disregard of the special delegations of power therein contained, an annihilation of the State Governments and the erection upon their ruins of a general consolidated Government, will be the inevitable consequence. That the principles and construction contended for by a majority of the State Legislatures, that the General Government is the exclusive judge of the extent of the powers delegated to it, is a dangerous and oppressive doctrine, and a usurpation of those who administer the Government, and not the Constitution, would be the measure of their powers. That the several States who formed that instrument, being sovereign and independent, have the unquestionable right to judge of the infraction; and that a Nullification by those sovereignties of unauthorized acts done under color of that instrument, is the rightful remedy. That this State does, under the most deliberate consideration, declare that the Tariff Laws, passed, not so much for the purposes of revenue, as to protect domestic manufactures, are in their opinion palpable violations of the said Constitution; and however cheerfully they may be disposed to surrender their opinions to a majority of their sister States in matters of ordinary and doubtful policy, yet in momentous regulations like the present, which so vitally affect the best rights of the citizen, it would consider a silent acquiescence as highly criminal. That although this State, as a party to the Federal compact, will bow to the laws of the Union; yet, it does at the same time declare that it will not now, or ever hereafter, cease to